Parent–Student Handbook

2018–19

Produced by the
Berkeley Unified School District
Student Services Department

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MISSION, VISION AND VALUES
OF THE
BERKELEY UNIFIED SCHOOL DISTRICT

Mission

The Mission of the Berkeley Unified School District is to enable and inspire our diverse student body to achieve academic excellence and make positive contributions to our world.

Vision

Our Students are curious and creative learners who succeed through personal initiative and sustained effort to reach high academic goals. They are critical thinkers who seek knowledge and possess technological competence and collaborative skills. Our students embrace diversity, act responsibly, and contribute to our community.

Our Educators believe that all students can meet or exceed rigorous academic standards. Teachers, staff, and administrators together form a rich professional learning community where all are supported to hone our professional craft and improve our effectiveness. Through the examination of our instructional practices and data, we adjust our teaching and operational systems in order to continuously improve. We are responsible in the stewardship of our fiscal resources and fair and equitable in their distribution.

Our Families and Community are integral to the success of our students and schools. Families are active, engaged and welcomed partners in their child's education who give valued input and participate in making important decisions about our academic and enrichment programs. Our diverse community is passionate about equitable educational outcomes for all students. Our civic and community organizations partner with us to promote family engagement and the well-being and success of our students.

Our Schools are vital centers of community life enriched by the diversity of our city and welcoming to all families. Each classroom offers engaging and culturally relevant curriculum that builds on students' interests and abilities. Student needs, as identified by regular assessment, inform our teaching and guide appropriate and effective intervention services. We offer an enriched learning environment and a comprehensive system of supports to address the needs of the whole child.

Values and Beliefs of Berkeley Unified School District:

- Students are our priority.
- We take pride in our diversity.
- We hold high expectations for ourselves and our students.
- We treat each other with respect and act with integrity.

The 2020 Vision

In June 2008, the Berkeley School Board and the City Council affirmed the 2020 Vision for Berkeley's Children and Youth:

> ***That all children, regardless of race, ethnicity and income, who enter Berkeley public schools beginning in 2007 (and remain in the District) will achieve equitable outcomes with no proficiency differences by the time they graduate in June, 2020; and that all children born in Berkeley in 2007 and beyond, receive a healthy start and are equally ready to learn and succeed in the Berkeley public schools.***

Strategies for Moving Forward:

1. **Plan for Educational Success for All**: Create a comprehensive action plan to address educational success for all Berkeley's students that articulates specific models, goals and measurable outcomes toward achieving the 2020 Vision. This plan will ensure rigorous culturally relevant teaching and learning that address the broad range of achievement levels and learning styles of our diverse students, using a standards-based curriculum aligned with formative assessments as well as innovative programs that motivate and engage students.
2. **Plan for Healthy Child Development for All:** Develop a comprehensive action plan to promote healthy child development for children age 0 to 5 and articulate specific models, goals and measurable outcomes to ensure school readiness for all children entering the Berkeley schools.
3. **Address Barriers to Learning:** Continue to implement the Berkeley Schools-Mental Health Partnership Strategic Plan (as adopted by the Berkeley City Council and Berkeley School Board in Spring, 2007) to build a comprehensive continuum of school-based and school-linked health and mental health services to strengthen the development of the whole child and remove barriers to educational success.
4. **Professional Development and Human Resources**: Develop the beliefs, attitudes and expectations of all District and City staff that academic, social and emotional success is possible and achievable for all students. The City and School District's human resources procedures will recruit, train and retain a diverse cadre of educators, school staff, and city employees with the skills and the commitment needed to remove the barriers to educational success and ensure all students achieve their full potential.
5. **Parent/Guardian and Youth Engagement:** Establish partnerships with families and youth, including those directly affected by educational inequities, to support the work of the District and the City to increase academic success for all students. Schools do not exist in isolation; youth and family engagement, economic security, and good health are all critical to achieving educational success.
6. **Community Engagement**: Implement a community engagement process that brings together key stakeholders, including Berkeley City College, UC Berkeley, the local business community and community-based organizations to create clear and accessible pathways for civic engagement, youth employment, career development and/or higher education for all Berkeley youth.
7. **Leverage local, state and national public and private resources:** Develop a coordinated effort with the City of Berkeley, the School District, and other stakeholders to coordinate revenue generation for priority programs and services that leverage and maximize public and private dollars so that all students have adequate and equitable supports for their success.
8. **Shared Accountability and Measurable Outcomes**: Commit to shared accountability for relationships and actions, with specific benchmarks for success. Both the City and the School District will work with the community to adopt short and long-term achievable outcome measures, and use the results to guide continuous improvement efforts. Staff will periodically report results to the School Board, City Council, and community.

Berkeley Unified School District

SCHOOL OFFICES

Berkeley Adult School	644-6130
Berkeley Arts Magnet Elementary School	644-6225
Berkeley High School	644-6120
Berkeley Technology Academy (BTA)	644-6159
Cragmont Elementary School	644-8810
Early Childhood Education	644-6358
Emerson Elementary School	644-6890
Jefferson Elementary School	644-6298
John Muir Elementary School	644-6410
LeConte Elementary School	644-6290
Longfellow Middle School	644-6360
Malcolm X Elementary School	644-6313
Martin Luther King, Jr. Middle School	644-6280
Oxford Elementary School	644-6300
Rosa Parks Elementary School	644-8812
Thousand Oaks Elementary School	644-6368
Washington Elementary School	644-6310
Willard Middle School	644-6330
Independent Study, Home Hospital Instruction	644-8592

DISTRICT OFFICES

Main Phone Line	644-4500
Superintendent's Office, Dr. Donald Evans	644-6206
Board of Education	644-6550
Ty Alper, President	
Josh Daniels, Vice-President	
Judy Appel, Director	
Karen Hemphill, Director	
Beatriz Leyva-Cutler, Director	
Admissions and Attendance	644-6504
Berkeley Schools Excellence Program (BSEP)	644-8717
Berkeley Schools Volunteers	644-8833
Compliance Officer/ Title IX Coordinator……	486-9338
Pre-K – 8 Schools……..	644-6202
Programs and Special Projects (LCAP, Title I, EL, GATE)	644-6202
Educational Services	644-6257
Evaluation and Assessment	644-6959
Human Resources/Employment	644-6150
Nutrition Services	644-6200
Family Engagement and Equity	644-8991
Public Information Office	644-6320
Special Education and Health	644-6210
Student Services (Discipline, Truancy, Alternative Placement, 504 Plans, Foster Youth, Homeless Youth, Alcohol, Tobacco, and Other Drug Prevention, Mental Health, Restorative Justice)	883-5224
Transportation	644-6182

Berkeley PUBLIC SCHOOLS

Berkeley Unified School District

General District Information

1. Curriculum and Instruction

1.1 Common Core State Standards (CCSS)

Educational standards describe what students should know and be able to do in each subject in each grade. In California, the State Board of Education sets the standards for all students, from kindergarten through high school.

Since 2010, 45 states have adopted the same standards for English and math. These standards are called the Common Core State Standards (CCSS). Teachers, parents, and educational experts designed the CCSS to prepare students for success in college and the workplace.

The Common Core State Standards replace the California Standards, and the California Standards Test (CST) has been changed to a computer-based standardized assessment aligned with the rigorous Common Core Standards. The new tests are called "Smarter Balanced" assessments and go beyond multiple-choice questions to include extended response and technology enhanced items, as well as performance tasks that allow students to demonstrate critical-thinking and problem-solving skills.

Please visit our webpage noted below for more information on local efforts to implement the Common Core in Berkeley public school classrooms as well as to find links to useful online resources, including a K-8 Common Core parent handbook that provides an overview of standards at each grade level, and is available both in English and Spanish.

For information on curriculum and instruction, please call Maggie Riddle, Director of Schools, at 644-6002.

http://www.berkeleyschools.net/teaching-and-learning-2/curriculum-standards/common-core-state-standards/

1.2. Report Cards

Report cards are a tool for teachers to communicate with parents/guardians about the student's progress towards grade level standards. Elementary students receive report cards three times a year. Elementary report cards reflect the grade level standards. Middle and high school students receive report cards four times a year, twice per semester (approx. every nine weeks). Additionally, secondary school students receive progress reports mid-way through each grading period (after approximately 4.5 weeks).

1.3. Student Assessments

In the spring of each year, all students in grades 2-8, and 11 are required to take the state mandated achievement tests as part of the State's California Assessment of Student Performance and Progress (CAASPP). However, a Special Education student's Individual Education Plan (IEP) may allow this student to take an alternate exam. The results of these tests are mailed to parents/guardians. Over time, the new CAASPP assessment will provide an additional data point, along with other test scores and achievement data to assess individual student achievement and the quality of instructional programs. Parents and teachers can use individual scores to monitor the progress of their students. For more information about the assessments that will be used with your student, please talk with his/her teacher. Information on the state testing program in general is posted on the CDE website.

California English Language Development Test (CELDT)

All English Learners are given the California English Language Development Test initially upon enrollment in Berkeley Schools and annually thereafter. This testing is mandated by the state; parents do not have the option to waive this requirement. The results are used for appropriate program placement of students and to ensure that all students attain proficiency in English.

1.4. Promotion/Retention Requirements

The Berkeley Unified School District Board of Education has adopted a Pupil Promotion/Retention Policy that is in compliance with legislation passed in January of 1999 (AB1626) requiring that students meet minimum grade level standards to be promoted to the next grade. Each school site is required to provide intervention programs for students who are not making adequate progress towards grade level standards and are at risk of retention. The Pupil Promotion/Retention Policy can be found in Section 9 of this handbook. Kindergarten and first grade students may only be retained with the consent of the parent or guardian.

1.5. High School Graduation Requirements

A minimum of 220 credits in grades 9-12 is required for graduation. These credits include:

- English: 40 credits, 8 semester courses
- History: 40 credits, 8 semester courses – one year of Freshman Social Studies, which includes Social Living and Ethnic Studies, one year of World History, one year of U.S. History, one semester of American Government, and one semester of Economics
- Science: 20 credits, 4 semester courses – one year of Physical Science and one year of Biological Science
- Mathematics: 20 credits, 4 semesters of Mathematics courses that are offered at BHS, or that BHS courses are the prerequisites for. Courses repeated may not count twice. (Successful completion of one year of Algebra, or equivalent, is required.)
- Physical Education: 20 credits, 4 semester courses
- Foreign Language: 10 credits, 2 semester courses

  or:
- Visual or Performing Arts: 10 credits, one year in one subject from Visual or Performing Arts.

1.6. Grading Policy

The Board of Education has adopted a standard grading policy, which can be found in Section 9 of this handbook. It is also important to note that after proper notification, a student's grades, transcript, and diploma can be withheld for damage to or failure to return school property (e.g., lockers, books, uniforms). Parents/guardians will be notified in writing of the student's alleged misconduct prior to the withholding of grades, transcript, or diploma (Education Code 48904). If you believe there is an error in grading, the first step is to contact the teacher. Ultimately, only the teacher of record can change a grade (Education Code 49066a).

1.7. Student Success Team

The *Student Success Team* (sometimes called a Student Study Team, or SST) is a process that is employed when a student is having difficulties in school, and when initial efforts by teachers, support staff, and/or parents to provide support have not made a sufficient impact. The SST is based on the assumption that the school, home, and community need to coordinate their efforts, through a focus on student strengths, to eliminate barriers to learning.

An SST meeting can be convened at any time during the school year by a teacher, administrator, parent/guardian, or other school personnel working directly with the child. Parents/guardians who are interested in convening an SST meeting for their child should contact the principal (for elementary schools), counselor (for middle schools and high schools), or coordinator (for independent study). SST meeting participants typically include the parent/guardian, teacher(s), principal, and student (when appropriate), and may include other individuals knowledgeable about the student's difficulties. In the SST meeting, information about the student's strengths, difficulties, and responsiveness are exchanged. This exchange is followed by the development of one or more specific goals for the student, and an action plan with strategies that will support the student in meeting these goals. Once an SST has been held, procedures are put in place to ensure that the action plan is implemented, including monitoring the student's progress and developing additional interventions if needed.

1.8. Special Education

According to state and federal law, all students aged 3 to 21 years who qualify for special education services, regardless of physical and/or mental ability, are entitled to a free and appropriate public education. To ensure that this right is protected, special instructional and support services are available to students with physical, cognitive, and emotional disabilities. The overriding mandate in assessing need and delivering services is that the student should be taught in the least restrictive environment. Therefore, when a student is referred for special education, every effort is made to serve the student in the regular general education program. For additional information, you may contact Lisa Graham, Director, Special Education, at 644-6210.

1.9. The 504 Plan for Students with Disabilities

Section 504 of the Rehabilitation Act of 1973 is a broad civil rights law regulated by the Office of Civil Rights. The law's intent is to eliminate discrimination based on disability in any program or activity receiving federal financial assistance. Under Section 504, students with a physical or mental impairment that substantially limits one or more major life activities, including learning, are eligible to receive services and aid designed to meet their needs.

To evaluate a student's eligibility under Section 504, the school site administrator or designee convenes a committee of individuals, including the parent, who are knowledgeable about the student's individual needs and school history, the meaning of evaluation data, and accommodation options. If the committee establishes that the student has a disability requiring services under Section 504, a written plan is developed that informs what modifications and/or special services and aids are needed. The Section 504 contact is the principal (for elementary schools), counselor (for middle schools and high schools), or coordinator (for independent study). The District Section 504 Coordinator is James Wogan, Manager of Student Services, 883-5224.

1.10. Procedures for Inclusion of Students with Disabilities in Non-Academic and Extra-Curricular Programs and Activities

Mandate

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 prohibit nonacademic and extracurricular programs and activities, including after school programs, operated or sponsored by public schools from discriminating against students with disabilities by denying admission or ongoing participation solely on the basis of child's disability. These programs and activities may not deny a request for reasonable accommodations without making an individualized assessment of the student's needs. A request for reasonable accommodation may be denied only if the district determines that it would fundamentally alter the program, or otherwise impose an undue burden on the District. Provision of a free and appropriate education (FAPE) in the nonacademic or extracurricular program or activity is not generally required; however there may be instances in which the student's Individualized Educational Program (IEP) or Section 504 team determines that participation in the program or activity is required as part of the student's FAPE.

IDEA, Section 504 and Nonacademic and Extracurricular Programs and Activities

The District must provide equal access for students with disabilities including those with IEPs or 504 Plans, by providing the aids, supports, modification and services that are necessary to include students in nonacademic or extracurricular programs and activities. Participation in the program or activity need not be required by the student's IEP or Section 504 plan in order for the student to receive aids, supports, modifications, or services. The aids, services, modifications or supports may or may not be the same as those implemented during the regular school day since the activities may be different and because participation may or may not be an element of the student's FAPE. The aids, services, modifications and supports provided will be based on the student's individual disability-related needs.

In addition, a student's IEP or Section 504 team may determine that the student requires participation in the nonacademic or extracurricular programs and activities to receive a FAPE to meet his/her IEP goals. In this case the IEP or Section 504 team will determine what special education and related aids and services the student needs in order to participate. The IEP or Section 504 team would write extended day as the location for services.

Procedure for Making a Request for Disability Related Aids, Supports, Modifications, and Services

1. The parent/guardian will complete the enrollment process for the nonacademic or extracurricular program or activity.

2. For students without an IEP or 504 Plan, the parent/guardian will complete the *Request Form for Disability Related Aids, Supports, Modifications and Services* and submit it to the supervisor/designee for the nonacademic or extracurricular program or activity. In consultation with one or more individuals with expertise regarding the particular type of request, such as a special education program supervisor, school nurse, counselor, or other administrator, the supervisor or designee may approve or deny the request after making an assessment of the student's needs by gathering information from one or more of the following: parent/guardian, student's teacher, principal or other knowledgeable person, student's educational records including assessments. The aids, supports, etc. to be provided are then documented in the student's program or activities file.

3. For students with IEPs or 504 Plans, the parent/guardian will complete the *Request Form for Disability Related Aids, Supports, Modifications and Services* and submit it to student's special education case manager at the school site. The IEP or 504 team will promptly convene and consider whether participation in the nonacademic or extracurricular program or activity is required as part of the student's FAPE; and, if so, the aids, services, modifications or supports necessary for the student's participation. The special education case manager will collaborate with the supervisor/designee for the nonacademic or extracurricular program or activity to document and implement the disability related aides, supports, modifications and services that will be implemented by the nonacademic or extracurricular program or activity staff.

   The IEP or Section 504 team may be expanded to include the supervisor/designee for the nonacademic or extracurricular program or activity. If the IEP or Section 504 team determines that participation in the nonacademic or extracurricular program or activity is not required as a part of FAPE, the team will advise the supervisor/designee of aids, services, modifications or supports that are needed to ensure equal opportunity to participate for the student. The aids, supports, etc. to be provided are then documented in the student's program or activities file.

Approval Process and Documentation
The supervisor/designee for nonacademic, extracurricular program or activity will notify the parent/guardian in writing of the decision to approve or deny requests in a timely manner. The supervisor/designee will determine if related aids, supports, modifications and services can be provided with existing resources or whether additional district resources will be needed. The district will provide approved aids, supports, modifications, and services at no cost to the parent or guardian.

If the parent/guardian wishes to challenge a denial of their request they can:

- Request a reconsideration by the Director of Special Programs and Projects (All decisions)
- File a complaint with the Director of Student Services using the Uniform Complaint process (All decisions)
- Request mediation from the Office of Administrative Hearings (For IEP team decisions only)
- Request a due process hearing from the Office of Administrative Hearings (For IEP team decisions only)
- File a compliance complaint with the California Department of Education, Special Education Division (For IEP team decisions)
- File for a Section 504 hearing (for Section 504 team decisions)
- File a complaint with the Office for Civil Rights (All decisions)

Form Used
Request Form for Disability Related Aids, Supports, Modifications and Services – see page 47

1.11. Gifted and Talented Education (GATE)
Currently, the District does not receive dedicated funding from the State for Gifted and Talented Education (GATE). However, teachers provide differentiated instruction, such as tiered activities and flexible groupings in order to challenge and engage all students during the school day. Through District funds, BUSD also provides enrichment for students in arts and academics at all sites. At the High School level, students are able to take AP and Honors courses.

1.12. Title I/ State Compensatory Education (SCE)
The Title I/SCE programs are funded by Federal and State money respectively. These funds are allocated to schools based on the number of students qualifying for the free or reduced-price lunch program. Schools must use these funds to support students who are academically underperforming. Students are identified as needing Title I services based on multiple academic assessments. Schools with more than 40% of their student population qualifying for free or reduced price are considered to be School-wide Title I schools.

The Title I and SCE funding sources support students' academic achievement by providing extended-day and year-round programs, teacher specialists, tutors, materials and other valuable resources. In addition, the District uses Title I funds for materials and training for parents in areas such as literacy, math, technology and data analysis as well as training educators to work with parents.

1.13. No Child Left Behind (has sunset) The Every Student Succeeds Act will commence July 1, 2017.
The Elementary and Secondary Education Act (ESEA) P.L. 107-110, also known as the No Child Left Behind Act, significantly changed many Federal education programs, including Title I. Districts are now required to notify parents annually of the following provisions of the law.

<u>Teacher Qualifications:</u>
Parents have the right to annually request information regarding the professional qualifications of their child's teacher annually, including, at a minimum:

- Whether the teacher has met State credential or license criteria for grade level and subject matter taught;
- Whether the teacher is teaching with an emergency credential or other provisional status;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held;
- Whether the child is provided services by paraprofessionals, and, if so, their qualifications.

Additionally, paraprofessionals supported by Title I funds must meet the following criteria:

- Complete two years of higher education study, or
- Obtain an Associate's or higher degree, or
- Pass a formal State or local academic assessment that demonstrates knowledge of and the ability to assist in teaching reading, writing, and mathematics or reading, writing, and mathematics readiness.

<u>Program Improvement Schools</u>:
A school that fails to demonstrate adequate yearly progress (AYP) for two consecutive years will be identified as a Program Improvement School. In order for a school or district to make AYP, it must have:

- A sufficient proportion of its students performing at or above the proficient level on the statewide assessment overall and for each significant subgroup;
- At least a 95% participation rate overall and for each significant subgroup;
- A growth Academic Performance Index (API) of at least 710 or at least one point of growth; and
- A graduation rate that increases one tenth of one percent until the school reaches 100%.

Any school that has been identified for Program Improvement must promptly notify parents as follows:

1. An explanation of what the identification means, and how the school compares in terms of academic achievement to other elementary schools or secondary schools in the District and the State;
2. The reasons for the identification and an explanation of what the school is doing to address the problem of low achievement;
3. An explanation of what the District or State educational agency is doing to help the school address the achievement problem;
4. An explanation of how the parents can become involved in addressing the academic issues that caused the school to be identified for school improvement; and
5. An explanation of the parents' option to transfer their child to another public school, with transportation provided, or to obtain supplemental educational services for the child, as applicable.

1.14. English Language Learners

More than forty languages are spoken by students in the District. English Language Learners may choose a Spanish Bilingual program, Spanish/English Dual Immersion or Structured English Immersion. These programs are in full compliance with the law. Parents have the option of signing a waiver if they do not want any of these programs for their child.

According to law, parents of limited English proficient (English Learner) students participating in a language instruction program shall be notified, not later than 30 days after the beginning of the school year, of the following:

- the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;
- the methods of instruction used in the program in which their child is, or will be participating, and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;
- how such programs will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
- the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for limited English proficient children, and the expected rate of graduation from secondary school, if applicable;
- in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child;
- information pertaining to parental rights.

Structured English Immersion Program (SEIP):

English Language Learners are placed with a classroom teacher who has the credentials to provide English Language Development (ELD) and sheltered instruction in the core content subjects (literature, history, science, and math).

Students in grades 6-12 receive one or two periods of daily English Language Development in a classroom setting, according to their level of English language proficiency. They also receive sheltered instruction in other core subjects. Students who are non-English speaking are given priority for support from primary language instructional assistants when possible.

Bilingual Programs:

LeConte (K-5) elementary school offers a Two-Way Immersion Program (Spanish/ English).

1.15. Office of Family Engagement and Equity

Research has consistently shown that when schools and families work together to support learning, everyone benefits: students do better in school and in life, parents become empowered, schools get better, communities grow stronger. To that effect, the Office of Family Engagement and Equity aims to build school, home and community partnerships to establish more inclusive and culturally informed support networks for parents, encourage parent advocacy and promote parental involvement in their children's education.

The Office of Family Engagement and Equity together with family engagement site coordinators strives to equip parents with necessary information, skills, and ability to effectively navigate the school system, support their children's success in school and engage them in school leadership opportunities. In addition to conducting parent outreach efforts for events and programs, the family engagement site coordinators also provide direct support to parents and caregivers in need of resources or information to address concerns about their children. For additional information, call OFEE Supervisor, Ann Marie Callegari, at 644-8991.

1.16. Berkeley Links Enrichment, Academics, and Recreation to the Needs of Students (LEARNS) After School Program

The Berkeley LEARNS AfterSchool Program supports children in reaching their full potential by providing academic support, recreational activities, and enrichment classes in a safe and structured environment. Berkeley LEARNS is offered at every BUSD elementary school except Jefferson (which has another program) and all three middle schools. The program operates as soon as students are released from the school day until 6:00 p.m. Monday through Friday, when school is in session.

The program provides an academic support hour Monday through Thursday, which includes homework assistance and opportunities for continued development of literacy and math skills through hands-on activities. Tutors are available for added support at many sites through partnerships with UC Berkeley divisions, including Stiles Hall and Cal Corps, and Berkeley School Volunteers. Cultural enrichment opportunities are provided by program staff and contracted specialists. The range of classes includes: Visual and Performing Arts, Music, Life Skills, Science, and more. Personal growth is encouraged through competitive and non-competitive sports by building teamwork and a healthy competitive spirit, developing relationships, and having fun. Through the partnership with the City of Berkeley we are able to offer our elementary students an enhanced athletic program. The middle school programs include recreational sports and interscholastic athletic teams. Berkeley LEARNS enrollment fees are on a sliding scale that is based upon family income. For additional information please call Angela Gilder, Program Supervisor, at 644-8625.

1.17. Berkeley's Excellent Academic Road to Success (BEARS) Extended Day Childcare

BEARS is a District-run child development program that serves elementary students at seven schools (Berkeley Arts Magnet, Jefferson, John Muir, LeConte, Malcolm X, Rosa Parks, and Washington). BEARS is a fully subsidized program that offers child care at no or low cost for families who qualify under State guidelines. BEARS offers year-round child care, both before and after school as well as all day during breaks and summer. Students receive homework assistance and engage in enrichment and recreational activities. BEARS classes are taught by

Child Development Teachers and Instructional Assistants. For additional information, please call Angela Gilder, Program Supervisor, at 644-8625.

1.18. Faculty Meetings and Collaboration Time
Every elementary school, middle school and Berkeley Technology Academy, will schedule early dismissal every Wednesday in order to provide additional time for teachers to work together. Berkeley High School schedules "Late Start" every Monday morning for this same purpose. Ongoing professional development has proven to be one of the most effective ways to improve student achievement.

1.19. Library Services
Every school has a library that is staffed by a library paraprofessional and/or a credentialed teacher-librarian. Students visit their library with their classes and also on an individual basis. BUSD recognizes that reading for pleasure and informational purposes (e.g., research projects, classroom assignments and individual curiosity) is a key component to success in future years. Our school library resources can be accessed at http://www.berkeley.net/library-services/. For additional information, please call Becca Todd, Library Coordinator, at 644-4895.

1.20. Music Program
The district wide Music Program begins in third grade with weekly classes. Students learn rhythm, tempo, note reading and improvisation while singing and playing recorders and Orff pitched percussion instruments. After an introduction to the instrument options, fourth grade students select chorus or an instrument to study for two years. Fourth and fifth grade music classes are held twice a week and the district loans instruments to students for a small fee. It is expected that students practice their instruments at home regularly to be prepared for class lessons and school concerts. After School classes and tutoring are available at most K-5 schools provided by The Music Connection from UC Berkeley.

In middle school, students may choose Concert Band, Symphonic Band, Orchestra, Jazz Band, Modern Music or Chorus as an elective. The emphasis in middle school music is on working together as an ensemble as well as improving instrumental skills and techniques. Some afterschool programs offer music classes. At Berkeley High School, students may enroll in Band, Orchestra, Jazz Lab Band, Jazz Ensemble, Guitar, or Chorus as well as AP Music Theory. Students may choose to participate in Pep Band and join student-led collaborations such as jazz combos or the pit orchestra for the musical. The middle and high school groups attend regional and statewide competitions and festivals. For both middle and high school ensembles, participation in evening concerts is a mandatory component of the program. Grades 5-12 perform at the District Performing Arts Showcase in March. For further information, call Peter Gidlund, VAPA Program Supervisor at (510) 644-8772.

1.21. Comprehensive Sex Education and Sexual Harassment Education
Students, at various times in their education in the Berkeley Unified School District, will receive sex education instruction that is age/grade appropriate. The curriculum includes instruction on human sexuality, family life, Sexually Transmitted Diseases, pregnancy prevention, including abstinence, and HIV and AIDS prevention education. Parents/guardians will be provided written notification prior to the instruction taking place and have the opportunity to view materials and/or request that their child not participate in a unit of instruction. King Middle School and Berkeley High are participating in a five-year program through the California Department of Education to develop a model standards-based HIV/STD prevention education program.

Sexual harassment awareness education that is grade level appropriate is provided to all students grades 4 – 12. In addition, in grades 7 – 12, education related to consent, adolescent relationship abuse, intimate partner violence, and sex trafficking is provided.

1.22. Alcohol, Tobacco, and Other Drug (ATOD) Prevention Education
ATOD prevention education is offered at every BUSD middle school and high school. BUSD 7th and 8th grade science teachers offer lessons using Project Alert, a research-based curriculum. The New Bridge Foundation's ASPIRE Program provides research-based educational activities related to ATOD prevention and offers ATOD-related counseling support for students. The City of Berkeley has partnered with BUSD to provide funding for the ASPIRE Program. Additional ATOD prevention education is provided through a 3-year Tobacco Use Prevention Education grant. Support for parents related to ATOD concerns is also available at middle and high schools.

1.23. Secondary Bridge Programs
Selected students will be invited to participate in the Bridge Academic Support Program. This program is designed to support students as they transition from the elementary schools into the middle schools and middle school to high school. As a participant in the Bridge Program, the student will be required to attend Afterschool Academic Support Class twice a week. Students will receive academic support and an opportunity to develop self-confidence, leadership skills, organizational skills and how to navigate middle /high school. Additionally, parents are required to attend two Parent Education Workshops during the school year.

1.24. AVID (Advancement Via Individual Determination)
AVID is an elective course that is offered to students in Grades 7 thru 12. It targets students in the academic middle with the interest to go to college and willingness to work hard. Often, the students may be the first in their families to attend college, and/or come from a traditionally underrepresented ethnicity in higher education. Students must be capable of completing rigorous curriculum. Enrollment in AVID will support the students with acquiring organizational and study skills, development of critical thinking skills, ongoing academic support from their peers and college tutors, and will provide opportunities to participate in enrichment and motivational activities. This is a research based College Readiness Program, that requires commitment from the student and support from the parent or guardian.

1.25 Physical Education Program
BUSD students in grades K – 5 receive a minimum of 200 minutes of Physical Education (PE) (does not include recess or lunch) every 10 school days. PE instruction in elementary school s is provided by the classroom teacher or a PE specialist. BUSD students in grades 6 – 8 receive a minimum of 400 minutes of PE every 10 school days. All middle school students take a PE course in grades 6 – 8; instruction is provided by a credentialed PE teacher. BUSD students in grades 9 – 12 must complete a minimum of 2 years of PE in order to receive a high school diploma. The PE requirement at the high school level may be met through participation in PE courses taught by credentialed PE teachers, participation in the high school's athletic program, or through a PE waiver (All PE waivers must be approved by a school administrator).

1.26. Gender Support
Gender support plans, gender transition plans, and/or requests for a student's name change and/or gender marker/gender pronoun change are processed by the Manager of Student Services, James Wogan

at 883-5224 The District's Name/Gender Marker Change Request Form is available on page 55.

1.27 School Accountability Report Card [E.C. § 35256]
The School Accountability Report Card is available on request and is accessible on the BUSD website: www.berkeleyschools.net. This contains information about the District regarding the quality of the District's programs and its progress toward achieving stated goals.

1.28 Counseling Services Available for all Elementary, Middle School, and High School Students

BUSD offers counseling services at all elementary, middle, and high schools. All students are encouraged to participate in all programs, courses, and activities. All counseling staff and materials do not discriminate against any student based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

BUSD does not permit the use of different counseling materials for students on the basis of sex and the use of counseling materials does not permit or require different treatment of students based on sex. BUSD ensures that any disproportionate number of students of one sex enrolled in a particular class is not the result of counseling or appraisal material.

All BUSD Elementary Schools:
Behavioral health support, provided by licensed providers and/or interns, is available at all BUSD elementary schools. Available services include social skills groups and individual behavioral health support for students, and consultations with parents/guardians related to behavioral health support.

Longfellow, Martin Luther King, and Willard Middle Schools:
All BUSD middle schools have credentialed counselors. Counseling services available at middle schools include:

- Crisis intervention
- Assisting other school sites in crisis intervention
- Providing students individual and/or small group counseling
- Assisting students in developing interpersonal skills, improving responsibility and resolving conflicts
- Referring students to other school support services and community resources as needed
- Consultations with parents and staff as needed
- Facilitating Section 504 plans and related services for eligible students with disabilities
- Restorative practices including classroom circles, harm circles, and re-entry circles
- Activities to support positive school climate
- Substance use prevention education, counseling, and small groups
- Resources for pregnant, parenting, and lactating students Support for students dealing with trauma
- Support for homeless and foster youth Preparing students to transition to high school

Berkeley High School and Berkeley Technology Academy:
All BUSD high school counselors are credentialed. All BUSD high school students are assigned an academic counselor. Counseling services available at high schools include:

- Crisis intervention
- Assisting other school sites in crisis intervention
- Providing students individual and/or small group counseling
- Assisting students in developing interpersonal skills, improving responsibility and resolving conflicts
- Referring students to other school support services and community resources as needed
- Consultations with parents and staff as needed
- Facilitating Section 504 plans and related services for eligible students with disabilities
- Restorative practices including classroom circles, harm circles, and re-entry circles
- Activities to support positive school climate
- Substance use prevention education, counseling, and small groups
- Resources for pregnant, parenting, and lactating students
- Support for students dealing with trauma
- Support for homeless and foster youth
- Preparing students to transition to high school
- College and Career Planning: The counselors assist students and their parents/guardians with high school educational planning and programming to ensure that students have an appropriate secondary education. The counselors assist students in choosing among post-secondary options, both education and vocational. They also assist in the college selection process by providing information pertaining to admissions requirements, college admissions, scholarships, testing, and applications.
- Referrals to Alternative Education
- Monitoring Graduation Status/Credits
- College Preparation Workshops
- UC/CSU College Applications
- Community College Applications
- Financial Aid
- PSAT Interpretation
- High school orientation for middle school students and parents/guardians
- College Letters of Recommendation, Secondary School Reports, Mid-year Reports
- Grade Point Average Verification for Specific College Scholarships and Financial Aid
- Provide NCAA processing
- College Application Counseling including Essay Critique
- College Representative Program
- College Videos, Catalogs, and online searches in Career Center Scholarships Information,
- SAT/ACT Registration, and Military Information available in Career Center
- Graduation support for homeless and foster youth (AB1806/AB216)

2. Student Admissions

2.1 The Enrollment Process
The BUSD Admissions Office handles all student enrollment and assignment for grades K-12. Outlined below is the enrollment process.

Continuing Students:
Berkeley residents who are presently attending an elementary or middle school will automatically be able to remain at their current school. Students wishing to change schools must fill out a Parent Preference Form indicating their first, second and third choice of schools for the next year. If space is not available at any of their choices, they will remain at their current school. Current fifth graders at all schools must fill out a preference form indicating their choices of middle school and must re-submit proofs of residency in January. All continuing students matriculating from 5th to 6th grade and from 8th to 9th grade must be re-enrolled, including verification of residency in Berkeley. Re-enrollment occurs during the winter; re-enrollment packets are mailed to all applicable families.

New Students:
Parents of students who are entering Berkeley's schools must fill out an enrollment form and list their preferences for schools. Along with the enrollment form, parents must submit the student's birth certificate and Berkeley residency documentation.

Documentation includes providing personal identification by providing an original of a current governmental identification (ID) card, as well as a declaration of Berkeley residency and proofs of Berkeley residency. The acceptable current proofs of Berkeley residency are documents imprinted with the name and current Berkeley address of the parent/legal guardian. The parent/legal guardian must provide one (1) original item from each of the following three (3) groups of documentation.

Group A: Utility Bill (Entire bill issued within the last two months)
- PG&E, Landline phone (non-cellular), EBMUD, Internet, Cable

Group B: Residency Documentation
- Current bank statement issued within the last two months (checking or savings only)
  - Action letter from Social Services or government agency issued within the last two months (cannot be property or business).
  - Recent paycheck stub or letter from employer on official company letterhead confirming residency address issued within the last two months.
  - Valid automobile registration in combination with valid automobile insurance
  - Voter registration for the most recent past election for the most recent upcoming election

Group C: Renter or Homeowner Documentation
- Rental property contract or lease, with payment receipt (within 45 days)
- Renter's insurance policy or homeowner's insurance policy for the current year
- Current property tax statement or property deed

Students transferring from another district must also submit a report card or transcript from the student's previous school. Depending on the circumstances, at times it may be necessary to conduct residency verifications to ascertain the student's domicile.

Non-Resident Students:
Students who are not Berkeley residents may request enrollment in Berkeley schools on an inter-district permit, if approved by the school district where they live and by BUSD. Inter-district permits must be renewed each year. No student attending on an inter-district permit will be placed until the permit renewal is received. Students who are on an inter-district permit must meet the district's standards for attendance, academics, and discipline records. Inter-district transfers are given only on a space available basis, with permission of home district. Under Berkeley's enrollment system, priority for enrollment is given to all Berkeley residents before inter-district students are admitted.

2.2 Enrollment Priorities
Under state law, parents may request any school in the district; however, first priority will be given to families who live in the school's attendance zone. Students are admitted to their preferred school in accordance with six district-established priorities:
Priority One: Berkeley residents currently attending the school and living in that attendance zone.
Priority Two: Berkeley residents currently attending the school and living out of the attendance zone.
Priority Three: Berkeley residents who are siblings of any student currently in attendance on the basis of priority one or two above, and who will continue to be in attendance for the next school year. Where space is limited, in any given grade level at any given school, all siblings of priority one students will be taken before any siblings of priority two students.
Priority Four: Berkeley residents not currently attending the school and who live in the attendance zone.
Priority Five: Berkeley residents not currently attending the school and who live outside of the attendance zone, and BUSD employees who do not reside in Berkeley.
Priority Six: Non-Berkeley residents requesting inter-district transfers.
Lottery
When there are more applicants than space at a given school, the district will fill those spaces through a random computer selection – a lottery – of those applicants. The BUSD School Assignment Plan makes use of a diversity map which scores addresses according to a mix of socio-economic factors (parent income and parent education level) and ethnicity in order to balance a diverse student body for each school. The same system is used for assignment to learning communities at the high school - beginning with student preference and balancing by lottery.
For further information, please call Admissions Manager, Francisco Martinez at 644-6504.

3. Attendance

3.1. Attendance

California law requires that all children ages 6-18, not otherwise exempted or excluded, attend school full time. Parents are legally responsible for their child's attendance at school during the entire school year. Parents of truant students may be held civilly and criminally accountable for their child's truancy.

3.2. Absences

When your child is absent from school, please phone the school office as soon as possible. Some school sites have separate phone numbers to report absences. When leaving a message regarding your child's absence please provide the following information:

- Student's name
- Date(s) absent
- Reason for absence
- Grade/teacher
- Your name and your relation to child
- Daytime phone number

Please be aware that the State does not reimburse the District for any absence. Every day a student is absent results in a loss of revenue to the District. The District is still required to keep accurate records of student attendance and reasons for absences. Per Education Code 48205, excused absences include absences due to: illness, medical appointments, funeral services for a member of the immediate family, jury duty, time with a member of the immediate family who is on active duty, and for justifiable personal reasons upon written request by the parent/guardian and approval of the principal. Absences for justifiable personal reasons may include, but are not limited to, religious holidays, attendance at religious retreats (four hours per semester maximum).

When a student has had excessive absences due to illness, the parent/guardian may be required to have a physician verify subsequent absences due to illness.

Unexcused absences may affect a student's academic standing.

Please contact your child's principal, vice-principal, or dean if you know that s/he is going to be absent for an extended period of time of a week or more. Short-term independent study may be approved by the Principal, depending upon the circumstances. Short-term independent study for a period of more than 21 calendar days must be requested in writing, indicating 1) the reason for request 2) the date of departure 3) and the date of return. The request must be submitted to the Director of Student Services for consideration. Completion of independent study will help your student's academic achievement and will allow the District to collect ADA funds for the student**. Note: the District discourages families from taking vacations at times that cause students to be absent from school and will <u>not</u> approve independent study for purposes of vacations or other family trips that are not urgent.**

3.3. Dismissal Due to Illness

A child may be sent home early from school if s/he is ill or appears to be suffering from an infectious or contagious disease. Parents/guardians or emergency contacts listed will be contacted to pick up the child.

3.4. Truancy

State law requires that a child between the ages of 6 and 18 attend school. Pursuant to Education Code 48260, any student subject to compulsory full-time education or to compulsory continuation education 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, is a truant and shall be reported to the District's attendance supervisor.

- <u>Habitual Truant</u>: A pupil is deemed a *habitual truant* if s/he is reported as a truant three or more times per school year. However, no pupil shall be deemed a habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil.
- <u>School Attendance Review Board (SARB)</u>: Any student deemed a habitual truant shall be referred to the School Attendance Review Board (SARB). The purpose of the SARB is to work collaboratively with the students and their families, and explore and utilize suggested interventions that will be successful for the pupil involved. Should SARB determine that its intervention services are insufficient or inappropriate to correct the truancy, or the pupil does not follow SARB's directions, then a referral may be submitted to the district attorney or county probation office.

3.5. Student Records

The District shall maintain a complete, permanent cumulative record on each student. These records are housed at the student's current school and maintained by the school secretary, registrar, or records clerk. Parents/guardians of students under eighteen (18) years of age have the right to inspect all of the school records of their children, including cumulative, guidance, and health records.

3.6. Emergency Cards

It is vitally important that parents fill out new student emergency cards every fall in order to have the most current contact information as well as the current status of any health conditions or medications. **A separate form is required for each medication**. Please contact the school office for the required forms, and update these forms should any of the information change during the school year.

3.7 Family Preparedness Plans

Every family should have a Family Preparedness Plan. Have a plan so that a trusted adult can care for your child if you cannot. This plan should include emergency numbers, a list of important contact information and a file with important documents. On the District website, as well as at your school, there is a copy of a Family Preparedness Plan you can adapt for your family's needs, with a special section that addresses the concerns of immigrant families.
http://www.berkeleyschools.net/resources-for-immigrant-families/

4. Health and Safety

Your child's health impacts his/her ability to attend school and reach his/her full academic potential. In order for the District to provide a safe and healthy environment for your child, we need to be informed of any health or medication needs on an ongoing basis. All related paperwork for the health requirements listed below can be obtained from your child's school site.

4.1. Student and Family Privacy Rights
Board Policy mandates that personal information concerning students and their families should be kept private in accordance with the law. Parents have the right to exempt their children from participating in (a) surveys that request personal information, and/or (b) physical exams or screenings. For example, every other year the District administers the California Healthy Kids Survey, a confidential and anonymous survey to students in grades 5, 7, 9 and 11 to help schools assess student health-related behaviors. Parents will be notified in writing in advance of this survey, as well as any other health surveys or screenings, and the procedure to opt out will be clearly explained. Students are screened for vision and hearing in grades K, 2, 5, 8, and 10 and by teacher referral. Parents must submit a note in writing to the school in order to opt out of vision and hearing screening.

4.2. Administration of Medication
Students who need to take prescribed or over-the-counter medication during the school day may be assisted by designated school personnel or allowed to self-administer certain medication as long as it is in accordance with law, Board policy, and administrative regulations. Berkeley High students receive these services at the Health Clinic on campus. It is necessary for the District to have a written statement from the student's physician and a written statement from the student's parent/guardian before (1) a designated employee administers or assists in the administration of any prescribed medication to any student; or (2) any student is allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication during school hours.

Please see Board Policy 5141.21 on page 30 for more information.
The form is available at all schools, on the BUSD website, and on page 52. This form should be filled out and signed by the child's physician and the parent/guardian.

4.3. Special Care Plans
Students with conditions requiring special care during their school day must have a physician signed care plan on file to guide designated school personnel in procedures required for the student's health and safety. Care plans for diabetes, seizures, asthma, and severe allergies are available on the BUSD website, to be completed by the student's medical provider on at least an annual basis and as the child's care needs change.

4.4. Medical Emergencies

If your child is in need of minor first aid, it will be administered in accordance with District first aid training. If medical attention appears to be necessary, but not required immediately, the parent/guardian or other emergency contacts listed will be contacted to pick the child up. Should immediate medical attention be necessary, the school will call an ambulance. If a person is suffering, or reasonably believed to be suffering, from an anaphylactic reaction, trained school personnel may use an epinephrine auto-injector to provide emergency medical assistance. Every effort will be made to contact the parent or other emergency contact person(s).

4.5. Immunizations and Other Health Requirements
To be admitted to school, children must be fully immunized in accordance with the law. Children shall be excluded from school only as allowed by law.

If you need assistance or information on free clinics, call the Alameda County Immunization Project at 510-267-3230.
Parents are required to provide documentation that their child has been immunized against the following:

Kindergarten–12th grade
• *Polio*
– 4 doses meet the requirement, or
– 3 doses for ages 4–6 years if at least 1 was given on or after the 4th birthday or
– 3 doses meet the requirement for ages 7–17 years if 1 was given on or after the 2nd birthday

• *Diptheria, Pertussis, and Tetanus (DPT)*
– 5 doses meet the requirement, or
– 4 doses meet the requirement for ages 4–6 years if 1 dose was given on or after the 4th birthday, or
– 3 doses meet the requirement for ages 7–17 years if 1 dose was given on or after the 2nd birthday

• *Pertussis (Tdap):*
– 1 dose given after the 7th birthday is required for 7th grade students and students new to the District in grades 8-12.

• *Measles, Mumps, Rubella (MMR)*
– 2 doses meet the requirement; both must be given on or after the first birthday (one dose can be measles vaccine only; 1 dose must be MMR)

• *Hepatitis B*
– 3 doses meet the requirement, or
– 2 doses of 2-dose formulation meet the requirement for ages 11–15 (must be documented as a 2-dose formulation of Hepatitis B vaccine)

• *Varicella (chicken pox)*
– 1 dose required in kindergarten through sixth grade (2010-2011 school year) or students under age 13 entering a California school for the first time, or
– No dose is required if a physician or clinic has documented on the child's immunization card ''had disease''

Health and Safety Codes 120325-120380; Education Code Sections 48216, 49403.Parent permission must be given in writing before any child can participate in any immunization program sponsored by the District.

Physical Examination
California State Law requires students have a physical examination within eighteen (18) months prior to entering first grade or within ninety (90) days after entry. Parental waivers are available under certain conditions. Free periodic health assessments are available to low-income children through the CHDP Program. If you need assistance getting low-cost insurance for children and youth, please contact Berkeley Public Health Division CHDP Program at (510) 981-5333.

Oral Health Assessment Requirement
California law requires that children have an oral health assessment (dental checkup) by May 31 in either kindergarten or first grade, whichever is his or her first year in public school. Assessments that have been done within the 12 months before your child enters school also meet this
requirement. The law specifies that a licensed dentist or other licensed or registered dental health professional must do the assessment. Parent waivers are available under certain conditions. If you need assistance finding a low-cost pediatric dental provider please contact Berkeley Public Health Division at (510) 981-5300.

4.6. School-Linked Health Services Program
There may be times when families or the District have concerns about a child's health or safety at school. The District's partnership with the City of Berkeley School-Linked Health Services program can assist elementary school families with resources and referrals for a variety of health-related issues. These include health/dental insurance, health care providers, consultation on health-related issues, and health education workshops for students, families and staff. Call Berkeley Public Health at 981-7677 for more information.

In order to provide the highest level of service possible, the District requests that you consider signing a *Parent Authorization for Release of Information to the City of Berkeley Public Health Division*. This consent form allows the District to share your child's information contained on his/her Student Emergency Card, Immunization Record, and results from health screenings conducted at school with the School-Linked Health Services program. Staff may contact you to offer assistance with follow-up medical or dental appointments, and referrals for no/low cost health insurance. This form is sent home with each student at the beginning of the school year and consent expires one year from the date of signature.

Oral Health Screenings

The City of Berkeley School-Linked Health Services Program partners with the Alameda County Office of Dental Health to provide free dental screenings, dental sealants, and preventative dental education to all 2nd and 5th grade students. Parents have the right to refuse this program and must submit written documentation prior to the screening. This program is not meant to replace regular, professional dental care.

4.7. Safety Drills and Procedures
Each school site is required to hold regular fire, earthquake, and lockdown drills. The purpose of these drills is to provide students and staff practice with evacuation, lockdown, and shelter-in-place procedures. Additionally, each site has a comprehensive school safety plan, which includes emergency preparedness, available for review. District staff has received training in armed intruder preparedness.

4.8. Use of Pesticides
Pesticides are not used in Berkeley Schools. Should a situation arise where pesticide use is unavoidable, all applicable City of Berkeley requirements are observed, signs are posted 24 hours in advance of the pesticide application, and remain in place 72 hours after the pesticide application.

4.9. Nutrition Services
The District is dedicated to serving the most delicious/nutritious food available. The District uses natural and organic products when possible, serves fresh fruits and vegetables every day, and has salad bars in all of our schools. All of our food is freshly prepared. Free and reduced price lunches are available for income eligible families. The district has eliminated the $.40 associated with the reduced cost for lunch, so if your family is approved for reduced benefits, your children will eat lunch at no cost to the parents.

The District has implemented a Universal Breakfast Program at all of our schools, providing breakfast for every student at no cost.

For additional information, please call Marni Posey, Director, Nutrition Services, at 644-6200.

4.10. Sexual Harassment
Sexual harassment is against the law in all schools in California (Education Codes 200, 212.6, 48900.2). Sexual harassment is also in violation of Berkeley Unified School District Board policy. All forms of sexual harassment, whether student to student, staff to student, staff to staff, or student to staff, are unlawful at BUSD schools. (Note: Education Code 48900.2 does not apply to students in grades K – 3.)

Definition of Sexual Harassment
Sexual harassment includes unwelcome verbal, visual, or physical conduct of a sexual nature which may have a negative impact upon the victim's academic or work performance or create an intimidating, hostile, or offensive educational/work environment.

Specific Examples of Sexual Harassment
Sexual harassment may include, but is not limited to:

- Unwelcome written, verbal, physical, and/or visual contact with sexual overtones such as slurs, crude jokes, touching, blocking movement, sexual cartoons or drawings, and obscene language.
- Continuing to express sexual interest after being informed that the interest is unwelcome.
- Sexting (sending sexually explicit images or text).
- Postings with sexual overtones on social media sites.

Note that possession of sexually explicit images involving minors may also be a criminal offense.

Sexual Harassment by a *Student*: Action Steps for Victims and Witnesses
If a student or staff member is sexually harassed by a student, the victim may tell the student who has engaged in sexual harassment to stop, if the victim feels comfortable doing so. In addition, any student or school staff member who has been sexually harassed by a student and any student or staff member who has witnessed a student engaging in sexual harassment must report the incident immediately to a school administrator (vice principal or principal) and/or District administrator.

Consequences for *Students* Who Engage in Sexual Harassment
Consequences for a student who has engaged in sexual harassment can include any of the following actions depending upon the severity of the harassment and whether or not the student has previously engaged in serious misbehavior: counseling, conferencing with the student and parent/guardian, a written apology, a referral to student court, restorative justice), detention or in-school suspension, suspension, expulsion, and a police report.

Sexual Harassment by a *Staff Member* (or Other Adult): Action Steps for Victims and Witnesses
Any student or school staff member who has been sexually harassed by a school staff member or any adult at school and any student or staff member who has witnessed an adult engaging in sexual harassment must report the incident immediately to a responsible adult (vice principal or principal).

Consequences for *Adults* Who Engage in Sexual Harassment
Consequences for a staff member who has engaged in sexual harassment can include personnel action including a verbal and written reprimand, a referral to counseling, reassignment, termination of employment, or other disciplinary action, a suspension or revocation of professional credentials, and a police report. In addition, an adult who engages in sexual harassment can face civil and criminal consequences.

Support for Victims of Sexual Harassment
Students who have been sexually harassed can get support from the school counselor or administrator. Staff members who have been sexually harassed can get support through BUSD's Employee Assistance Program. Additional resources are listed on the BUSD website at http://www.berkeleyschools.net/departments/titleix

Protections for Victims of Sexual Harassment
Reasonable efforts will be made to maintain the confidentiality of anyone who reports sexual harassment. Retaliation towards a student or staff member who reports that they have been sexually harassed is illegal.

For further information, please see BUSD's Sexual Harassment Policy in Sections 9.11 and 9.12.

4.11. Surveillance Cameras at Schools
For the safety of students and staff, surveillance cameras that include video only (no audio) are installed in several locations at some elementary schools, at every middle school and high school in BUSD, and at the adult school. Surveillance cameras are not located inside any school bathrooms or locker rooms. Surveillance videos are viewed by school administrators and safety officers and may also be viewed by police, as allowed by law, and used as evidence in disciplinary matters. Board Policy 3515 regarding the use of surveillance cameras at schools includes guidelines regarding viewing live video feed when an immediate safety threat exists. Surveillance cameras will be installed at all schools.

4.12 Accommodations for a Lactating Student

Reasonable accommodations are provided to a lactating student on a school campus to allow the student to express breast milk, breastfeed an infant, or address other needs related to breastfeeding. A lactating student may seek assistance regarding accommodations from the Manager of Student Services in Room 112 of the District Office at 2020 Bonar Street, and may also seek support from the Health Center at BHS (for BHS students) or from a counselor or administrator at the school.

5. Student Discipline

As stated in the California Code of Regulations, Title 5 (5 CCR) Section 300, it is the duty of pupils to conform to school regulations, obey all directions, be diligent in study, be respectful to teachers and others in authority, and refrain from the use of profane and vulgar language. Thus, all students are expected to follow the rules and codes of conduct established by the school site. Students who do not adhere to school rules are subject to disciplinary action.

5.1. Grounds for Suspension and Expulsion

The District supports the use of restorative practices and other positive behavioral interventions as alternatives to suspension whenever feasible. Suspension, including supervised (in-school) suspension, shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil many be suspended for any of the reasons enumerated in Education Code 48900 upon a first offense, if the Principal or Superintendent (or designee) determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons. In accordance with Education Code Section 48900, a pupil shall not be suspended from school or recommended for expulsion unless the Superintendent or the Principal (or designee) of the school in which the pupil is enrolled determines that the pupil has:

a. (1) Caused, attempted to cause, or threatened to cause, physical injury to another person; or (2) willfully used force or violence upon the person of another, except in self-defense.
b. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of the possession of such object, the pupil has obtained written permission to possess the item from a certificated school employee, which is concurred by the Principal or the designee of the Principal.
c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance, as defined in Section 11007 of the Health and Safety Code, an alcoholic beverage or intoxicant of any kind.
d. Unlawfully offered, arranged, or negotiated to sell any controlled substances, as defined in Section 11053 of the Health and Safety Code, an alcoholic beverage or any intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid substance, alcoholic beverage, or intoxicant and represented it as a controlled substance, alcoholic beverage, or intoxicant.
e. Committed, or attempted to commit robbery or extortion.
f. Caused or attempted to cause damage to school property or private property.
g. Stole or attempted to steal school property or private property. (School property, as referenced in f) and g) includes, but is not limited to, electronic files and databases.)
h. Possessed or used tobacco, or any product containing tobacco or nicotine products, including but not limited to cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, or betel.
i. Committed an obscene act or engaged in habitual profanity or vulgarity.
j. Had unlawful possession of, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (applies to grades 4 – 12 only)
l. Knowingly received stolen school property or private property.
m. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
n. Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed sexual battery as defined in Section 243.3 of the Penal Code.
o. Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
p. Unlawfully offered, arranged to sell, negotiated to sell, or sold prescription drugs.
q. Engaged in, or attempted to engage in hazing.
r. Engaged in an act of bullying, including, but not limited to bullying by means of an electronic act, towards a pupil or school personnel.
s. Aided or abetted the infliction or attempted infliction of physical injury on another person.

or

- Committed sexual harassment that has a negative impact on another's academic performance, or creates an intimidating, hostile or offensive educational environment (applies to grades 4-12 only) (Education Code 48900.2)
- Caused, attempted to cause, threatened to cause, or participated in an act of hate violence (applies to grades 4-12 only). (Education Code 48900.3)
- Intentionally engaged in harassment, threats or intimidation, directed against school district personnel or pupils. (Education Code 48900.4)
- Made terroristic threats against school officials, school property, or both.(Education Code 48900.7)

No pupil shall be suspended or expelled for the acts listed here unless such act is related to school activity or school attendance. A pupil may be suspended or expelled for acts which are listed in this section and related to school activity or attendance which occur at any time, including but not limited to any of the following: (1) while on school grounds; (2) while going to or coming from school; (3) during the lunch period, whether on or off the campus; or (4) during or while going to or coming from a school-sponsored activity.

Teachers who suspend a student from class are required to report the suspension to the Principal (or designee) and request a conference with the parent/guardian.

5.2 Expulsion Recommendation

Mandatory

Per Education Code Section 48915 (c), the Principal of the school (or designee) shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds. The Governing Board shall order a pupil expelled upon finding that the pupil committed an act listed in Education Code Section 48915(c):

a. Possessing, selling or otherwise furnishing a firearm;
b. Brandishing a knife at another person;
c. Unlawfully selling a controlled substance;
d. Committing or attempting to commit a sexual assault or a sexual battery as defined in subdivision (n) of section 48900;
e. Possession of an explosive.

The Board shall suspend the expulsion of any expulsion order unless it is uniquely inappropriate to do so in the particular case (Board Policy 5144.3 see Appendix 9.17).

Discretionary: Particular Circumstances or Alternative Means of Correction to Address the Conduct

Per Education Code Section 48915(a)(1), the Principal of the school (or designee) or the Superintendent shall recommend a pupil's expulsion for any of the following acts unless the Principal (or designee) or Superintendent finds that expulsion should not be recommended due to the circumstances or that an alternative means of correction would address the conduct. Except in extraordinary circumstances, for violations of Education Code Section 48915(a)(1), other means of correction should be employed and expulsion should not be recommended (Board Policy 5144.3).:

a. Causing serious physical injury to another person, except in self-defense.
b. Possession of any knife or other dangerous object of no reasonable use to the pupil.
c. Unlawful possession of any controlled substance, as listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis or the possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
d. Robbery or extortion.
e. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school district employee.

Discretionary

Exception under extraordinary circumstances, students shall not be recommended for expulsion for Education Code violations that do not fall under Education Code sections 48915(a) or 48915(c) (Board Policy 5144.3).

5.3. Due Process

Students facing major disciplinary action (such as suspension or expulsion) have a right to a fair hearing. The process requires that procedures be established in order to guarantee that penalties that deny access to any educational opportunity are administered for good and just cause. Due process procedures entitle students to: 1) oral or written notification of the charges; 2) an explanation of the evidence; 3) an opportunity to present his/her side of the story; and 4) a right to appeal decisions resulting in major disciplinary action to the next higher authority by using the complaint process. The procedures are designed to ensure that corrective action, if any, is taken only after a thorough examination of the facts. The nature of the corrective action must be reasonably related to the nature and circumstances of the violation.

5.4. Safe Schools & Violence Prevention

Each school site is responsible for the development of a comprehensive school safety plan. Parents/guardians may participate in the development of these comprehensive school safety plans as members of the School Governance Council (SGC), which is responsible for the development of the plan. The School Governance Council may delegate the responsibility to a committee with specified members (Education Code section 35294.1(b)). Such a committee would be known as the School Safety Committee. This comprehensive school safety plan shall be evaluated and updated annually and amended as needed.

6. Home to School Transportation

6.1. District Buses

Policy: Home to school bus transportation is provided within attendance zones to all elementary school students who live beyond a one and one-half (1½) mile walk boundary. Some transportation is also provided to certain Special Education students. Parents who wish to enroll their students in a school outside of their attendance zone must provide their own transportation. The District does not provide regular home to school transportation for middle school or high school students. In the interest of safety, it's important that students use only their designated bus stop.

Conduct**:** The Transportation Department is dedicated to providing courteous and professional service and to ensuring the safety of all students. Parents are requested to review these rules with their children. A clear understanding of the rules and support from families will help the District provide a safe ride for all students.

- Cooperate with the driver.
- Talk quietly and respectfully to each other and to the driver.
- Enter and exit the bus in an orderly fashion.
- Stay in your seat.
- Keep the aisles clear at all times.
- Keep your hands to yourself.
- Do not hit, hurt or bother any other student; do not fight.
- Do not throw anything on the bus, at the bus, or out of the bus.
- Do not put arms, hands, head, or any other body part outside the window.
- Do not eat on the bus.
- Keep the bus clean.
- Do not damage the bus or tamper with bus equipment.
- Do not bring pets or any other animals on the bus. Exception: Guide, Service or Signal Dogs.
- The use of all tobacco containing products is prohibited.

6.2. Discipline Process

Drivers will discuss the bus rules and other safe riding practices, including instruction in the required emergency procedures. When discipline problems occur on the bus, drivers will discuss these issues with a supervisor and when possible, attempts will be made to call the parent or guardian. The drivers may also discuss the problem with site staff.

Certain serious offenses, including fighting, injury to others, serious disregard for safety, disrespectful behavior toward the bus driver, destruction of district property, etc. may result in an automatic suspension of bus riding privileges after one incident. Continued disorderly conduct or persistent refusal to submit to the authority of the bus driver shall be a sufficient reason for a pupil to be denied transportation. (5 CCR 14103)

For additional information regarding BUSD Transportation please call Tim Mull, Manager, at 644-6182.

6.3. Walking to School or the Bus Stop

Parents whose children walk to school or the bus stop are encouraged to do the following:

- Discuss the safest route to and from school or the bus stop.
- Map out the route selected.
- Walk the selected route with your child so that s/he can become familiar with it.
- Discuss the meanings of the traffic signals and markings along the route.
- Talk about why it is safer to cross at corners and to always use crosswalks.
- Help your child understand the importance of cooperating with police and crossing guards.
- Teach children to stop, look, and listen before crossing the street.
- Teach them to always walk across the street, to never run and to continue to look for vehicles.
- If your child has a good understanding of right and left, introduce him/her to the concept of looking left-right-left before crossing.
- Remind your child not to approach the vehicles of strangers for any reason.
- Encourage and praise your child for following guidelines for walking every day.
- Above all, set a good example for your children – their actions and attitudes are modeled after yours!

6.4. Bicycling

For BUSD students who are old enough and responsible enough, bicycling is a healthy way to get to school. It also minimizes pollution and negative environmental impacts.

Basic Bike Safety Principles

Below are five Basic Bike Safety Principles. Please be sure your children understand and apply these rules.

1. Pay attention—anticipate other people's actions.
2. Be visible—don't try to hide from cars. Wear bright colors; use lights and reflectors.
3. Learn to coexist with motorists and other road users.
4. Be predictable—let others know what you are doing.
5. Allow enough time—avoid rushing and making mistakes.

You can find a suitable bicycle route on the online map listed at: www.ci.berkeley.ca.us/transportation/Bicycling/bicycling.html or in the school office. In addition, some schools provide bicycle parking, such as secure bicycle cages and racks.

Additional Safety Measures

Children should master basic bicycling skills, e.g., steering, braking, stopping, balancing, and have some experience riding in normal on-street traffic, before bicycling to school. When bicycling to school, parents are encouraged to address the following:

1. Determine a safe route to the school by accompanying your children on bicycles. That way you can ensure that they are familiar with the routes and that they observe standard traffic safety rules and etiquette. Accompany children until you are confident that they are responsible enough to bicycle alone to school.
2. Make sure your child wears a properly fitted helmet in accordance with State Law. When accompanying your child, wear your own helmet.
3. To prevent theft or vandalism, seek secure parking spaces on school campus. For students at Berkeley High School, the Bike Station at the Downtown Berkeley BART station has free and secure parking. See www.bikestation.org/berkeley/index.asp

6.5. Driving Your Child to School

In November 1999, the BUSD school board adopted a resolution to reduce traffic congestion around our schools, thereby providing a safer environment for our students. In order to accomplish this, the Board encourages the use of alternative modes of travel, such as walking, bicycling, carpooling and mass transit. There are individualized school site traffic safety plans to help parents and students choose the best alternatives. Traffic plans are developed for each school site so that parents and neighbors know the bus routes and passenger loading areas for students. In order to improve safety for all of our students, please comply with these directions from your child's school concerning traffic flow, car parking, and drop-off zones.

The primary concern for school and district staff is that each child is safe at school and while traveling to and from school. Parents who drive their children to school should take extra precautions while operating vehicles near school grounds. The City of Berkeley has designated both bus loading zones and passenger-loading zones at most schools. These zones are designated primarily to ensure student safety. Vehicles must drop off and pick up children in the passenger-loading zone only. Passenger loading zones are not designated for parking at any time. Kindergarten parents are encouraged to park their cars at appropriate street parking and to walk children to the classroom.

The City of Berkeley Parking Enforcement Division will issue traffic citations to anyone not observing posted signs or practicing general safety procedures. Officers are posted at each school site on various days of the week to observe student drop off procedures. Citations will be issued for anyone:

- Parking in the red curb zone
- Parking on a sidewalk
- Double parking
- Illegally stopping or parking in the disabled zone

Officers taking license plate numbers issue citations automatically. Citations are then mailed to the address of the registered owner.

7. Technology in the Schools

The Berkeley Unified School District provides technology equipment in many classrooms, laboratories and libraries through the District, and provides access to the Internet in all of our schools. The administration and school staff believe strongly in the educational value of electronic media and recognize its potential to support the curriculum and student learning. The District's goal in providing technology and Internet services is to promote educational excellence by allowing access to databases from all over the world and by facilitating resource sharing and communication via e-mail. The technology resources of our schools must be used in a manner that conforms with the school's educational purposes and environment.

The District makes every effort to protect students from any misuse or abuse as a result of their experiences using the Internet. The District requires that all students and staff using District technology agree to the terms and conditions of the *Acceptable Use Agreement*. The complete policies for both elementary and secondary students are found in Section 9 of this Handbook. Please review the appropriate policy with your child. It is important that students understand the policy as violation of the policy may result in disciplinary action against the student. No student will be allowed to use District computers unless a signed copy of the *Acceptable Use Policy* is on file with the classroom teacher or technology resource teacher.

For further information, please call Jay Nitschke, Director, Technology, at 644-8890.

8. Parent/Community Involvement & Communication

8.1. School Visitation
It is the policy of the Board of Education and the practice of District staff to encourage parents and guardians to visit school sites and classrooms to observe the work of the schools. The Board of Education and District staff believe there is no better way for the public to learn what the schools are actually doing.

All visitors to school sites must report to the school office when entering, and receive authorization to visit elsewhere in the school site. Unauthorized persons will not be permitted in school buildings or on school grounds. School principals are authorized to take appropriate action to prevent such persons from entering buildings and from loitering on grounds. Such persons will be prosecuted to the full extent of the law per Education Code section 32211 and Penal Code 653 (g) and 647 (b).

Information about a student will only be given to parents/guardians and designated adults in accordance with State and Federal laws and Board policy.

8.2. Parent Teacher Conferences
Formal Parent Teacher Conferences for Kindergarten through 8th grade students' parents/ guardians will be held in November. The purpose of this conference is to meet individually with the teacher to discuss progress to date and the first report card of the year. Parents/guardians are encouraged to request additional conference appointments with their child's teacher as the need arises. Please follow school site procedures for setting up appointments with your child's teacher. If you are a non-native speaker of English, services are available using the Language Line phone service.

8.3. Back to School Night
Back-to-School Night, scheduled in September at each school in Berkeley, is an opportunity for parents/guardians to meet their child's teacher(s), to get an overview of the grade level curriculum, and to learn more about the school from the principal.

8.4. Family Engagement and Equity
Many schools have Family Engagement Specialists whose focus is to equip parents with necessary information, skills, and resources to effectively navigate the school system, support their children's success in school and engage them in school leadership opportunities. The Family Engagement team also provides support to parents and caregivers in need of advocacy support and information to address concerns about their children. For further information, contact Family Engagement and Equity Supervisor, Ann-Marie Callegari, Supervisor of OFEE, at 644-8991 or anncallegari@berkeley.net.

8.5. Homeless Education Assistance
The McKinney-Vento Homeless Education Assistance Act requires school districts to remove all barriers to enrollment, attendance and school success for homeless students. Assistance to homeless students and families is provided by the Office of Student Services. Students and families identified as homeless are provided with enrollment assistance, transportation to/from school, school supplies, supplementary academic supports, case management and referrals to outside agencies. Contact BUSD's McKinney-Vento Counselor, Sophina Jones, at 644-6529 for information regarding assistance for homeless students.

8.6. Parent Teacher Association (PTA)
Most schools have a parent organization that comes under the umbrella of the state PTA. The PTA usually sponsors several events annually, including fundraising activities and parent education nights. The PTA also coordinates afterschool classes, room parents and volunteers, publishes school newsletters and directories, organizes teacher lunches, and serves as a forum for parental concerns. At Berkeley High School, the PTSA includes students as members.

8.7. School Site Committees
School Governance Council (SGC)
This committee is a combination of the former School Site Council (SSC) and BSEP Site Committees. The School Governance Council is charged with developing, reviewing, and evaluating annually a *Single Plan for Student Achievement*, which addresses:

- Student achievement
- Opportunities for enrichment
- Special needs of identified students
- Staff development
- Program evaluation
- Program expenditures

The SGC monitors and evaluates the Single Plan for Student Achievement (SPSA) to ensure that BSEP funds, Title I, and other resources are being spent appropriately. Members of the SGC include the principal, teachers, classified staff, parents, other community members, and at the secondary schools, students. Members of each group are selected by their peers. Elections for membership are held annually at each school; the meetings are open to the public. Decisions made by the School Governance Council affect the school experience of every student.

English Learner Advisory Committee (ELAC)
State compliance regulations require that all schools with 21 or more English Learner (EL) students have a functioning English Learner Advisory Committee. This committee is comprised of parents of EL students, as well as the site principal and staff. This advisory committee meets monthly to accomplish the following mandates:

- review the school plan for services to EL students
- conduct a needs assessment
- review the language census
- give input on the EIA/EL budget; and
- increase parent awareness of the importance of school involvement.

A member of this committee represents the school on the District English Learner Advisory Committee (DELAC). Translation services for these meetings are available upon request to the site principal.

8.8. District Level Committees
District English Learner Advisory Committee (DELAC)
This committee is comprised of representatives from each site's ELAC, along with District and site staff, and community members. The committee may advise the District on services for English Learners, including ensuring parental involvement. The DELAC also serves as the English Learner Parent Advisory Committee (ELPAC) for consultation, review and comment on the district's Local Control and Accountability Plan (LCAP) for supplemental state funds under the Local Control Funding Formula. Translation at these meetings is available. For additional information, contact the Office of Family Engagement and Equity at 644-8991.

BSEP Schools Excellence Program and the BSEP Planning & Oversight Committee (BSEP P&O)

The *Berkeley Public Schools' Educational Excellence Act of 2016*(Measure E1 of 2016) is a local special tax which provides over $28 million each year for the enhancement of our school programs. Two-thirds of BSEP funds are used to provide more classroom teachers and other supports for classroom teaching, enabling the district to maintain smaller class sizes than could be afforded through the General Fund.

The BSEP Measure provides much more, including: counseling services for middle school students; 4th-8th grade music and visual and performing arts programs; up-to-date libraries in all K-12 schools; technology equipment and support; professional development for teachers; a program evaluation department and a public information office. The BSEP Measure also provides School Discretionary funds to each site, which each school's School Governance Council (SGC) allocates to programs which support student achievement.

The BSEP program is overseen by the BSEP Planning and Oversight Committee (P&O), a citizens' committee with representatives from every school, selected by each school's School Governance Council. The role of the P&O Committee is [to assist the District in developing plans and budgets for each of the BSEP programs, and to monitor the expenditures of BSEP funds. The P&O Committee representatives also provide communication and coordination among schools, sharing ideas to ensure the effective use of BSEP. Serving on the BSEP Planning and Oversight Committee is an excellent way to obtain an overview of how the district functions, and to help ensure that BSEP funds are used properly and to good purpose. Information is available on the BUSD website and through the BSEP Office at bsep@berkeley.net, or by calling Natasha Beery, Director of BSEP, at 644-8717.

The Local Control and Accountability Plan (LCAP) and Parent Advisory Committee (PAC)

In January, 2014 a new Parent Advisory Committee (PAC) was formed under the guidelines of the new California State Local Control Funding Formula, which requires a forum for consulting parent representatives on the three-year plan now required of all school districts in California. Together with the DELAC, the role of the PAC is to consult, review, and comment on the district's Local Control Accountability Plan. For additional information, contact Pat Saddler, Director of Special Projects at 644-8931.

Meaningful engagement of parents, students, and other stakeholders, including those representing students qualifying for free and reduced price meals, English learners, and foster youth, is a state priority and key component of the Local Control Accountability Plan (LCAP) development process. Representatives are appointed from each school, with one from each elementary site, two from each middle school, four from Berkeley High School, two from Berkeley Technology Academy, and one from the preschools, as well as four at large for the district.

Bond Oversight Committee

The charge of the Bond Oversight Committee is to provide enhanced accountability to the Berkeley community by ensuring that monies from the Berkeley Schools Construction Bonds of 2010, 2000 and 1992 (Measures I, AA and A respectively) are spent in accordance with the Measures and the Board approved modifications. The Committee meets monthly to review whether projects are contained within the Measure I language, review audits, scrutinize project expenditures, review construction program modifications, and produce an annual report. They advise the Board of any concerns with regard to the expenditures or progress of construction projects and present an annual report. Information about the Committee is available at 644-6066 and on the BUSD website.

Facilities Maintenance & Security Oversight Committee

The charge of the Facilities Maintenance & Security Oversight Committee is to provide enhanced accountability to the Berkeley community by ensuring that monies from the Berkeley Schools Facilities Safety and Measures Act of 2010 (Measures H) are spent in accordance with the Measure. The Committee reviews the District's administration of and compliance with the terms of the Measure and provides input into annual and long-term goals for maintenance and security of the District's facilities. The Committee reports to the Board of Education and advises them of concerns and matters related to BUSD maintenance. Information about the Committee is available at 644-6250 and on the BUSD website.

Berkeley Arts in Education Steering Committee

The Berkeley Arts in Education Steering Committee (BAESC) welcomes parents, teachers, arts organizations and community members. Meeting bi-monthly during the school year, BAESC believes that regular, sequential standards-based instruction in all four arts – dance, drama, music and visual arts – is essential for all students in BUSD schools. To achieve this goal, the committee seeks resources and partnerships to make quality arts instruction equitable and accessible. BAESC works to provide a stable infrastructure for the district's art programs by assessing existing programs and facilities and supporting the BUSD Arts Education Plan. Committee members make reports to the Board of Education and lend support for the annual Performing Arts Showcase. For further information, call Peter Gidlund, VAPA Program Supervisor at (510) 644-8772.

Audit Committee

The Audit Committee functions as a budget oversight committee and is comprised of five members: two Board members appointed by the Board President, and three members of the community whose skills are deemed sufficient by the Board to enable them to carry out their duties effectively.

8.9. Website

The District website, maintained by the Public Information Office, is a valuable resource with information about:

- School sites
- Enrollment procedures
- Test scores
- Board of Education agendas and meetings
- Calendars
- Demographic information
- Employment opportunities
- Facility updates, and
- State and national resources for parents and students
- Parent Student Handbook

Visit the website often: http://www.berkeleyschools.net

8.10. Distribution of Materials

Any organization that wishes to distribute materials to students or staff or post notices in schools must obtain prior approval from the Executive Assistant to the Superintendent.

8.11. Berkeley Public Schools Fund

The Berkeley Public Schools Fund is a non-profit organization that mobilizes financial and volunteer resources to directly support student

success through excellent teaching. With support from individuals, businesses, government and foundations, the Schools Fund is able to provide over $400,000 annually in direct grant support for teachers and their classrooms; manage another $200,000 in special projects funds for programs and teachers; administer the Berkeley School Volunteers program; and serve as a catalyst, facilitator, advocate and fundraiser for public education within and outside the District. With the Schools Fund's help, students and teachers travel throughout the Bay Area on field trips; enjoy working with visiting art, dance and theater professionals; use various technology tools or supplemental curriculum materials to support reading, math, science and social studies; have bookshelves replenished with engaging fiction and non-fiction selections—and many other educational enrichment opportunities.

The School Fund's Berkeley School Volunteers (BSV) program engages some 1,000 community volunteers to assist in the schools. BSV, fully funded by the Schools Fund, has authority from BUSD to recruit, train, and place volunteers from the community with teachers and staff who have requested volunteer assistance. Annually, BSV volunteers give the equivalent of at least $1 million in donated time and talent. BSV's diverse programs make volunteering in our schools easy for even the busiest of community members. From writing a monthly "Lit Pal" letter to tutoring regularly in classrooms, BSV volunteers make an invaluable contribution to teachers, students, and public education in Berkeley!

For more information about the Schools Fund programs, or to make a donation, please visit their website at berkeleypublicschoolsfund.org, contact the Schools Fund at (510) 644-6244 or email at schoolsfund@berkeley.net. For information about volunteering, please call (510) 644-8833 or email at bsv@berkeley.net.

8.12 Use of Student Images/Schoolwork

The District often includes images of students engaged in school activities and events as part of outreach and information about our programs for parents, family, and the wider community. Community partners such as the PTA and the Berkeley Public Schools Fund value these images as compelling ways to share and urge support for the work of our teachers and students.

During the school year, your student may be photographed or filmed by District staff while participating in school programs and activities. If you have a special concern about the use of your student's image or name, please notify the school office.

We want you to know that our Board Policies and Administrative regulations provide the following guidelines:

Photos and Videos

- Close-up photos of individual students require parent permission before publication.
- Videos including an interview with an individual student also require parent permission.
- Photos and videos showing two or more students may be published without parent permission, such as videos showing students engaged in classroom/school activities,
- Photos and videos of public performances, or other special events open to the general public may be published and shared.

Student Names

- Parent permission will be required to publish the first and last names of students along the photo or video, unless the student is appearing in an award ceremony and other public event. Otherwise, photos and videos are published without names, or with first names only.

Student Work:

- Student artwork, schoolwork, writing and media may be shared publicly (website, social media, print publications) as long as the student's full name is not used. Parent permission is required for the use of a student's full name in association with the student's work.

8.13. Media and Special Projects

There are times when schools may be featured in various news media. News reporters, photographers and/or film crews from TV, radio stations, newspapers, magazines, online publications, or other media may wish to interview, photograph and/or film your child in relation to a story about our schools or students, such as a school performance, a sports competition, or other newsworthy events. Your child's name might be included in the report. We want you to know:

Media representatives must register immediately upon entering any school building or grounds when school is in session and a media representative who wishes to photograph students on school grounds should first make arrangements with the PIO, principal or designee. We want you to know that in accordance with Board Policies and Administrative Regulations:

- The district will not impose restraints on students' right to speak freely with media representatives at those times which do not disrupt a student's educational program.

- Parents/guardian may, at their discretion, instruct their children not to communicate with news media representatives.

Please discuss your wishes with your children if you do not want them to be interviewed, photographed or filmed by news media, on or off campus. Please be aware that there may be circumstances beyond our control, and the media policy is a guide, but not a guarantee that your child will not be interviewed or photographed by news media.

Berkeley PUBLIC SCHOOLS
Berkeley Unified School District

9. Policies and Procedures

For the most up-to-date list of BUSD policies, consult the BUSD website at http://www.berkeleyschools.net/schoolboard/policies/

9.1. Notification of Non-Discrimination Policy

The Berkeley Unified School District is committed to fostering a positive learning and working environment for its students and employees. Accordingly, BUSD programs, activities and practices shall be free from discrimination based on actual or perceived race, color, national origin, sex, disability, age, religious creed, gender, sexual orientation, gender identity, gender expression, marital or parental status, ancestry, national origin, ethnic group identification, disability, medical condition, homelessness or foster status, in its programs and activities. BUSD provides equal access to the Boy Scouts and other designated youth groups.

The following employee has been designated to handle questions and complaints of alleged discrimination:

Chelsea Yogerst
Compliance Officer and Title IX Coordinator
2020 Bonar Street, Room 116-117
Berkeley, CA 94702
Phone: 510-486-9338
Email: nondiscrimination@berkeley.net

Inquiries may also be referred to the Office for Civil Rights:

U.S. Department of Education
50 United Nations Plaza
San Francisco, CA 94102, Mail Room 1200, Room 1545
Telephone: 415-486-5555
TDD: 800-877-8339
Email: ocr.sanfrancisco@ed.gov

9.2. Board Policy 5020: Parent Rights and Responsibilities

The Governing Board recognizes that parents/guardians of district students have certain rights as well as responsibilities related to the education of their children.

The Board believes that the education of the district's students is a shared responsibility. The Superintendent or designee shall work with parents/guardians, including parents/guardians of English learners, to determine appropriate roles and responsibilities of parents/guardians, school staff and students for continuing the intellectual, physical, emotional and social development and well-being of students at each school site, including the means by which the schools and parents/guardians can help students achieve academic and other standards of the school.

Within this framework, the school's primary responsibility shall be to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all students to meet the academic expectations of the school.

Parents/guardians shall have the opportunity to work with schools in a mutually supportive and respectful partnership and to help their children succeed in school. (Education Code 51100)

The Superintendent or designee shall ensure that district staff understand the rights of parents/guardians afforded by law and Board policy and follow acceptable practices that respect those rights.

The Superintendent or designee shall ensure that parents/guardians receive notification regarding their rights in accordance with the law.

The Superintendent or designee shall take all reasonable steps to ensure that all parents/guardians who speak a language other than English are properly notified in English, and in their home language of the rights and opportunities available to them pursuant to Education Code 48985. (*Education Code 51101.1*)

adopted: May 21, 2003

9.3. Board Policy 6020: Parent Involvement

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 Superintendent or designee shall work with staff and parents/guardians to develop 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.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the District's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

<u>Title I Schools</u>
Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program

The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 6318.

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall

involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities.

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent involvement policy in accordance with 20 USC 6318.

Non-Title I Schools
The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502.

adopted: December 13, 2006

9.4. Board Policy 5121: Grades/Evaluation of Student Achievement

The Governing Board believes that grades serve a valuable instructional purpose by helping students and parents/guardians identify the student's areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive course grades that represent an accurate evaluation of the student's achievement.

The teacher of each course shall determine the student's grade. The grade assigned by the teacher shall not be changed by the Board or the Superintendent except as provided by law, Board policy and administrative regulation. (Education Code 49066)

Teachers shall evaluate a student's work in relation to standards which apply to all students at his/her grade level. The Superintendent or designee shall establish and regularly evaluate a uniform grading system, and principals shall ensure that student grades conform to this system. Teachers shall inform students and parents/guardians how student achievement will be evaluated in the classroom.

Grades should be based on impartial, consistent observation of the quality of the student's work and his/her mastery of course content and objectives. Students shall have the opportunity to demonstrate this mastery through a variety of methods such as classroom participation, homework, tests and portfolios.

When reporting student grades to parents/guardians, teachers may add narrative descriptions, observational notes and/or samples of classroom work in order to better describe student progress in specific skills and subcategories of achievement.

Students in grades K-8 shall receive standards-based evaluations rather than letter grades in order to give parents/guardians more information about their children's developmental levels and also promote students' self-esteem and experiences of success.

Grade Point Average (GPA)
The Superintendent or designee shall recommend to the Board the methodology to be used in calculating students' grade point averages.

Adopted: September 2009
Revised: January 11, 2012

Administrative Regulation 5121: Grades/Evaluation of Student Achievement

Grades for Achievement
Grades for achievement at the high school level shall be reported for each marking period as follows with the addition of plus/minus signs if appropriate:

Grade	Description	Grade Point
A	Outstanding Achievement	4.0 grade points
B	Above Average Achievement	3.0 grade points
C	Average Achievement	2.0 grade points
D	Below Average Achievement	1.0 grade points
F	Little or No Achievement	0 grade points
I	Incomplete	0 grade points

At the K-8 level, teachers report each student's mastery of the standards in each subject each marking period.

Grade	Description
4	Advanced
3	Proficient
2	Approaching
1	Below

Middle school teachers also report each student's habits of work using the same four-point scale.

Whenever it becomes evident to a teacher that a student is in danger of failing a course, the teacher shall arrange a conference with the student's parent/guardian or send the parent/guardian a written report. (Education Code 49067)

Progress reports that indicate a grade range (A/B, B/C, C/D, or D/F) in each high school course or numeric ratings for each middle school course shall be mailed to parents of all secondary students at the mid-point of each marking period.

An Incomplete is given only when a student's work is not finished because of illness or other excused absence. If not made up within six weeks, the Incomplete in any high school subject shall become an F.

Grades for Physical Education
No grade of a student participating in a physical education class may be adversely affected due to the fact that the student, because of circumstances beyond his/her control, does not wear standardized physical education apparel. (Education Code 49066)

Student performance in high school physical education courses shall be based upon evaluation of the student's individual progress, attainment of

goals in each instructional area, tests designed to determine skill and knowledge, and physical performance tests.

Pass/Fail Grades
The Superintendent or designee may identify courses or programs for which students may, with parent/guardian notification, receive a Pass or Fail grade instead of an A-F grade.

Students who receive a Pass grade shall acquire the appropriate semester units of credit for the course. The grade shall not be counted in determining class rank, honors list, or membership in the California Scholarship Federation. Students who receive a Fail grade shall not receive credit for taking the course, and the grade shall be included in calculating the Grade Point Average.

Repeating Classes
With the approval of the principal or designee, a student may repeat a course in order to raise his/her grade. Both grades received shall be entered on the student's transcript, and the two grades shall be averaged in determining the student's overall grade point average. If a student received credit for completing a course with a grade of D or higher, s/he may only receive elective credit for repeating the course.

Withdrawal from Classes
A student who drops a course during the first fifteen school days of the semester may do so without any entry on his/her permanent record card. A student who drops a course between the sixteenth day and the end of the seventh week of the semester shall receive a W grade on his/her permanent record. A student who drops a course after the seventh week of the semester shall receive an F grade on his/her permanent record, unless otherwise decided by the principal or designee because of extenuating circumstances.

Grades for a student in foster care shall not be lowered if the student is absent from school due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades and credits shall be calculated as of the date the student left school;
2. A verified court appearance or related court-ordered activity.

Approved: September 2009, Berkeley, California
Revised: January 11, 2012

9.5. Board Policy 5123: Promotion/Acceleration/Retention and Assignment

The District is committed to the early identification of students at risk of retention in the belief that early detection and intervention enhance the potential for success. Student's academic progress is based upon meeting a range of expectations for promotion including academic grade level standards, course requirements, state, and local assessments. Students performing outside this range may be considered for acceleration, assignment, or retention.

The law requires that the classroom teacher(s) recommend that a student be retained. A Student Study Team process may be used to consult and review decisions regarding promotion, acceleration, assignment, or retention. Intensive instructional programs will be provided to students who are recommended for retention or identified as being at risk of retention.

Promotion at the elementary level is based on the student meeting minimum grade level standards in Reading, Language Arts and mathematics. At the middle school level, promotion is based on student's earning credits. The promotion of high school students is based upon the completion of graduation requirements and credit status.

Adopted: April 2001

Administrative Regulation 5123: Promotion/Acceleration/Retention

I. Definition of Terms
When implementing the Promotion, Retention, and Assignment Policy, the following definitions of terms shall be used:

a. **Promotion** shall be defined as the advancement to the next higher grade level for a student who has met or exceeds the criteria for promotion as defined by the district's adopted indicators of achievement.
b. **Assignment** shall be defined as [the procedure for] students who have not met the criteria for promotion, as defined on district-adopted indicators of achievement who may be assigned to the next grade under certain circumstances.
c. **At-Risk of Retention** shall be defined as a student experiencing serious difficulty in meeting grade level standards. At-risk students are eligible for Intensive Instructional Support Programs that focus on improving student academic achievement.
d. **Retention** shall be defined as a student remaining in the grade level s/he is currently enrolled in for a subsequent year because it is decided that s/he does not meet the minimum district wide grade level criteria for assignment and will make significant academic progress by remaining in the current grade level. This decision is typically made after academic deficiencies and appropriate progress is not made in meeting grade level standards.
e. **Acceleration** shall be defined as the process of advancing an exceptional, high-achieving student at a more rapid rate than year-by-year promotion.
f. **Age-Appropriate Advancement** shall be defined as the process of advancing an over-aged student at a more rapid rate than year-by-year advancement. This definition also includes the advancement of a student from elementary to middle school level outside the usual time frame for promotion or assignment.
g. **Reclassified** shall be defined as a high school student's grade level status as a result of not earning sufficient units to be on schedule for promotion to the next grade.
h. **Grade Level Standards** are the state and district standards that determine minimum and mastery performance of students at each grade level.
i. **Criteria for Retention** shall be defined as not meeting performance standards on identified indicators of achievement and other classroom/social indicators.
j. **Intensive Instructional Support Programs** shall be defined as supplemental instruction for students in grades 1-9 who have been retained or are at risk of being retained as defined by the district's multiple measures.
k. **Student Study Team** shall be defined as a group of professional staff (principal, teachers, support personnel), the student's parent/guardian, and the student when appropriate, who explore strategies and interventions to support the student's academic, social, and emotional growth.

II. Procedural Guidelines
For Promotion, Assignment, Retention, Acceleration, Age Appropriate Advancement, Administrative Placement, and Intensive Instructional Support Programs, the following criteria and procedural guidelines shall be implemented:

a. Promotion: Students who meet the criteria for promotion shall be promoted.
b. Assignment: Students who have not met the criteria for promotion, as defined on district adopted indicators of achievement may be assigned to the next grade when:

Elementary
The recommendation of the teacher or the Student Study Team is that the student will not benefit from another year at the same grade level, or

The student has been previously retained in the elementary grades.

Middle School
The recommendation of the English and/or mathematics teacher is that the student will not benefit from another year at the same grade level, or

The student has been previously retained in the middle school grades.

If a student is assigned from middle school to high school and is not at grade level in English or mathematics, s/he will be required to attend an Intensive Instructional Support Program.

Any student assigned to the next grade will be required to attend Mandatory Summer School.

C. Retention

1. General Criteria for Retention: The minimum criteria that will be used to identify all students who are at-risk of retention or who shall be retained include a composite score of multiple assessment measures. The minimum assessments that shall be used for identification are:

- Annual district wide multiple assessments that measure mastery of instructional standards at the student's grade level.
- Grades/Rubrics
- Assessment results on standardized testing (SAT-9 in total reading and mathematics)
- Social Emotional factors listed below

Elementary:
The decision to retain shall be made by the classroom teacher based upon the student's grades and District-adopted indicators of achievement. A student with no elementary retention history who has not met the minimum criteria for assignment to the next grade shall be retained unless the student's regular classroom teacher, after considering additional non-academic factors that can contribute to a successful retention, determines, in writing, that repeating the grade is not the appropriate intervention for the student's academic deficiencies. Factors to be considered must include:

- Academic success in reading, mathematics, or other academic areas
- Student attitude about retention
- Parent support for retention
- Chronological age
- Maturity
- Physical size
- Social adjustment
- Ability level
- Availability of alternative programs
- Previous/possible interventions

This determination shall specify the reasons that retention is, or is not appropriate for the student and shall include recommendations for interventions that are necessary to assist the student in attaining acceptable levels of academic achievement.

If the teacher's recommendation for assignment is contingent on the student's participation in Mandatory Summer School or an interim session remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or assign the student shall be reevaluated at that time. The parents/guardians and the home school principal shall meet before any final determination of retention is made.

If a decision to retain is made, the classroom teacher shall put it in writing on the final report of the student and an Individual Retention Plan shall be developed. Such plan should include an evaluation of the student's needs as well as recommended strategies to help him/her reach specific academic goals.

Middle School:
A sixth, seventh or eighth grade student in a middle school who has earned at least 10 out of 12 or 12 out of 14 credits per year, met State, District, and teacher's standards, and passed all English and mathematics courses with a C or better shall be promoted.

Any student who receives a D in English and/or mathematics will be strongly recommended to attend an Intensive Instructional Support Program and/or Mandatory Summer School. Any student who receives a D in Algebra or a higher level mathematics course must repeat the course and earn a C or higher in order to advance to the next level.

Any student not enrolled in a six-period day will have specific course completion requirements identified by the Student Study Team and approved by the Principal.

Any student receiving an F in English and/or mathematics is considered failing the course and will be assigned to an Intensive Instructional Support Program, including but not limited to Mandatory Summer School.

A student receiving an F in an English or mathematics course may receive credit in the course by scoring a "Proficient" or higher rating on the California Standards Test in English (grades 6, 7, 8) or mathematics (grades 6, 7, 8). If credit is earned through one of these tests, the failing in the course will remain on the transcript. There will be a notation on the transcript of a pass grade for the English/mathematics examination.

2. Timeline for Notification of Being at Risk of Retention:

When a pupil is identified as being at risk of retention, a parent shall be notified as early in the school year as possible. Initial notification will take place no later than at the completion of the first full grade cycle the student attends, at which time an individualized intervention plan will be developed with the parent/guardian. Second notification will take place at the completion of the second full grading cycle. Third notification along with recommendations for Mandatory Summer School and fall placement will take place in April.

At any time during this process a parent/guardian can request a conference with his/her child's teacher, or request a Student Study Team.

D. Intensive Instructional Support Programs: A student who does not meet the minimum criteria for promotion shall be required to participate in Supplemental Intensive Instructional Programs that are age appropriate and designed to meet the needs of the participants.

Elementary

Classroom Intervention Strategies: Interventions within the school day may include, but are not limited to, purposeful regrouping for specific skills, differentiated instruction, and intensive instructional time in language arts and/or mathematics.

Students in grades 1 through 3 who have not met the designated reading level, and students in grades 4 and 5 who have not met the designated Reading, Language Arts and mathematics levels on the Pupil Progress Report after the first full grading cycle shall be identified as at-risk and eligible for Intensive Instructional Support Programs. Retained students shall be required to participate in Intensive Instructional Support Programs.

Students who have been retained during the previous school year will have first priority and students who were at risk of being retained during the previous school year will be given the second priority for enrollment in Intensive Instructional Support Programs.

Middle School

Interventions within the school day may include supplemental reading and mathematics classes in lieu of electives, purposeful regrouping for specific skills, differentiated instruction, and intensive instruction for English Language Learners (ELL).

E. Acceleration: A student may be accelerated to a higher grade level when the student demonstrates exceptionally high levels of academic achievement, social and emotional maturity. The wishes of the student and parent and the long-range effect on the student shall be important considerations before advancement takes place. No student will be advanced without the approval of his/her parent/guardian, the recommendation of the Student Study Team, and the approval of the Superintendent or designee.

F. Age-Appropriate Advancement: Students who are over-age due to prior retention or late entry into school may be advanced with the recommendation of the classroom teacher in consultation with the Student Study Team. The wishes of the student and parents and the long-range effect on the student shall be important considerations before advancement takes place. No student will be advanced without the approval of his/her parent/guardian and the consultation of the Student Study Team. In addition, the student will be assigned to mandatory summer school.

G. Administrative Placement: Administrative Placement may be used for new students with no records or for students who do not meet the criteria for promotion. The principal or designee may place the student in the grade determined most likely to result in academic success and a positive social adjustment, after an evaluation of the following criteria:

- The student's chronological age
- The student's/parent's description of prior school experience
- Results of initial site level assessments
- Classroom performance after initial placement
- The final decision for student placement rests with the principal

H. Student Study Team: A Student Study Team may be utilized at each site at the request of the teacher, parent, or administrator. This process involves professional staff, the parent/guardian, and students as appropriate, and ensures follow up and monitoring of intervention strategies. The team evaluates the academic, social, emotional, and physical development of the student in reaching its decisions.

III. High School Procedural Guidelines for Credits and Promotion

a. Based on the current graduation requirements of 220 credits, students should earn fifty-five (55) units each year to maintain grade level credits towards graduation.
b. Credit in a course is earned if the student receives a grade of D or better. However, any student receiving a D or F in any mathematics or foreign language course is required to repeat the course and earn a C or higher in order to advance to the next level. Any student receiving a D or F in a college prep science course at the end of the fall semester may not be allowed to continue in the course.
c. Any student receiving an F in English, mathematics, history and/or science shall be strongly recommended to attend an Intensive Instruction Support Program and/or Mandatory Summer School, or s/he will be deficient credits towards high school graduation.

IV. Monitoring Procedures for High School Students in Danger of Not Graduating in Four Years

a. Students who have not earned sufficient units to progress toward graduation are notified by mail annually prior to the start of the school year.
b. In the spring of each year, each student meets with his/her counselor to review the student's progress toward meeting graduation requirements. The following year's schedule is determined by the student, with guidance from the counselor, and approved by the parent and Principal/designee.
c. If a student has not made sufficient annual progress toward meeting graduation requirements, s/he may be required to attend an Intensive Instructional Support before/after school, on Saturdays, or during the summer.

V. Appeal Process

Grade Level Retention

To appeal a retention decision, the appealing party shall submit a written request to the principal specifying the reason(s) for the appeal. The appeal must be initiated within five (5) school days of the notification of retention. The principal shall respond to the appeal within fifteen (15) school days with one of three recommendations.

- Uphold Retention
- Deny Retention
- Set aside retention pursuant to fulfillment of remediation agreement.

The principal's decision may be appealed by submitting a written appeal to the Superintendent/designee within ten (10) school days. Within fifteen (15) school days of receipt of a written appeal, the Superintendent/designee shall decide the appeal. The Superintendent/designee's decision may be made on the basis of documentation prepared as part of the appeal process, or at the discretion of the Superintendent/designee, s/he may meet with the appealing party, the teacher and the principal to decide the appeal.

Advancement to the Next Level in a Subject Area
Students in math or foreign language must receive a C or better to go on to the next semester in the progression. An appeal process for course placement is available.

VI. English Learners
Students who are classified as English Language Learners (ELL) are expected to meet criteria for promotion or make progress toward graduation. However, standardized test scores will not be used as criteria for ELL students. In addition, ELL students may receive special accommodations and should not be retained strictly on the lack of fluency in English. [Consideration for retaining English Language Learners should take place when students are making satisfactory progress in meeting English Language Development Standards.] To the greatest degree possible, all English Language Learners should have access to the core curriculum through sheltered instruction.

VII. Special Needs Students
Students with special needs will have their education objectives, including decisions on promotion, defined through their Individual Education Plan (IEP). This plan will describe the conditions by which the student will take standardized tests and alternative classroom tests and assessments. If modified or differential criteria are set, they will be stated in the IEP.

The case manager for the Special Education student shall ensure that the Regular Education teacher is aware of criteria for promotion/retention for each Special Education Child.

VIII. Monitoring Results of the Policy

a. Data in promotion, retention, and assignment of students will be gathered annually and presented to school principals.
b. Each principal will review the data for their school and the district with their staff as part of the planning for the School Improvement Plan.

Adopted: April 2001; Revised June 2003

9.6. Board Policy 5125.2: Damaged or Lost Instructional Materials

Parents/guardians assume responsibility for their students' lost or damaged instructional materials, including textbooks, sports equipment, science lab equipment and library books.

When school property has been willfully damaged or not returned upon demand, the principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and the reparation that may be due. If reparation is not made, the District may withhold the student's grades, diploma, or transcripts.

If the student and parent/guardian are unable to pay for the damages or return the property, the principal or designee shall provide a program of voluntary work for the student to do, or other means of resolution. Once resolved, the student's grades, diploma or transcripts shall be released.

Approved May 21, 2005

9.7 Board Policy 3513.3: Tobacco-Free Schools

The Governing Board recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff.

The Board prohibits the use of tobacco products, including smokeless tobacco or unregulated nicotine products (i.e. "e-cigarettes") at any time in district-owned or leased buildings, on district property and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students and visitors at any instructional program, activity, or athletic event.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

Adopted: May 21, 2003, Revised February 1, 2006, Revised December 11, 2013

9.8. Board Policy 5131.6: Alcohol and Other Drugs

The Governing Board believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Board desires to keep district schools free of alcohol and other drugs and desires that every effort be made to reduce student use of these substances. The Board perceives this effort as an important step towards preventing violence, promoting school safety, and creating a disciplined environment conducive to learning.

The Superintendent or designee shall develop a comprehensive prevention and intervention program that includes instruction, referral to a rehabilitation program, enforcement/discipline, activities that promote the involvement of parents/guardians and coordination with appropriate community agencies and organizations.

The Superintendent or designee shall clearly communicate to all students, staff and parents/guardians the district's policies, regulations, and school rules related to the use of alcohol and other drugs on school campuses or at school activities. Information about program needs and goals shall be widely distributed in the community.

The Board expects staff to conduct themselves in accordance with the district's philosophy related to alcohol and other drugs. Staff should help students see themselves as responsible partners in efforts to maintain a safe, constructive school climate. The Board also encourages the establishment of site-level advisory groups to assist in promoting alcohol- and drug-free schools.

<u>Instruction</u>
The District shall provide preventative instruction, which helps students avoid the use of alcohol and other drugs. Comprehensive, age-appropriate K-12 instruction shall address the legal, social, personal and health consequences of drug and alcohol use, promote a sense of individual responsibility, and inform students about effective techniques for resisting peer pressure to use alcohol and other drugs.

All instruction and related materials shall consistently state that unlawful use of alcohol or other drugs is wrong and harmful. Instruction shall not include the concept of responsible use when such use is illegal.

Teachers shall be trained to answer students' questions related to alcohol and drugs and to help students obtain and use current and accurate information, develop and maintain a positive self-concept, take

positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol and other drugs.

Intervention, Referral and Recovering Student Support
The Board believes that effective interventions should be available to assist students who use alcohol or other drugs. School staff, students and parents/guardians shall be informed about signs and symptoms, which may indicate alcohol and other drug use, and about appropriate agencies offering intervention programs, counseling, and rehabilitation for students and their family members. The district shall help recovering students to avoid re-involvement with alcohol and other drugs by providing school and/or community service activities designed to increase students' sense of community.

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.

Enforcement/Discipline
The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. School authorities may search students and school properties for the possession of alcohol and other drugs in accordance with law, Board policy, and administrative regulations.

Students possessing, using or selling alcohol or other drugs or related paraphernalia at school or at a school event shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board policy, and administrative regulations. Such students also may be referred to an appropriate rehabilitation program.

Adopted: May 21, 2003

9.9. Administrative Regulation 5131: Electronic Signaling Devices (Cellular Phones)

Students in grades K-8 will be allowed to carry electronic signaling devices at school with the following stipulations:

1. The school will not be responsible for lost, stolen, or damaged electronic signaling devices.
2. Electronic signaling devices are to be shut off at the start of school, and may be turned on again at the end of the school day.
3. At all other times, including but not limited to class time, passing periods and break, electronic signaling devices shall be turned off. Electronic signaling devices shall not be left on in vibrating mode.
4. Use of electronic signaling devices at any time during instructional time will result in confiscation and possible disciplinary action.

Students in grades 9-12 will be allowed to carry electronic signaling devices at school with the following stipulations:

1. Students bring electronic signaling devices on campus at their own risk. The high school is not responsible for lost, stolen, or damaged electronic signaling devices.
2. Students shall be allowed to use electronic signaling devices before and after school, during that student's break and lunch period only.
3. At all other times, including but not limited to class time and passing periods, electronic signaling devices shall be turned off and out of sight. Electronic signaling devices shall not be left on in vibrating mode.
4. Students that use electronic signaling devices during class time, passing periods, or whose electronic signaling device rings in class shall be subject to confiscation of the electronic signaling device, with the device being turned in to the administration. The administration shall determine when and how the device will be returned and not be responsible for lost, stolen, or damaged devices.
5. Students using their electronic signaling device(s) for inappropriate reasons, as determined by the school administration, shall have their electronic signaling device(s) confiscated and be assigned the appropriate consequence.

Adopted: June 4, 2003

Acceptable Use Agreement For Electronic Resources & The Internet

Berkeley Unified is pleased to be able to offer students access to computer technology, the Internet, and certain online services including Google for Education and the Berkeley Moodle site. Berkeley Unified recognizes the potential of computers, personal electronic devices, and the Internet to enhance student learning and increase communication among the school community. To this end, Berkeley Unified encourages the responsible use of computers, computer networks including the Internet, and other personal electronic devices on campus. This Agreement covers the use of computing devices that may include, but are not limited to, cell phones, personal digital assistants, digital cameras and video recorders, electronic recording devices, netbook, laptop, tablet, and desktop computers, or any other device with computer or network capabilities.

The school's information technology resources, including email and Internet access, are provided for educational purposes. Adherence to the following policy is necessary for continued access to the school's technological resources. Users will be provided access to the Internet in accordance with the District Internet filtering and blocking measures. Every effort is made to log and monitor all web traffic for inappropriate or offensive content. As necessary, the Berkeley Unified technology staff will make determinations on whether specific uses of the network or personal electronic devices are consistent with our acceptable use policy (AUP).

Violations of these rules may result in disciplinary action, including the loss of a user's privileges to use the school's information technology resources.

Acceptable use and General Rules of Usage

Users must respect and protect the privacy of others by:

- Using only assigned accounts. Users shall only use accounts assigned to them and shall not attempt to log into accounts or systems for which they do not have authorized access.
- Not intentionally seeking information on, obtaining copies of, modifying files, other data, or passwords belonging to other users, or misrepresenting other users on the network.
- Refraining from distribution of private information about others or themselves. This includes student and staff addresses, phone numbers, email addresses, and other identifying information.

Users must respect and protect the integrity, availability, and security of electronic resources by:

- Not engaging in any of these prohibited activities:
  - Using any of the District's systems, network or technology resources for any unlawful purpose.
  - Creating proxies or other methods of circumventing district filters.
  - Using the network or personal electronic devices to intentionally access or process pornographic or adult sites with explicit sexual content or other inappropriate or derogatory material.
  - Inappropriate texting or messaging is prohibited even on personal devices. Online gaming, if not approved by your teacher for a classroom project, is prohibited.
  - Destroying or damaging data, networks, or other resources that do not belong to them, without clear permission of the owner. Malicious use of the District's systems or technology resources to develop or use programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited.
  - Downloading or copying software, music, videos or other files unless explicitly for a class project without approval of the teacher. This prohibition includes freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software.
  - Installing software without the permission of both the Technology Department and the teacher.

- Reporting security risks, violations of this AUP, and computer or computer or network malfunctions to a Berkeley Unified staff member.
- Conserving, protecting, and sharing these resources with other users. No use of the District's systems or technology resources shall serve to disrupt the use of the network by others. Hardware and/or software shall not be destroyed or abused in any way. Modifications to system configurations are prohibited. Plugging in wireless access points or other devices into the network is prohibited unless approved and authorized by Technology Services. Use of the network or personal electronic devices to intentionally access or process files dangerous to the integrity of the local area network is prohibited.

Users must respect and protect the intellectual property of others by:

- Obeying Copyright Laws: Downloading, copying, otherwise duplicating, and/or distributing copyrighted materials without the specific written permission of the copyright owner is prohibited, except when duplication and/or distribution of materials for educational purposes is permitted when such duplication and/or distribution would fall within the Fair Use Doctrine of the United States Copyright Law.
- Citing sources when using others' work (not plagiarizing).

Users must respect and practice the principles of community by:

- Reporting threatening, indecent or inappropriate materials to a teacher or administrator.
- Not intentionally accessing, transmitting, copying, or creating material that violates the school's code of conduct (such as messages/content that are pornographic, racist, homophobic, threatening, rude, discriminatory, or meant to harass).
- Not intentionally accessing, transmitting, copying, or creating material that is illegal (such as obscenity, stolen materials, or illegal copies of copyrighted works).
- Not using the resources to further other acts that are criminal or violate the school's code of conduct.
- Avoiding spam, chain letters, or other mass unsolicited mailings.
- Refraining from buying, selling, advertising, or otherwise conducting business, unless approved as a school project.

Users may, if in accord with the policy above:
Design and post content to web pages including posting to online learning websites like the Berkeley Moodle Site. All content submitted will be licensed under a Creative Commons non-commercial license.

With the permission of the classroom teacher, while in a classroom and for instructional purposes, students may communicate electronically as part of a collaborative learning environment via tools such as email, chat, text, or video conferencing.]

Supervision and Monitoring
School and network administrators monitor the use of information technology resources to help ensure that users are secure and in conformity with this policy. Administrators reserve the right to examine, use, and disclose any data found on the school's information networks in order to further the health, safety, discipline, or security of any student or other person, or to protect property. They may also use this information in disciplinary actions, to collect monetary payment for damages, and will furnish evidence of crime to law enforcement.

Students should be reminded that the computers they work on will be used by other students each day for years.

Students should assist with the good maintenance of computers at Berkeley Unified by not tampering with mice, keyboards or computers.

9.10. Board Policy 5141.21: Administering Medication and Monitoring Health Conditions

Definitions
Designated school personnel may include any individual employed by the District who has consented to administer medication or otherwise assist students, and who may legally administer medications.

Medication may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies.

Notifications to Parents/Guardians
At the beginning of each school year, the Superintendent or designee shall notify parents/guardians that students who need to take prescribed medication during the school day may be assisted by designated school

personnel or allowed to self-administer certain medication as long as the District receives written statements from the student's physician and parent/guardian in accordance with law, Board policy and administrative regulation.

The Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a non-episodic condition of the following requirements:

The parent/guardian is required to inform the site administrator or other designated employee of the medication being taken, the current dosage and the name of the supervising physician.

With the parent/guardian's consent, the site administrator or other designated employee may communicate with the student's physician regarding the medication and its effects, and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose.

Parent/Guardian Responsibilities
Before a designated employee administers or assists in the administration of any prescribed medication to any student or any student is allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication during school hours, the district shall have a written statement from the student's physician and a written statement from the student's parent/guardian.

The Medication Authorization form is available at all schools, at the Special Education Office at 2020 Bonar, on the BUSD website, and on page 46.

The physician's written statement shall clearly:

1. Identify the student;
2. Identify the medication;
3. Specify the method, amount and time schedules by which the medication is to be taken;
4. Contain the name, address, telephone number and signature of the physician; and
5. If a parent/guardian has requested that his/her child be allowed to self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, confirm that the student is able to self-administer the medication.

The parent/guardian's written statement shall:

1. Identify the student;
2. Grant permission for the authorized district representative to communicate directly with the student's physician, as may be necessary, regarding the physician's written statement or any other questions that may arise with regard to the medication;
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer or otherwise assist the student in the administration of medication;
4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication including, but not limited to, the parent/guardian's responsibility to provide a written statement from the physician and to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication; and
5. Contain an acknowledgment that the parent/guardian may terminate consent for such administration at any time.

If a parent/guardian has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall also:

1. Consent to the self-administration; and
2. Release the district and school personnel from civil liability if a student suffers an adverse reaction as a result of self-administering the medication.

The parent/guardian shall annually provide the Superintendent or designee a new written statement from himself/herself and the student's physician. In addition, the parent/guardian shall provide a new physician statement if the medication, dosage, frequency of administration or reason for administration changes.

Parents/guardians shall provide medications in a properly labeled, original container along with the physician's instructions. For prescribed medication, the container shall bear the name and telephone number of the pharmacy, the student's name, the name and phone number of the physician, and physician's instructions. Medications that are not in their original container shall not be accepted or administered. Medications shall be delivered to the school by the parent/guardian, unless the Superintendent or designee authorizes another method of delivery.

The parent/guardian of a student on a continuing medication regimen for a non-episodic condition shall inform the site administrator or other designated certificated employee of the medication being taken, the current dosage and the name of the supervising physician.

A parent/guardian may designate an individual who is not an employee of the district to administer medication to his/her child as long as the individual is clearly identified, willing to accept the designation, permitted to be on the school site, and any limitations on the individual's authority are clearly established. The parent/guardian shall provide a written statement designating the individual and containing the information required above.

Designated Employee/District Responsibilities
The site administrator or other designated school personnel shall:

1. Administer or assist in administering the medication in accordance with the physician's written statement.
2. Accept delivery of medication from the student's parent/guardian, including counting and recording the medication upon receipt.
3. Maintain a list of students needing medication during the school day, including the type of medication, times and dosage, as well as a list of students who are authorized to self-administer medication.
4. Maintain a medication log documenting the administration of medication including the student's name; name of medication the student is required to take; dose of medication; method by which the student is required to take the medication; time the medication is to be taken during the regular school day; date(s) on which the student is required to take the medication; physician's name and contact information; and a space for daily recording of medication administration. The daily record shall contain the date, time, amount of medication administered, and signature of the individual administering the medication.

5. Maintain a medication record including the physician's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student.
6. Ensure that student confidentiality is appropriately maintained
7. Coordinate the administration of medication during field trips and after-school activities.
8. Report any refusal of a student to take his/her medication to the parent/guardian.
9. Keep all medication to be administered by the district in a locked drawer or cabinet.
10. Communicate with the physician regarding the medication and its effects.
11. Counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose.
12. By the end of the school year, ensure that unused, discontinued and outdated medication is returned to the student's parent/guardian where possible or, if the medication cannot be returned, is disposed of in accordance with state laws and local ordinances.

Adopted: November 15, 2006

9.11. Summary of the Sexual Harassment Policy

It is the policy of the Berkeley Unified School District (BUSD) to provide an educational environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal law.

It is both unlawful and a violation of this policy for anyone who is authorized to recommend or take educational action affecting a student, or who is otherwise authorized to transact business or perform other acts or services on behalf of the BUSD, to engage in sexual harassment as defined under this policy. Within the educational environment, sexual harassment is unlawful and is prohibited between students, between employees and students, and between students and non-employees.

The complete sexual harassment policy is available at school sites and at the BUSD Administration Building, 2020 Bonar Street, in the Superintendent's Office, Human Resources, Educational Services, and Student Services Offices. You may contact the District's Title IX Coordinator at 486-9338 for all questions concerning the interpretation of the prohibition against sexual harassment, the methods, and procedures to be followed in the investigation of complaints, and the appropriateness of specific resolutions to complaints.

9.12. Sexual Harassment Policy (BP5145.7)

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination.

The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.
The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer.

Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and district procedures specified in AR 1311 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR1311 and where to obtain a copy of the procedures.

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. The district shall designate an individual who will serve as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under AR 1311 - Uniform Complaint Procedures.

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence;
2. A clear message that students do not have to endure sexual harassment under any circumstance;
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained;
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved;
5. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made; and
6. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable.

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.

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.

Record-Keeping
The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the District to monitor, address, and prevent repetitive harassing behavior in District schools.

9.13. Anti-Bullying Policy

The Governing Board of the Berkeley Unified School District affirms that every student and staff member has the right to a safe and secure school environment, free of humiliation, intimidation, fear, harassment, or any form of bullying behavior. Furthermore, the Board believes that a healthy, positive psychosocial school environment enhances and increases academic achievement and pro-social development (BP 5030.2), and therefore the prevention, reduction, elimination, and effective redress of bullying are fundamental to Berkeley's educational goals. The District, students, families, and staff have an obligation to create an environment that celebrates and respects diversity and human dignity and admonishes bullying behavior. To this end, the District has in place policies, procedures, and practices that are designed to reduce and eliminate bullying and harassment as well as address incidents of bullying and harassment when they occur.

The District will not tolerate bullying – as defined in this policy -- or any behavior that infringes on the safety or well-being of students, staff, or any other persons within the District's jurisdiction whether directed at an individual or group.

To address incidents of bullying and the potential culture that supports such behavior, this policy has the following objectives:

1. Cultivation of a culture of empathy, kindness, respect, and mutual trust among students and between students and staff
2. Creation of a school climate which encourages students to disclose and discuss incidents of bullying, whether as victims, perpetrators, or bystanders
3. Demonstration of a commitment to address incidents of bullying by outlining the school response to any such behaviors.

The District will communicate its objectives, programs, and procedures to eliminate bullying in its annual parent/student handbook.

Definition
Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, that inflicts physical hurt or psychological distress on one or more students or employees. It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the victim's school performance or participation. Bullying is often characterized by an imbalance of power.

Indicators of Bullying Behavior
Bullying behaviors may include, but are not limited to, the following:

- Verbal: Hurtful name-calling, teasing, gossiping, making threats, making slurs or epithets, making rude noises, or spreading hurtful rumors. This policy excludes constitutionally protected speech (Education Code 48950). Speech that poses a threat or danger to the safety of students, employees or District property, or that materially and substantially disrupts the school environment, is not constitutionally protected.
- Nonverbal: Posturing, making gang signs, leering, staring, stalking, destroying property, insulting or threatening notes, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
- Physical: Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, "pantsing", pinching, slapping, biting, spitting, or destroying property.
- Emotional (Psychological): Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, shunning, ostracizing, using peer pressure, or rating or ranking personal characteristics.
- Cyberbullying: Bullying committed by means of an electronic act, the transmission of a communication, including but not limited to, a message, text, sound, or image by means of an electronic device, including but limited to, a computer phone, wireless telephone, or other wireless communication device, computer, or pager.
- Cyberbullying is characterized by deliberately threatening, harassing, intimidating, or in any way, ridiculing an individual or group of individuals; placing an individual in reasonable fear of harm; posting sensitive, private information about another person without his/her permission; breaking into another person's account and/or assuming another individual's identity in order to damage that person's reputation or friendships.
- Hazing: ritualistic behavior that subjects persons to intentionally mean-spirited, physically or psychologically abusive, or humiliating tasks as a rite of passage or initiation.

Jurisdiction
This policy applies to students and staff on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity. It also includes acts of bullying that take place at any time when the acts have a nexus to school attendance/activities by posing a threat or danger to the safety of students, District property, or materially and substantially disrupting the school environment.

This policy pertains to cyberbullying that is related to school activity or attendance that occurs at any time, including, but not limited to, while on school grounds, while going to or coming from school, during the lunch period whether on or off campus, during, or while going to or coming from, a school sponsored activity, that is directed specifically toward a pupil or school personnel. If the cyberbullying occurs outside of the scope of the District but the school has knowledge of its occurrence, the school will inform the parents/guardians of the students involved.

Bullying and Harassment
Bullying, cyberbullying, and intimidation, may, from time to time, be part of a continuum of student misconduct such as sexual harassment, hate-motivated behavior, assault or child abuse, and, as such, the action of the student or the nature of the incident could be considered a violation of other aspects of student-conduct policies and state and federal law.

Bullying based on a person or group's actual or perceived sex, gender, transgender or gender-identity non-conforming, socio-economic status], race, color, religion, ancestry, national origin, ethnic group identification, physical or mental disability, age, sexual orientation, marital or parental status, which constitutes discriminatory harassment, shall be dealt with in accordance with the Nondiscrimination/Harassment Policy (BP 5145.3) as well as with this policy.

Reporting
Students who are the targets of bullying, staff, or any community member who has witnessed bullying, should report the abuse to the principal, the principal's designee, or a trusted school staff member. Staff members, upon receiving a complaint or witnessing bullying, are required to make a report to the principal or principal's designee. While submission of a written incident form is not required, the reporting party is encouraged to use this form, available from the principal of each school and the District office. Oral reports of bullying by a student to a District employee shall also considered official reports, and should be written up by a staff member, with a copy provided to the principal of the relevant school site. Reports may be made anonymously, but formal disciplinary action may not be based solely on an anonymous report. Both oral and anonymous reports should be documented and reported by the receiving administrator.

If a student/or staff member feels that he/she is the target of cyberbullying, the student or staff member is encouraged to save and print any messages or other posts sent to them that they feel constitutes cyberbullying and to notify a teacher, principal or other employee so that the matter may be investigated.

Investigation
Investigation: Upon receiving a report either directly from the target of bullying, a witness of bullying, or from a teacher or staff member, the principal or principal's designee (or Superintendent/designee) must initiate the Investigation Procedures.

The investigation must be prompt and diligent. All interviews of witnesses, the victim, and the accused shall be conducted separately. During an investigation, all individuals involved must to the extent reasonably possible maintain the confidentiality of the proceedings and the names of the complainant and students involved.

Victim's Rights
The victim of bullying has the right to immediate support, including physical and psychological support. During and after the investigation, a school counselor or other appropriate school personnel should follow-up with the victim and provide the appropriate and necessary support.

Intervention/Discipline
The Principal or designee shall decide the appropriate way to deal with bullying behavior if the investigation has proven that the student who engaged in the bullying behavior has violated this policy. Interventions and consequences must be age-appropriate and equal to the severity of the violation. In dealing with bullying behavior, the designee should regard the bullying behavior and the situation as unique and create an intervention/discipline plan based on the particular characteristics of the situation to ensure that the plan remedies the bullying, decreases chances of retaliation, and helps rehabilitate the student who has engaged in bullying behavior (if appropriate).

Some acts of bullying may be part of a larger pattern of bullying that requires a response either at the classroom, school site, or District levels or by law enforcement officials. Consequences and appropriate remedial actions for a student who commits an act of bullying may range from behavioral interventions and education up to and including suspension/expulsion, or referral to law enforcement (Suspension and Expulsion/Due Process Policy BP 5144.1)

In addition to the grounds specified in Education Code sections 48900, sections 48900.2, 48900.3, and 48900.4 provide additional authority to discipline a pupil in any of grades 4 to 12, inclusive for conduct that amounts to bullying. (Education Code 48900, 48900.2, 48900.3 and 48900.4)

Education: To prevent bullying, each school site has the obligation to educate students about what bullying is and why it is unacceptable. When possible, teachers should use existing curriculum and materials to emphasize the negative, hurtful effects of bullying. Each school site should prioritize its existing anti-bullying curriculum and seek to enhance anti-bullying education. Furthermore, each school site should educate students in an age-appropriate manner about appropriate use of electronic devices and social media. The District has the obligation to provide materials and curriculum to each school site that requests support.

False Reports and Statements
Intentionally false reports, use of the complaint process, or statement to defame a fellow student or staff member or any illegitimate reason, will result in disciplinary consequences.

Retaliation
Retaliation against a complainant or any individual involved in the investigation of a bullying situation, either by the student who has allegedly engaged in bullying behavior, the friends of the student who allegedly engaged in bullying behavior, or any other individual, is strictly prohibited or is grounds for discipline.

Annual Report to the Board
Each school site will make an annual report to the Director of Student Services in June detailing bullying incidents at the school. At a fall Board meeting, the Director of Student Services will report to the Board on bullying within the District and make recommendations as to how this policy can be more effectively implemented.

Approved: January 25, 2012, Revised: April 9, 2014

9.14. Gender Identity and Access Policy

Students
The Berkeley Unified School District is committed to providing a safe, supportive, and inclusive learning environment for all students, including transgender students, and ensuring that every student has equal educational opportunities and equal access to the District's educational programs and activities. California and federal law (Cal. Ed. Code § 220 and Title IX, 20 U.S.C. § 1681) requires schools to treat transgender students equally and fairly. State and federal law and District policy require that all programs, activities, and employment practices be conducted without discrimination based on, among other things, actual or perceived gender identity, gender expression, or gender. California Education Code § 201 further provides that public schools have an affirmative obligation to combat bias, and a responsibility to provide equal educational opportunities to all pupils. Additionally, District policy requires that all schools and all personnel promote mutual respect and acceptance among students and staff. Thus, the District has a legal obligation to ensure that transgender students are safe, supported, and fully included in all school activities, programs, facilities, and educational opportunities. No person shall be subjected to discrimination on the basis of actual or perceived gender identity, gender expression, gender, or sexual orientation. (Cal. Ed. Code § 220, 20 U.S.C. § 1681 (Title IX))

The Board of Trustees considers harassment, discrimination, intimidation, or bullying based on sexual orientation, gender identity, and gender expression to be a major offense. The District shall investigate all complaints of harassment, discrimination, intimidation, or bullying and

take appropriate action against any student or employee who is found to have violated this policy. Harassment, discrimination, intimidation, or bullying of a student by another student in violation of this policy may constitute cause for disciplinary action. Students shall be advised that harassment, discrimination, intimidation, or bullying based on sexual orientation, gender identity, and gender expression are unacceptable conduct and will not be tolerated. Students shall be informed that they should contact the school principal or designee if they experience such harassment, discrimination, intimidation, or bullying. Harassment, discrimination, intimidation, or bullying by an employee in violation of this policy constitutes cause for disciplinary action, up to and including dismissal.

The Superintendent shall adopt, and may periodically revise, administrative regulations necessary to implement and enforce this policy. The regulations shall provide an adequate description of this policy to parents, students and employees, provide appropriate complaint and resolution procedures, and establish due process for persons accused of harassment, discrimination, intimidation, or bullying based on sexual orientation, gender identity, and gender expression. The Superintendent shall ensure that students receive age-appropriate information and education related to sexual orientation, gender identity, and gender expression. In addition, the Superintendent shall designate qualified individuals to provide appropriate training and educational programs on the issue of harassment, discrimination, intimidation, or bullying based on sexual orientation, gender identity, and gender expression.

Each school must ensure that all students, including LGBTQ students, are provided a safe and supportive learning environment that is free of harassment, discrimination, intimidation, and bullying. Administrators, faculty and staff are required to intervene when they witness harassment, discrimination, intimidation and bullying of any student if they can do so safely.

Complaints alleging discrimination, harassment or bullying based on a student's gender identity, gender expression, or gender nonconformity, are to be handled in the same manner as other discrimination/harassment/bullying complaints. Consistent with the Uniform Complaint Procedures, complaints alleging discrimination or harassment based on a student's gender identity, gender expression, or gender nonconformity should be given immediate attention; fully and appropriately investigated in a timely manner; and resolved through appropriate corrective action. This policy is intended to supplement, and not replace, state and federal laws prohibiting sexual harassment. Complaints under those laws shall be processed through the procedures established by appropriate state and/or federal agencies.

Adopted: December 11, 2013

You may contact the District's Title IX Coordinator at 486-9338 for all questions concerning the interpretation of the prohibition against gender identity harassment, the methods and procedures to be followed in the investigation of related complaints, and the appropriateness of specific resolutions to complaints.

9.15. 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 incidents that may be the proper subject of a UCP complaint whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal processes, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670, this policy, and the accompanying administrative regulation. This process that be prompt, impartial, and equitable and shall comply with all applicable federal and state laws and regulations.

For purposes of this policy and the accompanying regulation, "Complaint" means a written and signed statement alleging one or more violations of paragraphs #1-6 below. If the complainant is unable to put the complaint in writing, due to conditions such as a disability or illiteracy, the district shall assist the complainant in filing the complaint. (5 CCR 4600)

Anyone who files, verbally or in writing, a report that is the proper subject of a UCP complaint shall be notified of his or her right to file a complaint and advised of the process for doing so pursuant to this policy and accompanying regulation.

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, education of homeless or foster students, and special education programs (5 CCR 4610)
2. Any complaint alleging unlawful discrimination in district programs and activities against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, 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 his/her association with a person or group with one or more of these actual or perceived characteristics. Unlawful discrimination includes, but is not limited to, discriminatory bullying, discriminatory intimidation, and sexual harassment. (5 CCR 4610)
3. Any complaint alleging District violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)
4. Any complaint alleging that the District has not complied with legal requirements related to the implementation of the Local Control and Accountability Plan (Education Code 52075
5. 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
6. Any other complaint as specified in a District policy

Complaints alleging non-discriminatory bullying shall follow the procedures outlined in BP/AR 5131.2 – Anti-Bullying. Complaints

alleging a violation of District or site policy, practice, or procedure or against a District employee shall follow the procedures outlined in BP/AR/E 13111 – Complaints Concerning District Policies, Practices, Procedures or Employee.

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. Due to the implicit power imbalance between adults and students, ADR may only be offered to resolve complaints that involve both students and adults on a voluntary basis and with the determination by the Compliance Officer that ADR would be appropriate. ADR shall not be offered or used to resolve any complaint involving sexual assault or sexual battery, even on a voluntary basis; or where there is a reasonable risk that a party to the ADR feels compelled to participate. Additionally, the use of ADR to resolve any complaint of sexual harassment requires the approval of the Title IX Coordinator. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations. ADR does not include restorative justice. Nothing in this provision should be construed as precluding the use of restorative justice or restorative practices in any case.

In filing and investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation, unlawful discrimination, or bullying, the Superintendent or designee shall maintain the integrity of the complaint process and keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant.

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

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

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and, for licensing-exempt facilities, to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing, and the compliance officer or designee shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the District's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

Revised and Adopted: April 6, 2016

9.16. Integrated Wellness Policy

Part of the educational mission of the Berkeley Unified School District (BUSD) includes improving the health and wellness of the entire community by teaching students to establish and maintain life-long healthy eating and physical activity habits. The mission shall be accomplished through nutrition education, physical education, garden experiences, the food served in schools, environmental restoration and core academic content in the classroom.

Statement of Principles
The Governing Board recognizes that there is a link between nutrition education, the food served in schools, physical activity and environmental education The Board also recognizes the important connection between a healthy diet, physical activity and a student's ability to learn effectively and achieve high standards in school.

The Board also recognizes that it is BUSD's role, as part of the larger community, to model and actively practice through policy and procedures the promotion of family health, physical activity, good nutrition, sustainable agriculture and environmental restoration.

BUSD further recognizes that the sharing and enjoyment of food and participation in physical activity are fundamental experiences for all people and a primary way to nurture and celebrate our cultural diversity. These fundamental human experiences are vital bridges for building friendships, forming inter-generational bonds strengthening core values, and promoting the general wellness of our community.

In order to accomplish its mission and to comply with its principles, the Board has adopted a philosophy which promotes student wellness and is exhibited in three basic policies: Wellness and Food, Physical Education, and Environmental Education Policy.

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.

Posting Requirements
Each school shall post the district's policies and regulations on nutrition and physical activity on the district's web page, in public view within all school cafeterias or in other central eating areas.
Each school shall also post a summary of nutrition and physical activity laws and regulations prepared by the California Department of Education.

The Superintendent or designee shall recommend for Board approval specific quality indicators that will be used to measure the implementation of the policy districtwide and at each district school. These measures shall include, but not be limited to the analysis of the nutritional content of meals served, student participation rates in school meal programs; any sales of non-nutritious foods and beverages in

fundraisers or other venues outside the district's meal programs; and feedback from food service personnel, school administrators, the school health council, parents/guardians, students, and other appropriate persons.

adopted: October 6, 2004 Berkeley, California
revised: January 23, 2008

9.17. Expulsion Policy

The Governing Board is dedicated to implementing graduated discipline practices and policies that aim to keep all our students in class, receiving instruction and support. Expulsion from school is an extreme and severe disruption of the educational process, and shall be reserved for behavior that requires expulsion under the law or that poses a serious future threat to the safety of students or staff.

Definitions

"Accused student" means the student against whom expulsion proceedings are initiated or contemplated.

"Complainant" means the student who is the alleged victim of another student's actions, regardless of whether a formal complaint has been filed.

Expellable offenses

The Education Code provides for different treatment of different kinds of alleged offenses.

If a principal or the Superintendent determines that a student has committed any of the following acts at school or at a school activity off school grounds, the Education Code requires that he or she immediately suspend the student and recommend expulsion of the student:

(1) Possessing, selling, or otherwise furnishing a firearm.
(2) Brandishing a knife at another person.
(3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
(5) Possession of an explosive.

If a principal or the Superintendent determines that a student has committed any of the following acts at school or at a school activity off school grounds, the Education Code requires that he or she recommend the expulsion of the student unless he or she determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

(1) Causing serious physical injury to another person, except in self-defense.
(2) Possession of a knife or other dangerous object of no reasonable use to the pupil.
(3) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
    (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
    (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
(4) Robbery or extortion.
(5) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

With respect to the above-listed offenses that fall under section 48915(a) of the Education Code, the Board believes that, except in extraordinary circumstances, alternative means of discipline and correction should be employed and expulsion should not be recommended.

The law allows for expulsions for other offenses. However, except for the offenses listed in the two provisions referenced above (sections 48915(c) and 48915(a)), or in extraordinary circumstances, neither a principal nor the Superintendent shall recommend the expulsion of a student.

In the event that a principal or the Superintendent recommends the expulsion of a student, the Director of Student Services shall commence the expulsion process, which may, depending on the circumstances, result in an expulsion hearing, the termination of the expulsion proceedings, or an alternative resolution, such as restorative justice or a settlement with terms agreed upon by the District and the accused student.

Suspended enforcement of expulsion orders

Under the law, the Board, upon voting to expel a student, may suspend the enforcement of the expulsion order for a period of up to, but not more than, one calendar year.

The Board shall suspend the enforcement of any expulsion order unless it is uniquely inappropriate to do so in the particular case.

Any suspended enforcement of an expulsion order shall be accompanied by a rehabilitation plan carefully tailored to the unique needs of the accused student, designed to further the student's academic progress, facilitate the student's understanding of the District's behavioral expectations and the harm caused by the student's behavior, repair the harm caused, ensure the safety of other students and staff, and prevent a reoccurrence of the behavior.

Where the Board has suspended the enforcement of an expulsion order, the Board has the discretion to revoke the suspended enforcement of the expulsion order. The Board shall only exercise its discretion to reinstate an expulsion order when it is necessary to protect the safety of students or staff.

Duration of expulsions

The Education Code provides limits for the duration of an expulsion. The Board shall impose expulsion terms that are shorter than the maximum duration whenever possible and appropriate given the unique circumstances of each case.

Readmission and re-entry

The expulsion order shall remain in effect until the Board orders the readmission of the student. The Board shall set a date, no later than the last day of the expulsion order, when the student shall be reviewed for readmission.

Where the Board has issued an expulsion order, the Board shall indicate in its order that successful compliance with the rehabilitation plan may result in early readmission.

When the expulsion time period is expired, the Board shall readmit the expelled student unless the Board makes a finding that the student poses an imminent danger to campus safety or to other students or employees of the District.

The Superintendent or designee shall develop a re-entry plan to be implemented upon the accused student's re-entry, either back into the District after an expulsion, or back into the student's previous school if the student was transferred as part of an order suspending the enforcement of an expulsion. The re-entry plan shall be carefully tailored to the unique needs of the accused student, designed to further the student's academic progress, facilitate the student's successful re-entry into the school environment, and ensure the safety of the complainant(s) (if any) and/or the school community.

Legal counsel for students facing expulsion

From the beginning of the expulsion process, the Superintendent or designee shall make every effort to provide information about free legal services to students facing expulsion and shall encourage them to avail themselves of such representation if available.

Extension of suspensions pending expulsion

Outside of the expulsion process, the maximum allowable duration of a suspension is five consecutive school days. However, when the expulsion process has commenced, the Superintendent or designee may extend the suspension pending the resolution of the expulsion process if certain, specific conditions are met. The extended suspension of a student pending expulsion proceedings is a significant interruption of the student's education that occurs prior to any finding of violation at an adjudicated hearing, and should only be sought when required by law.

By law, the suspension of a student pending an expulsion hearing may not be extended unless the Superintendent or designee makes an express determination, following a meeting in which the student and the student's parent/guardian are invited to participate, that the presence of the student at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. Such a determination must be made on the basis of an individualized, case-specific analysis, in addition to the nature or seriousness of the alleged incident.

In making this determination, the Superintendent or designee shall, when possible, consult with the complainant(s) (if any) and/or the complainant(s)' parent/guardian. The Superintendent or designee shall also explore whether an agreement by the accused student to stay away from the complainant(s) (if any) would alleviate the danger to persons or property or threat of disruption to the instructional process that the accused student's presence at his or her current school might pose. Such a stay-away agreement might result in the accused student having to temporarily change classes, temporarily withdraw from certain activities or sports, and/or temporarily withdraw from attending prom or other social activities. The terms of any such agreement shall be shared with the complainant(s) (if any) to the extent possible, so long as doing so does not impinge on the confidentiality or privacy of the accused student. In addition, the Superintendent or designee shall create a safety plan for the complainant(s) (if any).

If the Superintendent or designee determines that the presence of the accused student at his or her school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process, the Superintendent or designee may then choose to extend the suspension pending the resolution of the expulsion proceedings. If that determination is made, it must be communicated in a timely manner to the student, in a written document that details the reasons, specific to the individual student, for the determination.

If a suspension is extended beyond five days, the student may appeal this decision to the Superintendent at any time during the extended suspension. If an appeal is requested, the Superintendent shall meet with the accused student and/or his or her parent/guardian in a timely manner. Following this meeting, the Superintendent has the discretion to reconsider the extension of the suspension.

If the suspension is not extended pending the resolution of the expulsion process, the accused student is subject to the District's general discipline policies throughout the duration of the expulsion process. To the extent possible without violating the accused student's rights to confidentiality and privacy, the complainant(s) (if any) shall be informed of the accused student's status and whether or not the accused student is on campus.

Instruction during extended suspension

The District shall ensure that any accused student whose suspension is extended pending an expulsion hearing is provided instruction during the period of extended suspension.

Use of restorative justice or other alternative resolutions in expulsion cases

The Governing Board encourages the use of restorative justice in lieu of an expulsion hearing in cases that are referred for expulsion, including cases that require mandatory referral for expulsion under Education Code section 48915(c). Restorative justice is, in many cases, more likely to repair harm to complainant(s) and likely to be less traumatic to complainant(s) than an adversarial expulsion hearing. It also allows for the student offender to play an active role in the reparation of the harm, learn from the consequences of behavioral choices, and continue to receive an education while avoiding an adversarial expulsion hearing. A complainant shall never be required to participate in a restorative justice process, nor be pressured into doing so.

In light of the Board's preference for alternative methods of resolution in lieu of expulsion hearings, the Superintendent or designee shall pursue, whenever possible and where appropriate, alternative processes on a case-by-case basis, including cases that require a mandatory referral for expulsion under Education Code section 48915(c). Such an alternative resolution could be achieved, for example, through an agreement with the accused student to waive the expulsion hearing timelines, proceed with a restorative justice (or alternative) process, and stipulate, if appropriate, to a suspended enforcement of the expulsion with consideration of early readmission and possible record expungement upon successful completion of that process. If the process is not successful, the District could then proceed with an expulsion hearing or other means of resolving the case that is consistent with the Education Code.

Investigation of expulsion cases

The Superintendent or designee shall pursue a balanced, sensitive, trauma-informed approach to all investigations. District employees conducting investigations and/or the District's legal counsel shall speak with all relevant witnesses, including witnesses identified by the accused student, the complainant(s) (if any), and teachers. At all times the investigation shall be conducted in a manner that protects the confidentiality of all students involved to the extent legally possible.

If any student is questioned for the purpose of investigating a school discipline matter related to an expellable offense, that student's parent/guardian shall be notified that the questioning has occurred and the reason for the questioning. This notification shall occur as soon as possible but in no case later than the close of business on the day the questioning occurred, and all available methods of communication shall be utilized. If direct contact with the parent/guardian is not made on the day that the questioning occurred, all efforts shall be made to make direct contact with the parent/guardian as soon as practicable.

No student shall be questioned for the purpose of investigating a school discipline matter by the District's legal counsel without first notifying the

parent/guardian and offering them the opportunity to be present during questioning. If the parent/guardian cannot be present during questioning by the District's legal counsel, the student shall have the opportunity to have an adult of his or her choosing present during questioning.

Any such investigation shall be separate and independent from any law enforcement investigation.

Due process

Accused students facing expulsion have the right to fully and meaningfully confront the evidence against them and present their defense at an expulsion hearing. To that end, the District shall: 1) allow and compensate teachers to testify for students facing expulsions at expulsion hearings, if teachers choose to do so; 2) allow for other witnesses to be called for an expulsion hearing at the accused student's request, under subpoena where necessary and allowed by law; 3) provide the accused student with all documents and evidence collected in the course of the case investigation (excluding attorney work product), including, but not limited to, any exculpatory evidence, and do so in a timely manner; 4) provide the accused student with a list of any and all witnesses the District intends to have testify at the hearing.

The District shall also allow and compensate teachers to attend the hearing in support of the complainant(s) (if any), to the extent possible and without violating the confidentiality of the complainant(s) or the accused student.

Complainants' Rights in the Expulsion Process

Complainants generally have the right to timely information about expulsion proceedings that pertain to their safety and access to academic and extra-curricular offerings, as well as information that would reasonably influence their decisions regarding further contact with accused students. So long as the provision of this information does not violate the District's obligations to the confidentiality and privacy of the accused student, this information includes an explanation of a) the complainant's rights (including his or her rights to participate or not participate in the process), b) how to access appropriate counseling services and academic accommodations, c) the timeline of any discipline process, d) the resolution of any discipline process, and e) how to access any available resources, of which the Superintendent or designee is aware, for confidential support and guidance throughout the process.

In addition, the Title IX Coordinator shall serve as the District contact for support for complainants in sexual harassment, sexual battery, or sexual assault cases and shall assist complainants in those cases with accessing available services. Complainants alleging violations of Education Code section 48900(n) are also entitled to all rights, relevant to the charge, specified in Education Code sections 48918(b)(5), 48918(c)(3), 48918(h)(2), and 48918.5.

Prior to an expulsion hearing in which a complainant is also a student, the complainant shall be given five school days' notice before being called to testify, and shall be entitled to have up to two adult support persons of his or her choosing present during his or her testimony. Three adult support persons may be allowed at the discretion of the Superintendent or designee, so long as at least one is a parent/guardian. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.

In all cases in which a complainant is called to testify in an expulsion hearing involving an alleged violation of Ed Code sec. 48900(n), the District shall provide a nonthreatening environment in order to enable the complainant to speak freely and accurately of the experiences that are the subject of the expulsion hearing, and to prevent discouragement of complaints.

Regardless of whether he or she has filed a formal complaint, a complainant is a witness in any expulsion process, and is not a party to the expulsion process. The accused student and the District are the only formal parties in the expulsion process. For this reason, the role of the complainant(s) (if any) is limited, and a complainant is not privy to the same information as the accused student. However, the Superintendent or designee should consult with the complainant(s) (if any) and/or his or her parent/guardian throughout the expulsion process in an effort to ascertain the complainant's wishes about how to proceed and to provide information, when possible and without impinging on the accused student's confidentiality or privacy. Although a complainant may not dictate the course of the District's actions, the Superintendent or designee shall consider the complainant's wishes when determining how to proceed.

The administrative panel's role in the expulsion process

Any administrative panel appointed to hear an expulsion case shall be impartial and contain three or more certificated persons, none of whom is a member of the Board or employed on the staff of the school in which the accused student is enrolled or at which the event leading to the expulsion recommendation took place. In the event that such an impartial panel cannot be appointed, the Board may hear the expulsion case in the first instance or it may contract with the county hearing officer or the Office of Administrative Hearings.

The administrative panel shall determine if there is substantial evidence that the accused student engaged in each of the alleged offenses. The panel shall not make a determination as to guilt based on hearsay evidence alone. In all cases except those alleging a violation of Education Code section 48915(c), the panel also must, before recommending expulsion, make a finding that either alternative means of correction are not feasible or have repeatedly failed to bring about proper conduct, or that due to the nature of the act, the presence of the accused student causes a continuing danger to the physical safety of the accused student or others.

If the panel determines that there is not substantial evidence or does not recommend expulsion, the expulsion process ends and the case does not proceed to the Board. The accused student shall immediately be readmitted into the instructional program from which the expulsion referral was made, unless there is a request by the accused student or his/her parent/guardian for another school placement.

If the panel finds substantial evidence exists for an expellable charged offense, the panel may recommend expulsion. The panel may also recommend that the enforcement of the expulsion order be suspended and, if so, shall provide factual information in its findings, adduced at the hearing, supporting its recommendation to the Board to suspend the enforcement of the expulsion order.

If the panel finds that the accused student committed any of the acts specified in Education Code sec. 48915(c), but does not recommend expulsion, the accused student shall be immediately reinstated and may be referred to his or her prior school or another comprehensive school, or pursuant to the procedures set forth in Education Code section 48432.5, the District's continuation school.

An administrative panel's decision not to recommend expulsion shall be final.

The discretion to recommend a suspended enforcement of the expulsion order is available in every expulsion case.

The administrative panel shall submit a detailed, written factual finding to the Board explaining its reasoning for its decision. A copy of the panel's findings shall be provided to the accused student.

The Board's role in the expulsion process

The accused student and/or the accused student's representative shall have the opportunity to address the Board in closed session prior to the Board's decision.

If the Board finds substantial evidence for an offense listed in Education Code sec. 48915(c), the Board shall expel the accused student but may suspend enforcement of the expulsion order.

If the Board finds substantial evidence that the accused student committed an expellable offense other than an offense listed in Education Code section 48915(c), the Board may vote to expel the accused student, suspend the enforcement of the expulsion order, or decline to expel the accused student.

In all cases in which the Board decides to expel a student except those alleging a violation of Education Code section 48915(c), the Board must make a finding that either alternative means of correction are not feasible or have repeatedly failed to bring about proper conduct, or that due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

The Board's decision to expel a student shall be based only upon a review of the findings of the administrative panel, or upon the results of any supplementary hearing the Board may order. Although the Board may consider comments made by an accused student or his/her representative during closed session in deciding not to expel an accused student, no student may be expelled on the basis of comments made by that student or his/her representative in closed session.

Where the Board finds substantial evidence but declines to expel the accused student, it may direct the Superintendent or designee to create a plan that includes opportunities for the accused student to repair any harm caused and take responsibility for his or her actions.

Students with Individual Education Plans (IEPs) and Section 504 plans

Nothing in this Policy shall be construed to limit in any way the rights of students with Individual Education Plans (IEPs) and Section 504 Plans that are provided in the Education Code and in federal law.

Where an accused student or complainant has an IEP or Section 504 Plan, the District shall ensure that he or she is provided sufficient support during the disciplinary process; that he or she has equal access to restorative justice and/or alternative resolution options; and that any rehabilitation, readmission, safety, and/or re-entry plans are carefully tailored to account for his or her disabilities and unique needs.

Regular reporting

On a quarterly basis, the Superintendent or designee shall report to the Board the number of students who are currently being referred for expulsion, the number of students who are serving or have served since the most recent report a suspension longer than five days, and the number of students currently serving expulsions, including suspended expulsions. This report shall include relevant demographic information for each of these students, to the extent that the demographic data does not disclose confidential student information.

Training on and distribution of policy

The Superintendent or designee shall ensure that this policy is distributed to all site administrators and that training about how to implement this policy is provided to site administrators and all other school staff who are likely to be involved in investigating, or processing, serious school discipline cases.

The Superintendent or designee shall also ensure that this policy is distributed to all of its school sites and referenced in the Parent Student Handbook, with illustrative examples of student conduct and the possible consequences.

The Superintendent or designee shall ensure that all school safety plans are updated to include provisions and forms consistent with this policy.

Existing Board Policy and Administrative Regulations

Until such time as Board Policy 5144.1 (Suspension and Expulsion/Due Process) and Administrative Regulation 5144.1 (Suspension and Expulsion/Due Process) are revised, their provisions shall remain in effect to the extent they are not inconsistent with this Policy

Adopted: June 29, 2016 Berkeley, California

9.18. Firearms On School Grounds

The Superintendent or designee shall not grant permission to any individual to carry a firearm or ammunition on school grounds, except any persons specified in Penal Code 626.9(l)-(o) and 30310, such as law enforcement officers, are authorized to possess a firearm and/or ammunition on school grounds. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots.

This policy shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

Adopted: October 5, 2016

9.19. Recess Restriction Policy

The Board recognizes the value of recess and play. It improves students' ability to focus and it helps students cognitively process information they are learning. Recess also plays an important part in the social and emotional development of children, enabling them to engage in peer interactions and develop their social skills. Recess time is also a unique and important opportunity for teachers to work closely with students in a way that is difficult to obtain in other parts of the school day.

Certificated staff may restrict a student's recess time under the following conditions when he/she believes that this action is the most effective way to bring about improved behavior:

1. Teachers and administrators should seek alternatives to recess restriction and employ adopted social and emotional learning options in a manner consistent with our positive behavioral support systems, and ensure that the expected behaviors are discussed and clarified for students before and after the recess restriction consequence is issued.

2. Recess restriction shall be employed only after a student receives a fair and clear verbal warning from the teacher or principal.

3. Recess restriction shall not be used as a penalty for incomplete homework.

4. The student should remain under employee supervision during the time of the consequence.

5. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.

6. Teachers shall inform a site administrator in writing of any student who has their recess restricted. When a student has their recess restricted either two times per week or three times a month, parents or caregivers will he notified whom and the site RTI team or the administrator will review that information and seek alternative means to address the needs of the student.

7. A student will not be restricted for more than half of any given recess period wherein the consequence is assigned, and a maximum of 20 minutes of restriction per day should be adhered to in all uses.

8. Recess restriction for students with exceptional needs must be implemented consistent with the educational goals and accommodations in their IEP, 504 plan, or individualized Positive Behavior Intervention Plan. Recess restriction should not be imposed for behavior, actions, or incomplete work that are a result of a child's disability.

9. Data will be reviewed annually following the passage of the policy and data will be disaggregated by relevant demographic data.

All schools must have clear guidelines within their school-wide Positive Behavior Intervention and Support (PBIS) plan. These guidelines should include when and how the administrator will convene a team to create a positive recess behavior plan which analyzes behavioral function, additional environmental supports needed and/or alternative consequences.

Adopted: November 19, 2014
Revised: May 4, 2016

9.20. Protection of Undocumented Students

All students have the right to attend public school and enjoy access to equitable educational and programmatic services regardless of the immigration status of the student or of the student's family members.

For the purposes of this policy, "District personnel" includes all District employees, counsel for the District, and any agencies contracting with the District.

District personnel shall not take any steps that would deny students access to education based on their immigration status or any steps that would impede the rights of any students to public education under the U.S. Supreme Court's 1982 ruling in Plyler v. Doe, the Family Educational Rights and Privacy Act (FERPA), the California Education Code, and any other applicable state and federal law.

Absent any applicable federal, state, local law or regulation or local ordinance or court decision, District personnel shall abide by the following conduct:

> District personnel shall not treat students disparately for BUSD residency determination purposes on the basis of their immigration status.
>
> All District students who meet the relevant programmatic criteria are entitled to receive all school services, including free lunch, free breakfast, transportation, and educational services, regardless of the immigration status of the student or of the student's family members. This entitlement exists whether or not the student or the student's family members have social security numbers.
>
> District personnel shall not inquire about, or record in any way, a student's immigration status, nor shall District personnel require documentation of any student's legal status, such as asking for a "green card" or citizenship papers, at initial registration or at any other time, for any purpose.
>
> District personnel shall not require students to apply for Social Security numbers nor shall the District require students to supply a Social Security number for any purpose.

If any member of the BUSD community (including students, families, or staff) has questions about their immigration status, District personnel shall not refer them to the Immigration and Customs Enforcement Office ("ICE") or any other government agency. Instead, District personnel shall refer them to local non-profit immigration law organizations. A list of such organizations shall be compiled by the Superintendent or designee and widely disseminated at school sites and on the District's website. The Superintendent is also encouraged to increase and enhance partnerships with community-based organizations, legal services organizations, and other educational institutions (such as community colleges and universities) to provide resources for families of students or District employees who are facing deportation or other adverse immigration consequences.

It is the general policy of the District not to allow any individual or organization to enter a school site if the educational setting would be disrupted by that visit. Because the Governing Board believes that ICE activities in and around schools, early education centers, and adult school facilities would constitute a severe disruption to the learning environment and educational setting for students, any request by ICE to any District personnel to visit a school site shall be immediately forwarded to the Superintendent for review and consultation with legal counsel, to ensure the safety of all students, as well as compliance with Plyler v. Doe and other applicable state and federal laws.

All requests for documents by ICE to the District or any District personnel shall be immediately forwarded to the Superintendent for review and consultation with legal counsel and the Governing Board (in closed session if necessary), to ensure the safety of all students, as well as compliance with Plyler v. Doe and other applicable state and federal laws.

The Superintendent or designee shall ensure that copies of this Policy are distributed to all District and school sites. The Superintendent or designee shall ensure all teachers, school administrators, and other staff are trained on how to implement this policy and shall ensure that notification with required translation be distributed to families to fully inform them of their rights in the District.

The Superintendent shall forward a copy of this policy to the office of the U.S. Representative for California's 13th congressional district, as well as the office of each of California's representatives in the United States Senate.

Adopted: December 7, 2016

9.21. Religious Registry

Definitions

"List, registry, or database" includes public, private, or joint public-private collections of information.

"Personal information" means any information that can, either on its own or in combination with other information, be used to identify, contact, track, otherwise locate, or reasonably infer the identity of a specific individual.

"Religion" means an individual's religious affiliation, kinship, belief, or practice.

Protection of Students and Employees

The District shall not record a student's religion in the student's cumulative file for any reason.

The District shall not record an employee's religion in the employee's personnel file for any reason.

If the religion of a student or employee is relevant to a document that would otherwise be included in a student's cumulative file or an employee's personnel file, the notation of religion shall be redacted before document is included in the file.

No District employee shall use District funds, facilities, property, equipment, or personnel to implement, provide investigation for, enforce, or assist in the creation, implementation, or enforcement of, or provide support in any manner for, any government program creating or compiling a list, registry, or database of individuals on the basis of religion, national origin, or ethnicity.

No District employee shall provide or disclose to government authorities personal information regarding any individual that is requested for the purpose of creating or compiling a list, registry, or database of individuals based on religion, national origin, or ethnicity. Any request for such information shall be forwarded immediately to the Superintendent for review and consultation with legal counsel and the Governing Board.

The Superintendent or designee shall ensure that copies of this Policy are translated into Spanish and Arabic, posted on the District's website, and distributed to all District and school sites, as well as to District families to fully inform them of their rights in the District.

The Superintendent shall forward a copy of this policy to the office of the U.S. Representative for California's 13th congressional district, as well as the office of each of California's representatives in the United States Senate.

Adopted: April 26, 2017

9.22. Suicide Prevention Policy

The Governing Board of Berkeley Unified School District recognizes that suicide is a leading cause of death among youth and that an even greater amount of youth consider (17 percent of high school students) and attempt suicide (over 8 percent of high school students) (Centers for Disease Control and Prevention, 2015).

The possibility of suicide and suicidal ideation requires vigilant attention from our school staff. As a result, we are ethically and legally responsible for providing an appropriate and timely response in preventing suicidal ideation, attempts, and deaths. We also must work to create a safe and nurturing campuses that minimizes suicidal ideation in students.

Overall Strategic Plan for Suicide Prevention

The Superintendent or Designee shall involve school-employed mental health professionals (e.g., school counselors, psychologists, social workers, nurses), administrators, other school staff members, parents/guardians/caregivers, students, local health agencies and professionals, law enforcement, and community organizations in planning, implementing, and evaluating the District's strategies for suicide prevention and intervention. The District shall work in conjunction with local government agencies, community-based organizations, and other community supports to identify additional resources.

To ensure the policies regarding suicide prevention are properly adopted, implemented, and updated, the District shall appoint an individual (or team) to serve as the suicide prevention point of contact for the District (hereinafter "District point person").

Prevention

A. Messaging about Suicide Prevention

Messaging about suicide has an effect on suicidal thinking and behaviors. Consequently, the District point person along with the District's partners shall critically review all materials and resources used in awareness efforts to ensure they align with best practices for safe messaging about suicide.

B. Suicide Prevention Training and Education

Training:

Training shall be offered to relevant staff on the core components of suicide prevention (identification of suicide risk factors and warning signs, prevention, intervention, referral, and postvention) at the beginning of their employment. Previously employed staff members shall attend a minimum of one-hour general suicide prevention training. Core components of the general suicide prevention training shall include:

- Suicide risk factors, warning signs, and protective factors;
- How to talk with a student about thoughts of suicide;
- How to respond appropriately to the youth who has suicidal thoughts. Such responses shall include constant supervision of any student judged to be at risk for suicide and an immediate referral for a suicide risk assessment;
- Emphasis on immediately referring (same day) any student who is identified to be at risk of suicide for assessment while staying under constant monitoring by staff member;
- Emphasis on reducing stigma associated with mental illness and that early prevention and intervention can drastically reduce the risk of suicide;
- Reviewing the data annually to look for any patterns or trends of the prevalence or occurrence of suicide ideation, attempts, or death. Data from the California School Climate, Health, and Learning Survey (Cal-SCHLS) should also be analyzed to identify school climate deficits and drive program

development. See the Cal-SCHLS Web site at http://cal-schls.wested.org/.

Ongoing staff professional development should include the following components:

- The impact of traumatic stress on emotional and mental health;
- Common misconceptions about suicide;
- School and community suicide prevention resources;
- Appropriate messaging about suicide (correct terminology, safe messaging guidelines);
- The factors associated with suicide (risk factors, warning signs, protective factors);
- How to identify youth who may be at risk of suicide;
- Appropriate ways to interact with a youth who is demonstrating emotional distress or is suicidal. Specifically, how to talk with a student about their thoughts of suicide and (based on district guidelines) how to respond to such thinking; how to talk with a student about thoughts of suicide and appropriately respond and provide support based on district guidelines;
- District-approved procedures for responding to suicide risk (including multi-tiered systems of support and referrals). Such procedures should emphasize that the suicidal student should be constantly supervised until a suicide risk assessment is completed;
- District-approved procedures for responding to the aftermath of suicidal behavior (suicidal behavior postvention);
- Responding after a suicide occurs (suicide postvention);
- Resources regarding youth suicide prevention;
- Emphasis on stigma reduction and the fact that early prevention and intervention can drastically reduce the risk of suicide;
- Emphasis that any student who is identified to be at risk of suicide is to be immediately referred (same day) for assessment while being constantly monitored by a staff member.

The professional development also shall include additional information regarding groups of students judged by the school, and available research, to be at elevated risk for suicide. These groups include, but are not limited to, the following:

- Youth affected by suicide;
- Youth with a history of suicide ideation or attempts;
- Youth with disabilities, mental illness, or substance abuse disorders;
- Lesbian, gay, bisexual, transgender, non-binary or questioning youth;
- Youth experiencing homelessness or in out-of-home settings, such as foster care;
- Youth who have suffered traumatic experiences;

C. Employee Qualifications and Scope of Services

Employees of the District and their partners must act only within the authorization and scope of their credential or license. While it is expected that school professionals are able to identify suicide risk factors and warning signs, and to prevent the immediate risk of a suicidal behavior, treatment of suicidal ideation is typically beyond the scope of services offered in the school setting. In addition, treatment of the mental health challenges often associated with suicidal thinking typically requires mental health resources beyond what schools are able to provide.

D. Parents, Guardians, and Caregivers Participation and Education

To the extent possible, parents/guardians/caregivers should be included in all suicide prevention efforts. At a minimum, schools shall share with parents/guardians/caregivers the District's suicide prevention policy and procedures.

This suicide prevention policy shall be prominently displayed on the District's Web page and included in the parent handbook.

E. Student Participation and Education

Students shall:

Receive developmentally appropriate, student-centered education about the warning signs of mental health challenges and emotional distress;

Receive developmentally appropriate guidance regarding the district's suicide prevention, intervention, and referral procedures.

The content of the education shall include:

- Coping strategies for dealing with stress and trauma;
- How to recognize behaviors (warning signs) and life issues (risk factors) associated with suicide and mental health issues in oneself and others;
- Help-seeking strategies for oneself and others, including how to engage school-based and community resources and refer peers for help;
- Emphasis on reducing the stigma associated with mental illness and the fact that early prevention and intervention can drastically reduce the risk of suicide.

Student-focused suicide prevention education can be incorporated into classroom curricula (e.g., health classes, freshman orientation classes, science, and physical education).

The District will support the creation and implementation of programs and/or activities on campus that raise awareness about mental wellness and suicide prevention (e.g., Mental Health Awareness Weeks, Peer Counseling Programs, Freshman Success Programs, and National Alliance on Mental Illness on Campus High School Clubs).

Intervention, Assessment, Referral

The District's primary designated suicide prevention liaison shall be someone who has received advanced training in suicide intervention. Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary designated suicide prevention liaison. Under normal circumstances, the primary contact persons shall then notify the student's principal, another school administrator, school psychologist or school counselor, as soon as possible and shall refer the student to mental health resources in the school or community. Determination of notification to parents/guardians/caregivers should follow a formal initial assessment to ensure that the student is not endangered by parental notification.

After a referral is made for a student, school staff shall verify with the parent/guardian/caregiver that follow-up treatment has been accessed. Parents/guardians/caregivers will be required to provide documentation

of care for the student.

If parents/guardians/caregivers refuse or neglect to access treatment for a student who has been identified to be at-risk for suicide or in emotional distress, the suicide point of contact (or other appropriate school staff member) will meet with the parents/guardians/caregivers to identify barriers to treatment (e.g., cultural stigma, financial issues) and work to rectify the situation and build understanding of the importance of care. If follow-up care for the student is still not provided, school staff should consider contacting Child Protective Services (CPS) to report neglect of the youth (Alameda County Child Protective Services can be contacted at (510) 259-1800).

If the student is in imminent danger (has access to a gun, is on a rooftop, or in other unsafe conditions), a call shall be made to 911.

- Whenever a staff member suspects or has knowledge of a student's suicidal intentions, they shall promptly notify the primary suicide prevention liaison.
- Students experiencing suicidal ideation shall not be left unsupervised.
- A referral process should be prominently disseminated to all staff members, so they know how to respond to a crisis and are knowledgeable about the school and community-based resources.
- The Superintendent or Designee shall establish crisis intervention procedures to ensure student safety and appropriate communications if a suicide occurs or an attempt is made by a student or adult on campus or at a school-sponsored activity.

A. Action Plan for In-School Suicide Attempts

If a suicide attempt is made during the school day on campus, it is important to remember that the health and safety of the student and those around him/her is critical. The following steps should be implemented:

- Remain calm, remember the student is overwhelmed, confused, and emotionally distressed;
- Move all other students out of the immediate area;
- Immediately contact the administrator or suicide prevention liaison;
- Call 911 and give them as much information about any suicide note, medications taken, and access to weapons, if applicable;
- If needed, provide medical first aid until a medical professional is available;
- Parents/guardians/caregivers should be contacted as soon as possible;
- Do not send the student away or leave them alone, even if they need to go to the restroom;
- Listen and prompt the student to talk;
- Review options and resources of people who can help;
- Be comfortable with moments of silence as you and the student will need time to process the situation;
- Provide comfort to the student;
- Promise privacy and help, and be respectful, but do not promise confidentiality;
- Student should only be released to parents/guardians/caregivers or to a person who is qualified and trained to provide help.

B. Action Plan for Out-of-School Suicide Attempts

If a suicide attempt by a student is outside of District property, it is crucial that the District protects the privacy of the student and maintain a confidential record of the actions taken to intervene, support, and protect the student. The following steps should be implemented:

- Contact the parents/guardians/caregivers and offer support to the family;
- Discuss with the family how they would like the school to respond to the attempt while minimizing widespread rumors among teachers, staff, and students;
- Obtain permission from the parents/guardians/caregivers to share information to ensure the facts regarding the crisis is correct;
- Designate a staff member to handle media requests;
- Provide care and determine appropriate support to affected students;
- Offer to the student and parents/guardians/caregivers steps for re-integration to school.

C. Supporting Students after a Mental Health Crisis

It is crucial that careful steps are taken to help provide the mental health support for the student and to monitor their actions for any signs of suicide. The following steps should be implemented after the crisis has happened:

- Treat every threat with seriousness and approach with a calm manner; make the student a priority;
- Listen actively and non-judgmental to the student. Let the student express his or her feelings;
- Acknowledge the feelings and do not argue with the student;
- Offer hope and let the student know they are safe and that help is provided. Do not promise confidentiality or cause stress;
- Explain calmly and get the student to a trained professional, guidance counselor, or designated staff to further support the student;
- Keep close contact with the parents/guardians/caregivers and mental health professionals working with the student.

D. Re-Entry to School After a Suicide Attempt

A student who threatened or attempted suicide is at a higher risk for suicide in the months following the crisis. Having a streamlined and well planned re-entry process ensures the safety and wellbeing of students who have previously attempted suicide and reduces the risk of another attempt. An appropriate re-entry process is an important component of suicide prevention. Involving students in planning for their return to school provides them with a sense of control, personal responsibility, and empowerment.

The following steps shall be implemented upon re-entry:

- Obtain a written release of information signed by parents/guardians/caregivers and providers;
- Confer with student and parents/guardians/caregivers about any specific requests on how to handle the situation;
- Inform the student's teachers about possible days of absences;
- Allow accommodations for student to make up work (be

understanding that missed assignments may add stress to student);
- Mental health professionals or trusted staff members should maintain ongoing contact to monitor student's actions and mood;
- Work with parents/guardians/caregivers to involve the student in an aftercare plan.

E. Responding After a Suicide Death (Postvention)

A death by suicide in the school community (whether by a student or staff member) can have devastating consequences on students and staff. Therefore, the District must be prepared ahead of time in the event of such a tragedy. The District's point person shall develop a Suicide Death Response Action Plan (Suicide Postvention Response Plan) that incorporates both immediate and long-term steps and objectives.

Suicide Postvention Response Plan shall:

- Identify a staff member to confirm death and cause (school site administrator);
- Identify a staff member to contact deceased's family (within 24 hours);
- Enact the Suicide Postvention Response Plan, include an initial meeting of the district/school Suicide Postvention Response Team;
- Notify all staff members (ideally in-person or via phone, not via e-mail or mass notification).

Coordinate an all-staff meeting, to include:

- Notification (if not already conducted) to staff about suicide death;
- Emotional support and resources available to staff;
- Notification to students about suicide death and the availability of support services (if this is the protocol that is decided by administration);
- Share information that is relevant and that which you have permission to disclose.

Prepare staff to respond to needs of students regarding the following:

- Review of protocols for referring students for support/assessment;
- Talking points for staff to notify students;
- Resources available to students (on and off campus).

Identify students significantly affected by suicide death and other students at risk of imitative behavior;

Identify students affected by suicide death but not at risk of imitative behavior;

Communicate with the larger school community about the suicide death;

Consider funeral arrangements for family and school community;

Respond to memorial requests in respectful and non-harmful manner; responses should be handed in a thoughtful way and their impact on other students should be considered;

Identify media spokesperson skilled to cover story without the use of explicit, graphic, or dramatic content. Research has proven that sensationalized media coverage can lead to contagious suicidal behaviors.

Utilize and respond to social media outlets:

- Identify what platforms students are using to respond to suicide death
- Identify/train staff and students to monitor social media outlets

Include long-term suicide postvention responses:

- Consider important dates (i.e., anniversary of death, deceased birthday, graduation, or other significant event) and how these will be addressed
- Support siblings, close friends, teachers, and/or students of deceased
- Consider long-term memorials and how they may impact students who are emotionally vulnerable and at risk of suicide

Adopted: June 28, 2017
Revised: November 1, 2017

Berkeley
PUBLIC SCHOOLS
Berkeley Unified School District

10. Procedures and Forms

10.1. Overview of Complaint Procedures and Forms

As a parent, student, employee or resident, you have a right to address issues you feel were not appropriately handled by the District. Please use the forms in this section according to your specific concern, as described in the chart below. Please file complaint forms at the following location:

Office of the District Compliance Officer/Title IX Coordinator
Berkeley Unified School District
2020 Bonar Street, Room 116,
Berkeley, CA 94702
510-486-9338

If your issue pertains to:	*Use this form:*
Complaint against any BUSD policy, practice, procedure, or employee	**Complaint Procedure for Parents, Students, Employees and Residents (Form 10.2)**
(a) Discrimination under any protected category (includes actual or perceived race or ethnicity, age, religion, marital or parental status, disability, sex, sexual orientation, gender, gender identity) including sexual harassment and discriminatory bullying. (b) any school program receiving federal and state funds, such as ● Adult Education ● Child Nutrition ● Childcare and Development Programs ● Vocational Education ● Consolidated Categorical Aid Programs ● Migrant Education ● Special Education ● Child Nutrition (c) Complaints regarding the imposition of student fees	**Uniform Complaint Procedure (Form 10.3)** A detailed summary of the District's Uniform Complaint Procedures complaint process is contained in Administrative Regulation 1312.3, which is available on the District's website, and from the Office of the Compliance Officer/ Title Coordinator at 2020 Bonar Street, Room 116, 486-9338.
Sexual harassment by student, between employee and student, between student and non-employee, between employees	**Uniform Complaint Procedure (Form 10.3)**
Bullying	**Bullying Complaint (Form 10.4)** (For discriminatory bullying, the Uniform Complaint Procedure **10.3** is followed.)
Instructional materials, teacher vacancy or misassignment, facility condition, support to complete CAHSEE requirement after exiting high school	**Williams Complaint Procedure (Form 10.5)**

Berkeley Unified School District
Office of the Superintendent

10.2. Complaint Procedure for Parents, Students, Employees and Residents Regarding School or District Policy, Procedure, or Practice or District Employees

This form and process is available for any parent, student, employee or resident who wishes to initiate a complaint against (1) any Berkeley Unified School District policy, practice, or procedure, (2) any school site practice or procedure, or (3) a BUSD employee. The complainant shall attempt to resolve the complaint at Step 1. If not applicable or possible, the complainant may go to the next appropriate step, the employee's immediate supervisor or principal.

Please write the nature of the complaint. This should be a description in your own words of the grounds of your complaint, including all names, dates and places necessary for a complete understanding of your complaint. Please also try to articulate the remedy you are seeking.

1. A Berkeley Unified School District Policy, Practice or Procedure Complaints regarding district policies, practices or procedures begin at Step 4, i.e. with the District Compliance Officer**.** (Please see the reverse for all steps.)

Please specify the Policy, Practice or Procedure**:** _____

2. A site-level practice or procedure _____

Please specify how it was applied: _____

3. District employee: _____

Location: _____

Please write the nature of the complaint. This should be a description in your own words of the grounds of your complaint, including all names, dates, and places necessary for a complete understanding of your complaint as well as any attempts you have made to resolve. You may attach additional pages.

_____

_____

_____

_____

_____

_____

_____

_____

_____

Complainant's Name Student's Name

_____

Complainant's Phone Number (including area code) Complainant's email address

_____

Complainants Address, City and Zip Code

I certify that the information I have given is true and correct.

Complainant's Signature_____ **Date Signed** _____

Step 1: Informal Resolution
Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, you should communicate directly with the employee involved in order to resolve concerns. If you are unable or unwilling to resolve the complaint directly with the employee, you may file a written complaint directly to the principal or immediate supervisor (**Step 2).**

Step 2: Filing a Written Formal Complaint
If the complaint was not resolved informally**,** you have the right to submit a formal written complaint to the principal or employees' supervisor. If this complaint is against the principal or central office administrator, it should be filed with the District Compliance Officer (DCO)/Title IX Coordinator, at 2020 Bonar St., Room 116, Berkeley, CA 94702. A formal written complaint must include: the name of the employee, policy, procedure or practice involved, a brief but specific summary of the complaint and a description of any prior attempt to resolve the complaint informally (See Page 1 of the complaint form).

Step 3: Site or Department Hearing
The immediate supervisor or principal shall confer with the parties within five (5) school days of receipt of the written complaint. The immediate supervisor or principal shall provide a written response to the parties within five (5) school days from the date of the conference with the parties. If the immediate supervisor or principal's response does not resolve the complaint, then the party may appeal the response with the DCO by signing the request below and delivering this form to the Director of Student Services.

Request for District Resolution of My Complaint

Name _____ Date _____

Step 4: District Hearing
The DCO or his/her designee shall attempt to resolve the complaint to the satisfaction of the person involved within fifteen (15) school days of receiving the appeal. The DCO or his/her designee will communicate their findings and resolution to all parties in writing.

Both the complainant and the employee against whom the complaint was made may appeal the decision from the DCO to the Superintendent or designee by filing a signed copy of the Complaint Form in the Superintendent's office, or by emailing it to superintendent@berkeley.net, and stating the basis for the appeal.

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Step 5: Appeal Request for Superintendent or Designee Resolution of My Complaint

Name _____ Date _____

Step 5: Superintendent's Review
The Superintendent or designee shall confer with the parties within five (5) school days of the receipt of the appeal. The Superintendent or designee shall respond to the parties in writing within ten (10) school days of the conference.

If the Superintendent does not resolve the complaint, any party may appeal the Superintendent's decision to the Board of Directors. The request must be made in writing and submitted to both the Board of Directors and Superintendent by filing within twenty (20) school days of the Superintendent's response.

Step 6: Requesting a Board Hearing
The Board may elect to hold a hearing and render a finding or support the finding made at **Step 5** without holding a hearing. The decision of the Board is final and will be communicated to the complainant by the Superintendent.

For Official Use:

Date received _____

Complaint log # _____

Berkeley PUBLIC SCHOOLS
Berkeley Unified School District

Uniform Complaint Form

This form, and Berkeley Unified School District's Uniform Complaint Process, is available for any parent, student, employee or resident who wishes to initiate a formal complaint at the District level. If you need help filling out this form, please ask an administrator or school secretary for assistance. Complaints will be reviewed and responded to within 60 days. Your complaint will be acknowledged by email and you will receive a log number after receipt by the District.

For more information about the complaint procedure, please go to www.berkeleyschools.net/complaints, or see Board Policy 1311 and Administrative Regulation 1311.

You may contact the District Compliance Officer (see contact information at the bottom of the form) with questions about this process or to file this formal complaint.

I. Contact Information of Complainant (the person filling out this form)

_____

Your name | Student's name

_____

Your phone number (including area code) | Your email address

_____

Your address, city and zip code

_____

School name | Student's grade level

II. Basis of Complaint

This form may be used to file a formal complaint regarding:

- General complaints about a Berkeley Unified School District policy, practice or procedure; a school site-level practice or procedure; or a District employee. (Note: Employee/employee complaints may also be filed with the District Compliance Officer and will then be routed to Human Resources for resolution).
- Unlawful discrimination, including discriminatory harassment, intimidation or bullying. In this context, discrimination based on the following characteristics is unlawful under state or federal law: age; ancestry; color; disability (physical or mental); ethnic group identification; gender; gender expression; gender identity; genetic information; homelessness or foster status; marital, parenting or breastfeeding status; nationality; national origin; race or ethnicity; religion; sex (this includes sexual harassment and acts of sexual misconduct); sexual orientation; or based on association with any of these actual or perceived characteristics.
- Retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to the uniform complaint procedures.
- District violations of state or federal law or regulations, including those covering the following programs: Adult Education; After School Education and Safety; Berkeley Peer Assistance and Review Programs; Career/Technical Education; Child Nutrition; Childcare and Development Programs; Compensatory Education; Consolidated Categorical Aid Programs; Education Opportunities of Pupils in Foster Care or Pupils who are Homeless and Former Juvenile Court Pupils; English Learner Programs; Every Student Succeeds Act; Local Control and Accountability Plans; Migrant Education; Physical Education Instructional Minutes (for grades one through six); Pupil Fees; Reasonable Accommodations to a Lactating Pupil; School Safety Plans; Special Education; State Preschool; Tobacco-Use Prevention Education.

III. Details of Complaint

Please describe the incident or concern that led to this complaint, in as much detail as possible, including: the location; the individuals involved; what was said during the incident; the dates/times when the incident(s) occurred or when the alleged acts first came to your attention; and to whom the incident was reported. Please also list any witnesses. You may attach additional sheets or documentation if desired. **Note: Formal complaints should be filed no later than six months from when you became aware of the alleged incident.**

Has the concern been discussed with the school principal, employee, or his/her/their supervisor? If yes, with whom?

If a discussion took place, when did it happen and what was the result of the discussion?

What is your desired remedy? Please describe what you would like for the outcome of this complaint process to be:

I certify that the information I am providing on this form is true and correct.

Complainant's Signature: _____ Date: _____

Supporting documents attached: Yes _____ No _____

Complainants are advised that while the District will make an effort to protect their privacy and confidentiality, investigation of the complaints may require disclosure of certain information to others. By filing a complaint, the complainant authorizes the District to investigate and make disclosures as may be reasonably necessary to the investigation and resolution of the complaint. Complaints will be reviewed and responded to within 60 days.

Retaliation for having filed a complaint is prohibited. If any participant in the complaint process experiences retaliation as a result of having participated in the process, please notify the site principal and/or District Compliance Officer.

IV. Please submit this signed complaint form to:

District Compliance Officer/Title IX Coordinator
Berkeley Unified School District
2020 Bonar Street, Room 116, Berkeley, CA 94702
Email: complaints@berkeley.net Phone: 510.486.9338

Berkeley Unified School District
10.4. Bullying Complaint Form (Policy 5131.2)

School: _____

Definition of bullying: Bullying means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as: unwanted purposeful written, verbal, nonverbal, or physical behavior, including but not limited to any threatening, insulting, or dehumanizing gesture, by an adult or student, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long term damage; cause discomfort or humiliation; or unreasonably interfere with the victim's school performance or participation. Bullying is carried out repeatedly; and is often characterized by an imbalance of power.

Name of Student/ Date of Report: _____

Parent/Guardian/School Staff/Community member (if filing on behalf of a student): _____

Person(s) your complaint involves: _____

Date(s) of incident: _____

Where did the incident take place? _____

Did you report this incident of bullying previously? _____

If yes, to whom? _____

When? _____

Please describe your complaint in as much detail as possible. (Use back of form or extra sheets of paper if necessary.) Attach any documents related to this complaint.

_____

_____

_____

_____

_____

_____

Complainant's Name: _____ Phone Number: _____

Signature: _____ Date: _____

Please submit this form to the school Principal. If you need assistance completing this form, please contact the Principal.

Berkeley
PUBLIC SCHOOLS
Berkeley Unified School District

10.5. Williams Uniform Complaint Procedure

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or mis-assignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ☐ Yes ☐ No

Contact Information:

Name: _____

Address: _____

Phone Number: Day: (_____) _____ Evening: (_____) _____

Cell: (_____) _____

E-mail address, if any: _____

Location of the problem that is the subject of this complaint:

School: _____

Course title/grade level and teacher name: _____

Room number/name of room/location of facility: _____

Date problem was observed: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

☐ Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

- A pupil, 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.
- A pupil 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 pupil.
- Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

☐ Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)

- A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
- A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

☐ Facility conditions: (Education Code 35186, 35292.5; 5 CCR 4683)

- A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition.
- A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

_____

_____

_____

_____

_____

Please file this complaint at the following location:

Compliance Officer/ Title IX Coordinator's Office

Berkeley Unified School District

2020 Bonar Street, Room 116, Berkeley, CA 94702

510-486-9338

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

_____

(signature) (date)

10.6 FOR FAMILIES OF HIGH SCHOOL STUDENTS:

Release and Disclosure of Student Information to the Military and Institutions of Higher Learning

Under the *No Child Left Behind Act,* of 2002, school districts are now required to allow the military the same access to high schools and student information as is given to colleges, universities, or institutions of higher learning. Prior to the passing of this legislation, the Berkeley Unified School District did not provide either the military or institutions of higher learning access to the names or addresses of our students. The Board of Education supports this position but also recognizes the responsibility to meet the intention of the law. Therefore, it is your discretion and prerogative to have this information withheld from these agencies should you choose.

If you **DO NOT WANT** your name, address, and telephone number released, please check the box below, sign and return this form to the High School Administration.

Please **DO NOT RELEASE** my name, address, and/or phone number to: (**Check one or both)**

- ☐ Military Recruiters
- ☐ Institutions of Higher Learning

Student's Name (please print) School Counselor

Student or Parent/Guardian Signature Date

If your name and signature does not appear above, your name and address must be released to the military.

In Addition: Instructions for Opting Out of the JAMRS Database

JAMRS stands for the "Joint Advertising Market Research Studies." The JAMRS database is a registry of 30 million Americans between the ages of 16 and 25, funded by the Department of Defense with the goal of maximizing recruitment efforts. The JAMRS database includes information such as name, date of birth, gender, mailing address, e-mail address, race and ethnicity, telephone number, high school name, graduation date, Grade Point Average, college intent, military interest, and field of study.

The JAMRS database already has your personal information. If you want your data removed from the database, fill out the form below and return it to the address below.

Note: You must opt out each time you move to a new address.

More information about JAMRS is available at www.baypeace.org. or at www.defense.gov/jamrs_survey_optout.html

Joint Advertising and Marketing Research & Studies
Direct Marketing Program Officer
Attention: Opt Out
4040 North Fairfax Drive, Ste. 200
Arlington, VA 22203-1613

Dear Direct Marketing Program Officer:

Please remove all information and data regarding the following individual from the JAMRS military recruitment database:

Full Name: _____ **Date of Birth:** _____

Address: _____

City: _____ **State:** _____ **Zip:** _____

Signature: _____ Date: _____
(Parent or legal guardian if individual is under 16 years old)

Berkeley PUBLIC SCHOOLS
Berkeley Unified School District

10.7. BUSD MEDICATION AUTHORIZATION

RETURN COMPLETED FORM TO SCHOOL WITH GUARDIAN AND HEALTH CARE PROVIDER SIGNATURES

Student's Name: _____ **Date of Birth:** _____

School: _____ **Grade:** _____ **Room/Teacher:** _____

PARENT/GUARDIAN AUTHORIZATION:

When the district has received written orders from the student's physician and written permission from the parent/guardian, designated personnel shall assist students who are required to take medication during the school day. All medication must be delivered to the school by the parent/guardian in an **original container and appropriately labeled** by the pharmacy. Parents/guardians can request that the pharmacist dispense two bottles of medication, one for home and one for school. Written permission must also be provided for students to carry and self-administer prescribed medication such as asthma inhalers and EpiPens. (CA Education Code 49423; BUSD Board Policy 5141.21).

I request and authorize designated school personnel to assist my child with medication administration in accordance with our health care provider's written instructions below. I will notify the school immediately and submit a new form if there are changes in any of the information provided. I authorize school personnel to consult with our Health Care Provider about my child's medical needs as necessary. I understand that I can terminate this consent at any time.

Parent/Guardian signature: _____ Date: _____

Telephone: (home) _____ (work) _____ (cell) _____

HEALTH CARE PROVIDER AUTHORIZATION:

Name of Medication or Treatment	Reason	Dosage	Route	Time	Refrigerate? (Y/N)	Self-Administer?	Self-Carry? (Y/N)
						❑ No ❑ Yes, supervised ❑ Yes, unsupervised	
						❑ No ❑ Yes, supervised ❑ Yes, unsupervised	
						❑ No ❑ Yes, supervised ❑ Yes, unsupervised	
						❑ No ❑ Yes, supervised ❑ Yes, unsupervised	

Diagnosis/Significant Findings: _____

Allergies (Medication and other substances): _____

Health Care Provider signature: _____ Date: _____

Address: _____ Telephone: _____

This request is valid for a maximum of one year.

Berkeley
PUBLIC SCHOOLS
Berkeley Unified School District

10.8. Request for Disability-Related Aids, Supports, Accommodations and Services * Nonacademic and Extracurricular Programs and Activities

Student Name_____ BD_____ Grade_____

School _____ Teacher _____

Parent/Guardian Name_____

Phone(s)_____ Email_____

Parent/Guardian Name_____

Phone(s) _____ Email_____

Does Student have current IEP? Yes/No Special Education Case Manager: _____
Name

Does Student have current 504 Plan? Yes/No Case Manager: _____
Name

If there is no IEP or 504 Plan, describe the Student's disability or special needs:

_____

My child requires the following disability-related aids, supports, services and/or modifications during the following activities:

List requested aids, supports, services, modifications here: _____

_____

_____

Check activities here:
___ LEARNS/BEARS Afterschool Program ___ Bridge/Rise Program
___ School Club(s) Name: _____
___ Athletics
___ Other program or activity: _____

You will be contacted by Program Staff to discuss your student's needs.

_____

*The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 prohibit nonacademic and extracurricular programs and activities operated or sponsored by public schools from discriminating against students with disabilities by denying admission or ongoing participation solely on the basis of a child's disability. These programs and activities may not deny a reasonable accommodation without making an individualized assessment of the student's needs. A reasonable accommodation may not fundamentally alter the program, or otherwise impose undue burden on the District. Participation in the program or activity need not be required by the student's IEP or Section 504 plan in order for the student to receive aids, supports, modifications, or services.

Berkeley
PUBLIC SCHOOLS
Berkeley Unified School District

1720 Oregon Street, Berkeley, CA 94703
Tel: (510) 644-6200 | Fax: (510) 644-8784

10.9 FREE/REDUCED PRICE MEAL APPLICATION

We are encouraging **every eligible family** to complete an application for free/reduced price school meals. Even if your student does not intend to take advantage of the lunch program, every qualified application is counted towards bringing significant federal (Title I) and state (LCFF/LCAP) funding to our schools!

- Please **complete the application online at www.ezmealapp.com** as soon as possible. Online applications are processed in just 24 hours, while paper applications may take up to 10 days.
- Only one form is needed per family, even if you have students at different schools in the district.
- There will be a verification number provided at the end of the online process. Please print out and keep the confirmation page, which includes the verification number, so you have a record of your application.
- If you have any questions about how to complete the form, please contact the Office of Family Engagement and Equity at (510) 644-8991 Staff would be happy to help!

Please Note:

- BUSD provides nutritious low-cost or free meals every school day. Breakfast is free for all students, and over 40% of our students are also eligible to receive lunch at no cost through the free/reduced price meal program.
- If your student does not qualify for free/reduced price lunch, and you do want the option of purchasing meals at school, there is a separate application for a student meal debit account for charging meals at www.ezschoolpay.com.
- Applications can be filled out any time throughout the entire year. If your income changes during the year, you may wish to fill out a new application.
- Whether families qualify for free/reduced or paid meals, student confidentiality is protected by strict limits on the use of information obtained during the free and reduced-price school meals eligibility process.

Berkeley PUBLIC SCHOOLS
Berkeley Unified School District

10.10. Request for Change of Name and/or Gender Marker

School Year – Effective Date: _____

School: _____ ***Grade:*** _____

For school purposes, this request should be completed when a parent/legal guardian wishes the child to be known by a name different from the name on the birth verification, but for whom there has been no legal change of name. Please submit form to your School Site Administrator or Student Services at 2020 Bonar Street Berkeley, California 94702 Room #112, phone #510-883-5224. You will be contacted for a meeting with a school site administrator/Student Services to discuss the name and/or gender change form and to confirm the process.

I, _____, as a parent/legal guardian of

(Please list child's legal name as shown on current birth certificate)
_____, do hereby request that my child,

Who was formerly known as _____
First Middle Last

From this day forward be known as_____
First Middle Last

Preferred gender marker (male, female, non-binary): _____ DOB: _____

Preferred pronouns (i.e. she/her, he/him, they/them): _____

Preferred name for school e-mail: _____

Does your child have a current IEP? ____Yes ____ No

_____ _____
Signature of Parent/Legal Guardian of Student Date

Parent: _____ _____
Phone Number Email address, if any

Confidential student information shall not be shared with any other persons unless authorized by the parent/guardian or student age 18 or over. ***The school principal/vice principal/school administrator will be informed of the legal name/gender. The principal/vice principal/school administrator may consult with a parent/guardian/student to schedule a Gender Communication/Support Plan, and determine other school personnel who will be informed to support the student. Parent/legal guardian, please notify Student Services if name/gender is legally changed and submit supporting documentation for transcripts/SEIS changes****. The birth certificate/hospital record shall be maintained in the student cumulative folder, as required by state regulation.*

School Site Administrator: _____ Date: _____

Student Services Manager: _____ Date: _____

Copy to cumulative file? ___Yes or ___No Parent/Guardian initials: _____

Student Services will:

- Submit copy to Admissions Department Date: _____
- Submit copy to Technology Date: _____
- Submit copy to School Site/Administrator Date: _____
- Submit copy to Special Ed Department Date: _____
- Communication/Support/Plan by school administrator Date: _____

gender spectrum

– Confidential –

Gender Support Plan

The purpose of this document is to create shared understandings about the ways in which the student's authentic gender will be accounted for and supported at school. School staff, caregivers and the student should work together to complete this document. Ideally, each will spend time completing the various sections to the best of their ability and then come together to review sections and confirm shared agreements about using the plan. Please note that there is a separate document to plan for a student formally communicating information about a change in their gender status at school.

School/District _____ Today's Date _____
Name Student Uses: _____Name on Birth Certificate:_____
Student's Gender Identity_____ Assigned Sex at Birth _____Student Grade Level _____
Date of Birth _____ Sibling(s)/Grade(s)_____/ _____ _____/_____
Parent(s), Guardian(s), or Caregiver(s) /relation to student
_____ /_____ _____ / _____
_____ / _____ _____ / _____
Meeting participants:_____
_____

PARENT/GUARDIAN INVOLVEMENT

Are guardian(s) of this student aware and supportive of their child's gender status? ____Yes ____No

If not, what considerations must be accounted for in implementing this plan? _____

_____

_____

CONFIDENTIALITY, PRIVACY AND DISCLOSURE

How public or private will information about this student's gender be (check all that apply)?

____ District staff will be aware (Superintendent, Student Support Services, District Psychologist, etc.)
Specify the adult staff members:

____ Site level leadership/administration will know (Principal, head of school, counselor, etc.)
Specify the adult staff members:

____ Teachers and/or other school staff will know
Specify the adult staff members:

____ Student will not be openly "out," but some students are aware of the student's gender
Specify the students:

____ Student is open with others (adults and peers) about gender

____ Other – describe:_____

_____

If the student has asserted a degree of privacy, what steps will be taken if that privacy is compromised, or is believed to have been compromised? _____

_____

_____

_____

How will a teacher/staff member respond to any questions about the student's gender from:

Other students? _____

_____

_____

Staff members? _____

_____

Parents/community? _____

_____

_____

STUDENT SAFETY

Who will be the student's "go to adult" on campus? _____

If this person is not available, what should student do? _____

What, if any, will be the process for periodically checking in with the student and/or family? _____

_____

What are expectations in the event the student is feeling unsafe and how will student signal their need for help:

During class _____

On the yard _____

In the halls _____

Other _____

Other safety concerns/questions: _____

_____

_____

What should the student's parents do if they are concerned about how others are treating their child at school?

_____

_____

NAMES, PRONOUNS AND STUDENT RECORDS

What name and gender marker are listed on the student's identity documents? _____ _____

Name/gender marker entered into the Student Information System _____

Name to be used when referring to the student _____ Pronouns _____

Can the student's name/gender marker be reflected in the SIS? _____ If so, how? If not, why not?

_____

_____

If not, what adjustments can be made to protect this student's privacy? _____

_____

_____

Who will be the point person at school for ensuring these adjustments are made and communicated as needed?

_____

How will instances be handled in which the incorrect name or pronoun are used by staff members? _____

_____

By students? _____

_____

How will the student's privacy be accounted for and maintained in the following situations or contexts:

During registration_____

Completing enrollment_____

With substitute teachers_____

Standardized tests_____

School photos_____

IEPs/Other Services _____

Student cumulative file _____

After-school programs_____

Lunch lines_____

Taking attendance_____

Teacher grade book(s)_____

Official school-home communication_____

Unofficial school-home communication (PTA/other)_____

Outside district personnel or providers_____

Summons to office_____

Yearbook_____

Student ID/library cards_____

Posted lists_____

Distribution of texts or other school supplies_____

Assignment of IT accounts_____

PA announcements_____

If the student's guardians are not aware and/or supportive of the student's gender status, how will school-home communications be handled?

_____

_____

What are some other ways the school needs to anticipate the student's privacy being compromised? How will these be handled?

_____

_____

USE OF FACILITIES

Student will use the following restroom(s) on campus_____

Student will change clothes in the following place(s)_____

If student has questions/concerns about facilities, who will be the contact person?_____

What are the expectations regarding the use of facilities for any class trips?_____

_____

What are the expectations regarding rooming for any overnight trips?_____

_____

Are there any questions or concerns about the student's access to facilities?_____

_____

_____

EXTRA CURRICULAR ACTIVITIES

In what extra-curricular programs or activities will the student be participating (sports, theater, clubs, etc)?

_____

_____

What steps will be necessary for supporting the student there?_____

_____

_____

Does the student participate in an after-school program?_____

What steps will be necessary for supporting the student there?_____

_____

_____

Questions/Notes: _____

_____

OTHER CONSIDERATIONS

Are there any specific social dynamics with other students, families or staff members that need to be discussed or accounted for?_____

_____

_____

_____

Does the student have any sibling(s) at school?_____Factors to be considered regarding sibling's needs?

_____

_____

_____

Does the school have a dress code? _____ How will this be handled?_____

_____

_____

Are there lessons, units, content or other activities coming up this year to consider (growth and development, swim unit, social justice units, name projects, dance instruction, Pride events, school dances etc.)?_____

_____

_____

What training(s) will the school engage in to build capacity for working with gender-expansive students?

_____

_____

Are there any other questions, concerns or issues to discuss? _____

_____

_____

_____

_____

_____

_____

_____

SUPPORT PLAN REVIEW AND REVISION

How will this plan be monitored over time?_____

_____

What will be the process should the student, family, or school wish to revisit any aspects of the plan (or seek additions to the plan)?_____

_____

What are specific follow-ups or action items emerging from this meeting and who is responsible for them?

Action Item	Who?	When?

Date/Time of next meeting or check-in_____ Location _____

gender spectrum

– Confidential –

Gender Communication Plan

This document supports the necessary planning for a student to communicate with the school community a change in one or more aspects of their gender from its commonly assumed status to something else. Its purpose is to create the most favorable conditions for a successful experience, and to identify the specific actions that will be taken by the student, school, family, or other support providers.

School/District _____ Today's Date _____
Student's Preferred Name _____ Legal Name _____
Student's Gender _____ Assigned Sex at Birth _____ Student Grade Level _____
Date of Birth _____ Sibling(s)/Grade(s) _____ / _____ _____ / _____
Parent(s)/Guardian(s)/Caregiver(s) /relation to student
_____ / _____ _____ / _____
_____ / _____ _____ / _____

What does the student wish to communicate about their gender (change in identity, expression, etc.)?

_____

How urgent is the student's need? Is the child currently experiencing distress regarding their gender?

_____

PARENT/GUARDIAN INVOLVEMENT

Are guardian(s) of this student aware and supportive of their child's gender communication? ____Yes ____No

If not, what considerations must be accounted for in implementing this plan? _____

_____

_____

INITIAL PLANNING MEETING

When will the initial planning meeting take place? _____ Where will it occur? _____

Who will be the members of the team supporting the student's communication?

- ❑ Student _____
- ❑ Parent(s) _____ _____ _____
- ❑ School Staff _____ _____ _____
  _____ _____ _____
- ❑ Other _____ _____ _____

COMMUNICATION DETAILS

What is the specific information that will be conveyed to other students (be specific)? _____

_____

_____

What requests will be made (new name, pronouns, use of facilities, etc.)? _____

_____

With whom and when will this information be shared?

- ❑ With peers in the student's class only Date: _____
- ❑ With peers in the student's grade level Date: _____
- ❑ With some/all students at school (specify)_____ Date:_____
- ❑ Other (specify) _____

Who will lead the lessons/activities framing the student's announcement?_____

What will the lesson/activities be? _____

_____

Will the student be present for the lesson/sharing of info about their gender? _____

If yes, what if any role does the student want to play in the process?_____

_____

Once the information is shared, what parameters/expectations will be set regarding approaching the student?

_____

_____

Other notes, considerations or questions _____

_____

KEY DECISIONS PRIOR TO STUDENT'S COMMUNICATION

Communications with Other Families

Will any sort of information be shared with other families about the student's gender? _____

With whom: ____ Families in child's grade _____ Whole School _____Other (specify)_____

Who will be responsible for creating this? _____ When will it be sent? _____

How will it be distributed? _____

What specific information will be shared*? _____

_____

_____

_____

Questions/Notes: _____

_____

* see sample letters

Training for School Staff

Will there be specific training about this student's gender with school staff?_____ When? _

Who will be conducting the training? _____ What will be the content of the training?

_____

_____

Questions/Notes: _____

_____

_____

Parent Information Night About Gender Diversity

Will there be specific training for school community members?_____ When? _____

Who'll conduct it? _____Will it reference the student's gender?_____

What will be the content of the training? _____

_____

_____

Questions/Notes: _____

_____

Class Meeting with Parents

Will there be any meeting with the families of the student's peers?_____ When?_____

Who will lead the meeting?_____ Who will be attending the meeting?_____

What will be the purpose for this meeting? _____

_____

_____

Identifying and Enlisting Parent Allies

Are there any parents/adults in the community you would like to enlist in support of the child's communication?

If so, who?_____

When will you speak with them?_____ What will be your request? _____

_____

Questions/Notes: _____

_____

Identifying and Enlisting Peer Allies

Are there other students you would like to enlist in support of the child's communication?_____

If so, who?_____

When will they be spoken with?_____ What requests will be made? _____

_____

_____

Questions/Notes: _____

Siblings

Does the student have any siblings at the school?____What needs to be considered for them?

Training in their classroom(s)? _____ Emotional Support?_____

_____

_____

Questions/Notes: _____

_____

_____

TIMELINE

Which of the following will take place in relation to this student's gender communication, and when will it occur and who will be responsible for making it happen?

Activity	Date	Lead
❑ Initial Planning Meeting	_____	_____
❑ Lessons/Activities with Other Students	_____	_____
❑ Communications with Other Families	_____	_____
❑ Training for School Staff	_____	_____
❑ Parent Information Night About Gender Diversity	_____	_____
❑ Class Meeting with Parents	_____	_____
❑ Identifying and Enlisting Parent Allies	_____	_____
❑ Identifying and Enlisting Peer Allies	_____	_____

What are the specific follow-ups or action items emerging from this meeting and who is responsible for them?

Action Item	Who?	When?

ANNUAL NOTICE TO PARENTS
2018-2019

DEAR PARENT/GUARDIAN:

Section 48980 of the Education Code of California requires that notice be given at the beginning of the first semester or quarter of the regular school term to the parent or guardian of the minor pupils in the school district regarding the rights of the parent or guardian under sections 32390, 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, 51938, Chapter 2.3 (commencing with section 32255) of Part 19, and notice of the availability of the program prescribed by Article 9 (commencing with section 49510) of Chapter 9 and of the availability of individualized instruction under section 48206.3. Section 48982 requires that this Notice be signed and returned by the parent or guardian to the school. Signature and return of the attached form is acknowledgement by the parent or guardian that he or she has been informed of his or her rights but does not indicate that consent to participate in any particular program has either been given or withheld. Pursuant to parent request, the annual notification may be provided to the parent or guardian in electronic format by providing access to the notice electronically. If the notice is provided in electronic format, the parent or guardian must submit to the school a signed acknowledgment of receipt of this notice.

Some legislation requires additional notification to the parents or guardians during the school term or at least 15 days prior to a specific activity. (A separate letter will be sent to parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are spelled out in this form.

Accordingly, you are hereby notified as follows (when used in this notification "parent" includes a parent or legal guardian):

STUDENT DISCIPLINE

RULES AND PROCEDURES ON SCHOOL DISCIPLINE (EC §35291): Rules pertaining to student discipline, including those that govern suspension or expulsion, are set forth in Education Code Sections 48900 and following, and are available upon request from the school. In addition, the following disciplinary information is provided to parents:

DUTY CONCERNING CONDUCT OF PUPILS (EC §44807): Every teacher shall hold pupils accountable for their conduct on the way to and from school, and on the playground.

DUTIES OF PUPILS (5 CCR §300): Pupils must conform to school regulations, obey all directions, be diligent in study, be respectful of teachers/others in authority, and refrain from profane/vulgar language.

HAZING PROHIBITION (EC §48900(q)): Pupils and other persons in attendance are prohibited from engaging or attempting to engage in hazing.

DRESS CODE/GANG APPAREL (EC §35183): The district is authorized to adopt a reasonable dress code.

ATTENDANCE OF SUSPENDED PUPIL'S PARENT (EC §48900.1; LC §230.7): If a teacher suspends a student, the teacher may require the child's parent to attend a portion of the school day in his or her child's class. Employers may not discriminate against parents who are required to comply with this requirement.

SEXUAL HARASSMENT POLICY (EC §231.5; 5 CCR §4917): Each district is required to have adopted a written policy on sexual harassment, and shall provide a copy of such policy, as it pertains to students, with the annual notification. (***See attached***.) Districts are also required to display such policies in a prominent location and include it in orientation for employees and students.

SCHOOL ACCOUNTABILITY REPORT CARD (EC §35256, 35258): Districts are to make a concerted effort to notify parents of the purpose of school accountability report cards, and ensure that all parents have access to a copy.

SAFE PLACE TO LEARN ACT (EC §234.1): The district is committed to maintaining a learning and working environment that is free from bullying, as defined in EC §48900(r). Any student who engages in bullying of anyone in or from the district may be subject to disciplinary action up to and including expulsion. The district's policies and process for filing a complaint should be publicized to pupils, parents, employees and agents of the governing board. The notice shall be in English and in the primary language of the recipient. For a copy of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies or to report incidences of bullying please contact the district office. These policies shall be posted in schools and offices.

SCHOOL RECORDS AND ACHIEVEMENT

PUPIL RECORDS/NOTICE OF PRIVACY RIGHTS OF PARENTS AND STUDENTS (EC §49063 et seq., §49069, §49073, 34 CFR 99.30, 34 CFR 99.34, and the federal Family Educational Rights and Privacy Act): Federal and state laws concerning student records grant certain rights of privacy and right of access to students and to their parents. Full access to all personally identifiable written records maintained by the school district must be granted to: (1) Parents of students 17 and younger; (2) Parents of students age 18 and older if the student is a dependent for tax purposes and the records are needed for a legitimate educational purpose; (3) Students age 18 and older, or students who are enrolled in an institution of postsecondary instruction (called "eligible students"); (4) Pupils age 14 and over who are identified as both homeless and an

unaccompanied youth; (5) Individuals who have completed and signed a Caregiver's Authorization Affidavit.

Parents, or an eligible student, may review individual records by making a request to the principal. Districts must respond to a pupil record request by providing access no later than five business days following the date of the request. The principal will see that explanation and interpretations are provided if requested. Information that is alleged to be inaccurate or inappropriate may be removed upon request. In addition, parents or eligible students may receive a copy of any information in the records at reasonable cost per page. District policies and procedures relating to: location of, and types of records; kinds of information retained; availability of certificated personnel to interpret records if requested; persons responsible for records; directory information; access by other persons; review and challenge of records are available through the principal at each school. When a student moves to a new district, records will be forwarded upon the request of the new school district within ten school days. At the time of transfer, the parent or eligible student may review, receive a copy (at a reasonable fee), and/or challenge the records.

If you believe the district is not in compliance with federal regulations regarding privacy, you may file a complaint with the United States Department of Education (20 USC §1232g).

You have the right to inspect all instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any applicable program.

RELEASE OF PUPIL DIRECTORY INFORMATION (EC §49073, 34 CFR 99.37): The district also makes student directory information available in accordance with state and federal laws. This means that each student's name, birth date, address, telephone number, email address, major course of study, participation in officially recognized school activities, dates of attendance, degrees and awards received, and most recent previous public or private school attendance may be released in accordance with board policy. In addition, height and weight of athletes may be made available. Appropriate directory information may be provided to any agency or person except private, profit-making organizations (other than employers, potential employers or the news media). Names and addresses of seniors or terminating students may be given to public or private schools and colleges. Parents and eligible students will be notified prior to the destruction of any special education records. You have the right to inspect a survey or other instrument to be administered or distributed to your child that either collects personal information for marketing or sale or requests information about beliefs and practices and any instructional material to be used as part of your child's educational curriculum. Please contact your child's school if you wish to inspect such a survey or other instrument.

*Upon written request from the parent of a student age 17 or younger, the district will withhold directory information about the student. If the student is 18 or older or enrolled in an institution of postsecondary instruction and makes a written request, the student's request to deny access to directory information will be honored. Requests must be submitted within 30 calendar days of the receipt of this notification. (**See attached form**.) Additionally, directory information related to homeless or unaccompanied youths will not be released without the express written consent for its release by the eligible pupil or guardian.*

RELEASE OF INFO TO MILITARY SERVICES REPS / RELEASE OF TELEPHONE NUMBERS (EC §49073.5; 20 USC §7980: Parents of secondary students may request in writing that the student's name, address, and telephone listing not be released to armed forces recruiters without prior written parental consent.

PARTICIPATION IN STATE ASSESSMENTS AND OPTION TO REQUEST EXEMPTION (EC § 60615, 5 CCR § 852): Pupils in applicable grade levels will participate in the California Assessment of Student Performance and Progress (CAASPP) except as exempted by law. Each year, a parent 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. School district employees will not solicit or encourage any exemption request on behalf of a pupil or group of pupils.

HIGH SCHOOL CURRICULUM: NOTIFICATION REGARDING COLLEGE PREPARATORY COURSES (EC §51229): Districts are required to provide parents or guardians of each minor pupil enrolled in grades 9 to 12 written notice of college admission requirements and career technical education courses.

RELEASE OF STUDENT RECORDS/COMPLIANCE WITH SUBPOENA OR COURT ORDER (EC §§49076 and 49077): Districts are required to make a reasonable effort to notify parents in advance of disclosing student information pursuant to a subpoena or court order.

RELEASE OF STUDENT RECORDS TO SCHOOL OFFICIALS AND EMPLOYEES OF THE DISTRICT (EC §§49076(a)(1) and 49064(d)): Districts may release educational records, without obtaining prior written parental consent, to any school official or employee, which would include accountants, consultants, contractors, or other service providers, who have a legitimate educational interest in the educational record.

HEALTH SERVICES

CHILD HEALTH AND DISABILITIES PREVENTION PROGRAM (H&SC §124085): Physical examinations are required as a prerequisite for enrollment in the first grade. Free health screening may be available through the local health department. Failure to comply with this requirement or

sign an appropriate waiver may result in exclusion of your child from school for up to five days.

PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT (EC §49451): A child may be exempt from physical examination whenever the parents file, annually, a written statement with the school principal stating that they will not consent to routine physical exam of their child. Whenever there is good reason to believe the child is suffering from a recognized contagious disease, the child will be excluded from school attendance.

VISION APPRAISAL (EC §49455): The district is required to appraise each student's vision during kindergarten, upon initial enrollment, and in grades 2, 5, and 8. Appraisal in the year immediately following a student's first enrollment in grades 4 or 7 shall not be required. The appraisal shall include tests for visual acuity, near vision, and color vision; however, color vision shall be appraised once and only on male students. The evaluation may be waived upon presentation of a certificate from a physician, surgeon, physician's assistant, or optometrist setting out the results of a determination of the student's vision, including visual acuity and color vision. This appraisal is not required if a parent files a written objection based on a religious belief with the principal.

SCOLIOSIS SCREENING NOTICE (EC §§49451 and 49452.5): In addition to the physical examinations required pursuant to Sections 100275, 124035 and 124090 of the Health and Safety Code, the district may provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis.

DENTAL FLUORIDE TREATMENT (H&SC §104830 et seq.): Pupils will be provided the opportunity to receive the topical application of fluoride or other decay-inhibiting agent to each pupil's teeth if the parent, guardian, or eligible pupil submits a letter stating that the treatment is desired.

PUPIL NUTRITION/NOTICE OF FREE AND REDUCED PRICE MEALS (EC §§48980(b), 49510, 49520 and 49558): Needy children may be eligible for free or reduced price meals. Details, eligibility criteria, and applications to participate in a free or reduced price meal program if it is available are available at your child's school. Individual records pertaining to student participation in any free or reduced-price meal program may, under appropriate circumstances, be used by school district employees to identify students eligible for public school choice and services pursuant to the federal Every Student Succeeds Act. When a household is selected for verification of eligibility for free and reduced meals, the District must notify the parent that their child(ren)'s eligibility is being verified.

COMMUNICABLE DISEASES (EC §48216 and 49403): The district is authorized to administer immunizing agents to pupils whose parents have consented in writing to the administration of such immunizing agent. The district is required to exclude pupils who have not been properly immunized pursuant to Health and Safety Code 120325 and 120335. The district must notify parents that they have two weeks to supply evidence either that the pupil has been properly immunized or is exempted from the requirement. All students entering kindergarten, advancing from sixth to seventh grade in the district, or prior to his or her first admission to the district, will be required to comply with the immunization requirements of Health and Safety Code section 120335, unless the student provides the district with a valid exemption from a licensed physician. No new personal belief exemptions will be accepted. Students with personal-belief exemptions on file with the district as of January 1, 2016, shall be allowed to continue enrollment until entering the next grade span in the district. Grade spans are defined as birth through preschool, K-6, including transitional kindergarten, and 7-12. Students qualified for an individualized education program may access special education and related services as required by his or her individualized educational program.

MEDICATION (EC §49423, §49423.1): Any student who must take prescribed medication at school and who desires assistance of 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.

MEDICAL AND HOSPITAL SERVICES FOR PUPILS (EC §§49471 and 49472): The district is required to notify parents in writing if it does not provide or make available medical and hospital services for students injured while participating in athletic activities. The district is also authorized to provide medical or hospital services through non-profit membership corporations or insurance policies for student injuries arising out of school-related activities.

AVAILABILITY OF INDIVIDUALIZED INSTRUCTION/PRESENCE OF PUPIL WITH TEMPORARY DISABILITY IN HOSPITAL (EC §§48206.3, 48207-48208): Individualized instruction is available to students with temporary disabilities whose disability makes attendance in the regular day classes or alternative education program 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.

CONTINUING MEDICATION REGIMEN (EC §49480): 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. (***See attached form***.) With the consent of the parent, the school nurse may communicate with the physician and may counsel with 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.

SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN (EC §35183.5): 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.

ASBESTOS (40 CFR 763.84, 40 CFR 763.93): The district has a plan for eliminating health risks that are created by the presence of asbestos in school buildings. It may be reviewed at the district office. At least once each year, the district will notify parents of inspections, response actions, and post-response action activities that are planned or in progress.

USE OF PESTICIDES (EC §§17611.5, 17612 and 48980.3): School districts are required to inform parents about the use of pesticides on school grounds and provide access to the integrated pest management plan when certain pesticides are used. (***See attached.***)

COMPREHENSIVE SCHOOL SAFETY PLAN (EC §§32280 et seq.): Each school is required to report on the status of its school safety plan, including a description of its key elements, in the annual school accountability report card (SARC). The planning committee is required to hold a public meeting to allow members of the public the opportunity to express an opinion about the school plan. The planning committee shall notify specified persons and entities in writing.

NOTICE OF COMPLIANCE (EC §32289): 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.).

TOBACCO FREE SCHOOLS (HS §104420): 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, and in district vehicles. This prohibition applies to all employees, students, and visitors 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, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic cigarettes that can deliver nicotine and nonnicotine vaporized solutions. Exceptions may be made for the use or possession of prescription nicotine products. Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

STUDENT SERVICES

MINIMUM AGE OF ADMISSION TO KINDERGARTEN (EC §48000): 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, respectively, on or before September 1. Any child who will have his/her birthday between September 1 for the applicable school year and December 2 shall be offered a transitional kindergarten program in accordance with law and district policy. On a case-by-case basis, a child who has reached age five after the date listed above but before the end of the applicable school year, may be admitted to kindergarten with the approval of the child's parent or guardian and subject to board approval in accordance with EC §48000.

PROSPECTUS OF SCHOOL CURRICULUM (EC §49091.14): The curriculum of every course offered by the schools of the district is compiled annually by each school in a prospectus. Each school prospectus is available for review upon request at each school site. Copies are available upon request for a fee not to exceed the actual copying cost.

MULTILINGUAL EDUCATION (EC §310): If the district implements a language acquisition program pursuant to EC §310, information on the types of language programs available and a description of each program will be made available with this notice or upon enrollment.

SPECIAL EDUCATION (IDEA): State and federal law requires that a free appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. More information concerning student eligibility, parental rights and procedural safeguards are available upon request.

SPECIAL EDUCATION; CHILD FIND SYSTEM (EC §56301): Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal. Policy and procedures shall include written notification to all parents of their rights pursuant to EC §56300.

SPECIAL EDUCATION COMPLAINTS (5 CCR §3080): State regulations require the district to establish procedures to deal with complaints regarding special education. If you believe that the district is in violation of federal or state law governing the identification or placement of a special education student, or similar issues, you may file a written complaint with the district. State regulations require the district to forward your complaint to the State Superintendent of Public Instruction. Procedures are available from your school principal.

SECTION 504/DISABLED PUPILS (Section 504 of the Rehabilitation Act of 1973): Federal law requires the district to annually notify disabled pupils and their parents of the district's non-discriminatory policy and duty under Section 504 of the Rehabilitation Act.

STATEMENT OF NONDISCRIMINATION (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; EC §200 *et seq.*): The district does not discriminate on the basis of gender, gender identity, gender expression, sex, race, color, religion, national origin, ethnic group identification, age, genetic information, mental or physical disability, sexual orientation, or the perception of one or more of such characteristics. The district's policy of nondiscrimination requires notification in native language if the district's service area contains a community of minority persons with limited

English language skills. Notification must state that the district will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. 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. A copy of the district's nondiscrimination policy is available upon request.

FINGERPRINTING PROGRAM (EC §32390): Districts are authorized to offer fingerprinting programs for children enrolled in kindergarten or newly enrolled in the district. If the district has adopted such a program, you will be notified of procedures, applicable fee and your right to decline your child's participation upon your child's initial enrollment.

CHILDREN IN HOMELESS SITUATIONS (42 USC §11431-11435): Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations.

SEX / HIV EDUCATION

INSTRUCTION IN COMPREHENSIVE SEXUAL HEALTH EDUCATION AND HIV PREVENTION (EC §51938): The district shall annually notify parents about instruction in comprehensive sexual health education and HIV prevention education and research on student health behaviors and risks planned for the school year. Written and audiovisual educational materials used in such education are available for inspection. If arrangement for the instruction is made after the beginning of the school year, parents will be notified no fewer than 14 days prior to the commencement of any such instruction if the district elects to provide the instruction by outside consultants in class or during an assembly. The notice must include the date of instruction, the name of the organization or affiliation of each guest speaker and information stating that the parent has the right to request a copy of the law pertaining to such instruction. Parents have the right to excuse his or her child from all or part of the comprehensive sexual health and HIV prevention education by submitting a written request to the district. Those students whose parents do not submit a written request to excuse them will receive such instruction. The law also authorizes the district, without prior parental consent, to use anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age appropriate questions in grades 7 to 12 about the student's attitudes concerning or practices relating to sex. The district must notify parents in writing before any such test, questionnaire, or survey is administered and provide them with an opportunity to review the materials. Parents have the right to excuse his or her child from such participation by submitting a written request to the school district.

HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS (EC §51240): Upon written request of a parent, students shall be excused from part of any school instruction in health if it conflicts with the religious training and beliefs of a parent.

SCHOOL ATTENDANCE/ATTENDANCE ALTERNATIVES

California law (EC §48980(h)) requires all school boards to inform each student's parent at the beginning of the school year of the various ways in which they may choose schools for their children to attend other than the ones assigned by school districts. Students who attend schools other than those assigned by the districts are referred to as "transfer students" throughout this notification. There is one process for choosing a school within the district which the parent lives (intradistrict transfer), and potentially three separate processes for selecting schools in other districts (interdistrict transfer). The general requirements and limitations of each process are described as follows:

Choosing a School Within District in Which Parent Lives:

The law (EC §35160.5(b)) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows:

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area.
- In cases in which there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student's academic or athletic performance as a reason to accept or reject a transfer.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
- A district is not required to provide transportation assistance to a student that transfers to another school in the district under these provisions.
- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

Choosing a School Outside District in Which Parent Lives:

Parents have three different options for choosing a school outside the district in which they live. The three options are:

Option 1: Districts of Choice (EC §§48300 through 48315): The law allows, but does not require, each school

district to become a "district of choice" – that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. If the school board of a district decides to become a "district of choice" it must determine the number of students it is willing to accept in this category each year and make sure that the students are selected through a "random and unbiased" process, which generally means a lottery process. If the district chooses not to become a "district of choice," a parent may not request a transfer under these provisions. Other provisions of the "district of choice" option include:

- Either the district a student would transfer to or the district a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. A district of choice cannot deny a transfer request on the basis that the costs to provide services exceeds the revenue received, but it may reject a request if doing so would require the creation of a new program. However, the district of choice may not deny the transfer of any special needs student, including an individual with exceptional needs, or an English Learner student even if the cost to educate the student exceeds the revenue received or the creation of a new program is required. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- Communications to parents or guardians by a school district of choice shall be factually accurate and shall not target students based upon academic ability, athletic performance, or other personal characteristics.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Siblings of students already attending school in the "district of choice" and children of military personnel must be given transfer priority.
- A parent may request transportation assistance within the boundaries of the "district of choice." The district is required to provide transportation only to the extent it already does so.
- A school district in which an active military duty parent of a student resides shall not deny the transfer of that student to a school in any district, if the school district to which the parent of the student applies approves the application for transfer.

Option 2: Other Interdistrict Transfers (EC §46600 et seq.): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. Districts of residence may not deny a transfer of a student whose parent is active duty military where the district of proposed enrollment approves the application. The law on interdistrict transfers also provides for the following:

- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.

Option 3: Parental Employment in Lieu of Residency Transfers (EC §48204(b)): If at least one parent or legal guardian of a student is physically employed in the boundaries of a school district other than the one in which they live for a minimum of 10 hours during the school week, the student may be considered a resident of the school district in which his/her parents work. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race, ethnicity, sex, parental income, academic achievement, or any other "arbitrary" consideration. Other provisions of EC §48204(b) include:

- Either the district in which the parent or legal guardian lives or the district in which the parent or legal guardian works may prohibit the student's transfer if it negatively impacts a desegregation plan.
- The district in which the parent or legal guardian works may reject a transfer if it determines that the cost of educating the student would be more than the amount of government funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent or legal guardian the specific reasons for denying the transfer.

Open Enrollment Act (EC §48350 et seq.)
Whenever a student is attending a district school on the Open Enrollment List, as identified by the Superintendent of Public Instruction, he/she may apply to transfer to another school within or outside of the district, if the school to which he/she is transferring has a higher Academic Performance Index. Districts with a school on the List must notify the parents/guardians at that school on or before the first day of the school year of their option to transfer to another public school. Information regarding the application process and applicable deadlines can be obtained from the district office.

This summary provides an overview of the laws applicable to school attendance for each alternative. Additional information is available upon request.

NOTICE OF ALTERNATIVE SCHOOLS (EC §58501): State law authorizes all school districts to provide for alternative schools. Education Code section 58500 defines an alternative

school as a school or separate class group within a school that is operated in a manner designed to:

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

In the event any parent, student, 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 area shall have copies of the law available for your information. This law particularly authorizes interested persons to request that the governing board of the district to establish alternative school programs.

GRADE REDUCTION/LOSS OF ACADEMIC CREDIT (EC §48980(j)): No student shall have his/her grade reduced or lose academic credit for any excused absence pursuant to EC §48205 for missed assignments/tests that can reasonably be provided/completed.

ABSENCES FOR CONFIDENTIAL MEDICAL SERVICES (EC §46010.1): Students in grades 7-12 and their parents are notified that the law permits schools to excuse students for the purpose of obtaining confidential medical services without parental consent. District policy regarding excusing such absences is available upon request.

ABSENCE FOR RELIGIOUS INSTRUCTION (EC §46014): Districts may allow pupils with parent consent to be excused to participate in religious exercises/instruction.

NOTICE OF MINIMUM DAYS AND PUPIL-FREE STAFF DEVELOPMENT DAYS (EC §48980(c)): The district is required to annually notify parents of its schedule(s) of minimum days and student-free staff development days at the beginning of the year or as early as possible, but no later than one month prior to the scheduled minimum or student-free day. (***See attached.***)

MISCELLANEOUS

NON-MANDATORY PROGRAMS FOR PARENTAL/PUPIL PARTICIPATION (EC §49091.18): Schools may not require a student or student's family to submit to or participate in any assessment, analysis, evaluation, or monitoring of the quality or character of student home life, parental screening or testing, nonacademic home-based counseling program, parent training, or prescribed family educational service plan.

SEX EQUITY IN CAREER PLANNING (EC §221.5(d)): Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions.

DRUG FREE CAMPUS (Alcohol and Other Drug Use Prevention Education): Possession, use or sale of narcotics, alcohol, or other controlled substances is prohibited and strictly enforced at all school activities. Records will be forwarded to local law enforcement, and district sanctions will result from violations.

RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS (EC §32255 et seq.): Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals.

EVERY STUDENT SUCCEEDS ACT(20 USC §6301 et seq.): Under ESSA, parents have the following rights::

- **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 she/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether she/he has 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.

- **Program Improvement Schools:** Parents shall be notified when their child's school is identified as a "program improvement" school and the opportunities for school choice.

The information provided above is available upon request from your child's school or the district office. Additional notices that may be required under the Every Student Succeeds Act shall be sent separately.

UNIFORM COMPLAINT PROCEDURES (5 CCR §4622): The district is required to annually notify parents, pupils, employees, district and school advisory committees and other interested parties in writing of its required Uniform Complaint Procedures. (**See attached**.)

SCHOOL BUSES/PASSENGER SAFETY (EC §39831.5): Districts are required to provide safety regulations to all new students and students who have not previously been transported by school bus.

MEGAN'S LAW NOTIFICATION (PENAL CODE §290.4): 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.

EXCUSED ABSENCES (EC §48205)

(a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

(1) Due to the pupil's illness.

(2) Due to quarantine under the direction of a county/city health officer.

(3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.

(4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.

(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 his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the 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.

(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.

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

(c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) "Immediate family," as used in this section, has the same meaning as that set forth in section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

INVESTING FOR FUTURE EDUCATION (EC §48980(d)): Parents are advised of the importance of investing for higher education for their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.

COMPLAINTS CONCERNING DEFICIENCIES RELATED TO INSTRUCTIONAL MATERIALS, ETC. (EC §35186): A Uniform Complaint process is available to help identify and resolve deficiencies related to instructional materials, emergency or urgent facility conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or misassignment. Notice of the complaint process and location at which to obtain a complaint form should be posted in the classrooms.

SCHOOL ACCREDITATION (EC §35178.4): Districts are required to notify each parent or guardian of a pupil in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school district's or school's Internet Website, or by any combination of these methods.

PUPIL FEES (EC §49010 et seq.): The district is required to establish policies concerning the provision of a free education to pupils. The district is also required to establish policies for filing a complaint of noncompliance under this section using the Uniform Complaint Procedures. Notice of the district's fee

policies and complaint process shall be provided to pupils, parents, guardians, and employees on an annual basis.

LOCAL CONTROL AND ACCOUNTABILITY PLAN (EC §§52060-52077): The district is required to adopt a three-year Local Control and Accountability Plan (LCAP) and to update the LCAP on or before July 1 of each subsequent year. The LCAP is required to identify annual goals, 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. The priorities must be aligned to the district's spending plan. The LCAP must be approved before the annual district budget can be adopted. Once the budget and LCAP are adopted at the local level, the plan will be reviewed by the county superintendent to ensure alignment of projected spending toward goals and services. The following are the eight State priorities:

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 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 classes that prepare them for college and careers; and
8. Measuring other important student outcomes related to required areas of study.

The Board of Education is required to establish a parent advisory committee (PAC) and English learner parent advisory committee (ELPAC) to provide advice to the Board of Education and the superintendent regarding the LCAP. (ELPACs are required if enrollment in the school district includes at least 15% English learners and the district enrolls at least 50 pupils who are English learners. Districts are not required to establish a new ELPAC if an English learner parent committee has already been established). PACs shall include parents or legal guardians of low income students, English learner students, and foster youth.

Each district is required to consult with its teachers, principals, administrators, other school personnel, local bargaining units, parents, and pupils in developing the LCAP. As part of this consultation process, districts must present their proposed plans to the PAC and ELPAC. The advisory committees can review and comment on the proposed plan. Districts must respond in writing to the comments of the PAC and ELPAC. Districts are also required to notify members of the public that they may submit written comments regarding the specific actions and expenditures proposed in the LCAP.

Districts must hold at least two public hearings to discuss and adopt (or update) their LCAPs. The district must first hold at least one hearing to solicit recommendations and comments from the public regarding expenditures proposed in the plan, and then adopt (or officially update) the LCAP at a subsequent hearing.

Districts are required to post on the school district website the LCAP approved by the Board of Education and any updates or revisions to the LCAP, and establish policies for filing a complaint of noncompliance under EC §52075 using the Uniform Complaint Procedures. Information regarding the requirements for a Local Control and Accountability Plan and the complaint process shall be provided to pupils, parents, guardians, and employees on an annual basis.

ACKNOWLEDGEMENT OF PARENT OR GUARDIAN OF ANNUAL RIGHTS NOTIFICATION

Detach, sign, and return this page to your child's school indicating that you have been notified of the specified activities and whether you have a child on continuing medication.

This annual notification is also available in an electronic format and can be provided to you upon request. If the notice is provided in an electronic format, the parent or guardian shall submit to the school this signed acknowledgement of receipt of the notice.

Student's Name: _____

School: _____ Grade: _____

I hereby acknowledge receipt of information regarding my rights, responsibilities, and protections.

Signature of Parent or Guardian: _____ Date: _____

PLEASE COMPLETE THE FOLLOWING *IF APPLICABLE*:

1. Student is on a continuing medication program as prescribed by a physician: (Please check one) YES _____ NO _____

   If YES, you have my permission to contact student's physician:

   Physician's Name: _____ Telephone: _____

   Medication: _____ Dosage: _____

   Medication: _____ Dosage: _____

2. If you do not wish directory information released, please sign where indicated below and ensure receipt of this form by the school office ***within the next 30 days***. Note that this will prohibit the district from providing the student's name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

   Do NOT release directory information regarding _____ _____
   (Pupil's Name) (Date of Birth)

   School: _____ Grade: _____

   ☐ Check if an exception may be made to include student information and photos in the yearbook.

   Signature of Parent or Guardian: _____ _____
   (Date)

3. By signing below, you give the district **permission to have photographs of your student in the yearbook** and other school related publications.

Student's Name: _____

School: _____ Grade: _____

Signature of Parent or Guardian: _____ Date: _____

AVISO ANUAL PARA LOS PADRES
2018-2019

ESTIMADO PADRE/TUTOR:

La sección 48980 del Código de Educación de California requiere que se envíe al principio del primer semestre o trimestre del término regular de escuela un aviso a los padres o tutores de los estudiantes menores en el distrito escolar acerca de los derechos de los padres o tutores de acuerdo con las secciones 32390, 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, 51938, Capítulo 2.3 (comenzando con la sección 32255) de la Parte 19, y que dé aviso de la disponibilidad del programa prescrito por el Artículo 9 (comenzando con la sección 49510) del Capítulo 9 y de la disponibilidad de instrucción individualizada bajo la sección 48206.3. La sección 48982 requiere que este Aviso se devuelva a la escuela firmado por el padre/tutor. La firma y entrega del formulario adjunto sirve de confirmación que el padre/tutor lo ha leído y que ha sido informado de sus derechos pero no indica que ha dado o negado consentimiento para la participación en cualquier programa en particular. Conforme a la petición de los padres, el aviso anual puede darse a los padres o tutores de forma electrónica dando acceso electrónico al aviso. Si el aviso se proporciona de forma electrónica, el padre o tutor debe entregar a la escuela la confirmación de recibo de este aviso.

Alguna legislación requiere notificación adicional a los padres o tutores durante el término de la escuela o al menos 15 días antes de una actividad específica. (Se enviará a los padres o tutores una carta separada antes de cualquiera de estas clases o actividades específicas, y el estudiantes será disculpado siempre que los padres o tutores hayan presentado al director de escuela una petición por escrito pidiendo que su hijo no participe.) Otra legislación otorga ciertos derechos según están expuestos en este formulario.

Por consiguiente, le avisamos de lo siguiente (cuando se usa en este aviso, "padre" incluye al padre o tutor legal):

DISCIPLINA DE ESTUDIANTES

REGLAS Y PROCEDIMIENTOS DE LA DISCIPLINA ESCOLAR (EC §35291): Las reglas acerca de la disciplina de estudiantes, incluyendo las que gobiernan la suspensión o expulsión, se delinean en el Código de Educación, secciones 48900 y siguientes, y están disponibles en la escuela con solo pedirlo. Además, se da a los padres la siguiente información acerca de la disciplina:

RESPONSABILIDAD EN CUANTO A LA CONDUCTA DE ESTUDIANTES (EC §44807): Cada maestro mantendrá responsable a cada estudiante de su propia conducta al ir y venir de la escuela, y en el patio de recreo.

RESPONSBILIADES DE ESTUDIANTES (5 CCR §300): Los estudiantes deben seguir las reglas escolares, obedecer todas las direcciones, ser diligentes en el estudio, ser respetuosos con sus maestros y otros de autoridad, y abstenerse de decir profanidades o vulgaridades.

PROHIBICION DE NOVATADAS/RITOS DE INICIACION (EC §48900(q)): Se prohíbe a los estudiantes y otras personas en asistencia participar o intentar participar en novatadas o ritos de iniciación.

CODIGO DE VESTIR/ROPA DE PANDILLA (EC §35183): El distrito está autorizado para adoptar normas de vestir razonables.

ASISTENCIA DEL PADRE DEL ESTUDIANTE SUSPENDIDO (EC §48900.1; LC §230.7): Si un maestro suspende a un estudiante, el maestro puede requerir que el padre del estudiante asista a la clase de su hijo durante una parte del día escolar. Los empleadores no pueden discriminar contra los padres a quienes se les requiere cumplir con este requisito.

POLITICA DE ACOSO SEXUAL (EC §231.5; 5 CCR §4917): Se requiere que cada distrito haya adoptado una política escrita acerca del acoso sexual, y que proporcione con el aviso anual una copia de dicha política, según se aplica a estudiantes. (***Ver el adjunto***.) También se requiere que los distritos exhiban estas políticas en un lugar destacado y que las incluyan en la orientación para empleados y estudiantes.

INFORME DE RESPONSABILIDAD ESCOLAR (EC §35256, 35258): Los distritos deben hacer un esfuerzo concertado para notificar a los padres del propósito de los informes de responsabilidad escolar, y asegurar que todos los padres tengan acceso a una copia del informe.

LEY LUGAR SEGURO PARA APRENDER (EC §234.1): El distrito está comprometido a mantener un ambiente de aprendizaje y de trabajo libre de la intimidación, según se define en EC §48900(r). Cualquier estudiante que participe en la intimidación de alguien en o del distrito será sujeto a acción disciplinaria, incluso la expulsión. El distrito debe publicar para los estudiantes, padres empleados y agentes de la mesa directiva las políticas y el proceso para presentar una queja. La notificación debe estar en inglés y en el idioma primario del recibidor. Para recibir una copia de las políticas de anti-discriminación, anti-acoso, anti-intimidación, o para reportar incidentes de intimidación por favor póngase en contacto con la oficina del distrito. Estas políticas deberán estar publicadas en las escuelas y oficinas.

RENDIMIENTO Y REGISTROS ESCOLARES

REGISTROS DEL ESTUDIANTE/NOTIFICACION DE DERECHOS DE PRIVACIDAD DE PADRES Y ESTUDIANTES (EC §49063 et seq., §49069, §49073, 34 CFR 99.30, 34 CFR 99.34, y ley federal de Derechos Educativos y Privacidad de la Familia): Las leyes federales y estatales respeto a registros de estudiantes otorgan ciertos derechos de privacidad y derecho de acceso a estudiantes y sus padres. Se debe dar acceso total a los expedientes escritos individualmente identificables que mantiene el distrito escolar a: (1) Padres de estudiantes de 17 años y menores; (2) Padres de estudiantes de 18 años y mayores si el estudiante es dependiente para propósitos de impuestos y los archivos son necesarios para un propósito legítimo educacional; (3) Estudiantes de 18 años o mayores, o estudiantes matriculados en una institución de instrucción postsecundaria (llamados "estudiantes elegibles"); (4) Estudiantes de 14 años ó mayores que se han reconocido como menor no acompañado que carece de hogar; (5) Personas que han completado y firmado una Declaración de Autorización de Persona Responsable del Cuidado del Menor.

Los padres, o un estudiante elegible, pueden revisar registros individuales con solicitarlo al director. Los distritos deben responder a la petición del expediente de un estudiante dando acceso no más de cinco días laborables luego de la fecha de la solicitud. El director se encargará de que se den explicaciones e interpretaciones si se solicitan. Cualquier información que se alega ser incorrecta o inadecuada se puede eliminar con solicitarlo. Además, los padres o estudiantes elegibles pueden recibir una copia de cualquier información en el expediente pagando un coste de copias razonable por cada página. Las políticas y procedimientos del distrito relacionadas a la ubicación y tipos de registros, tipo de información retenida; disponibilidad de personal titulado para interpretar los registros, si se solicita; personas responsables de los registros; información de directorio; acceso por otras personas; y revisión y cuestionar registros están disponibles a través del director de cada escuela. Cuando se traslada un estudiante a un nuevo distrito, se trasladará el expediente dentro del plazo de diez días escolares después de solicitarlo el nuevo distrito. A la hora de trasladarlo, el padre o estudiante elegible podrán revisar, recibir una copia (por una cuota razonable), y/o cuestionar el expediente.

Si usted cree que el distrito no está en cumplimiento con los reglamentos federales de privacidad, usted puede presentar una queja al Depto. de Educación de Estados Unidos (20 USC §1232g).

Usted tiene el derecho de inspeccionar todos los materiales de instrucción que se utilizarán en conexión con cualquier encuesta, análisis, o evaluación como parte de cualquier programa aplicable.

DIVULGACION DE INFORMACION DE DIRECTORIO DE ESTUDIANTES (EC §49073, 34 CFR 99.37): El distrito también mantiene disponible información de directorio de estudiantes de acuerdo con las leyes federales y estatales. Esto significa que el nombre, fecha de nacimiento, lugar de nacimiento, dirección, número de teléfono, dirección de e-mail, curso de estudio principal, participación en actividades escolares oficialmente reconocidas, fechas de asistencia, títulos y premios recibidos, y asistencia más reciente en una escuela pública o privada previa, pueden ser divulgados de acuerdo con la política de la mesa directiva. Además, se puede dar la estatura y peso de los atletas. Se puede proporcionar información de directorio adecuada a cualquier agencia o persona excepto organizaciones lucrativas privadas (con excepción de empleadores, empleadores potenciales o los medios publicitarios). Se puede dar a las escuelas o universidades públicas o privadas los nombres y direcciones de los estudiantes de 12º grado o estudiantes que cesan sus estudios. Se notificará a los padres y estudiantes elegibles antes de destruir cualquier expediente de educación especial. Usted tiene el derecho de inspeccionar una encuesta u otro instrumento que se administre o distribuya a su hijo que recolecte información personal para marketing o venta o que solicite información acerca de creencias y prácticas, así como cualquier material de instrucción que se use como parte del currículo educacional de su hijo. Por favor contacte a la escuela de su hijo si desea inspeccionar tal encuesta u otro instrumento.

Al recibir una solicitud escrita del padre de un estudiante de 17 años o menor, el distrito no divulgará la información de directorio del estudiante. Si lo solicita por escrito un estudiante de18 años o mayor o que esté matriculado en una institución postsecundaria, se honrará la solicitud de negar acceso a la información de directorio. Las solicitudes deberán presentarse dentro del plazo de 30 días cronológicos de cuando recibe este aviso. ***(Ver el formulario adjunto***.) *Además, la información de directorio relacionada a menores no acompañados o que carecen de hogar no se divulgará sin el expreso consentimiento escrito para divulgarlo por el tutor o estudiante elegible.*

DIVULGACION DE INFORMACION A SERVICIOS MILITARES/DIVULGACION DE NUMEROS DE TELEFONO (EC §49073.5; 20 USC §7980): Los padres de estudiantes de secundaria pueden pedir por escrito que no se de a los reclutadores de las fuerzas armadas el nombre, dirección y teléfono del estudiante sin su previo consentimiento escrito.

PARTICIPACION EN EVALUACIONES ESTATALES Y OPCION DE SOLICITAR EXENCION (EC § 60615, 5 CCR § 852): Los estudiantes de los grados aplicables participarán en la prueba estatal de rendimiento y progreso (*California Assessment of Student Performance and Progress*, CAASPP por sus siglas en inglés) excepto cuando lo exencione la ley. Cada año, los padres pueden entregar por escrito una solicitud de exención de su hijo de toda o partes de la prueba CAASPP durante ese curso escolar. Si los padres entregan la solicitud de exención después de comenzar las pruebas, cualquier prueba(s) realizada antes de entregarse la solicitud se calificará; los resultados se incluirán en el expediente del estudiante y se comunicarán a los padres. Los empleados del distrito no ofrecerán ni alentarán solicitudes de exención a nombre de ningún estudiante ni grupo de estudiantes.

CURRICULO DE LA PREPARATORIA: NOTIFICACION ACERCA DE LOS CURSOS DE PREPARACION UNIVERSITARIA (EC§51229): Los distritos están obligados a notificar por escrito a los padres o tutores de cada estudiante menor matriculado en los grados 9º a 12º de los requisitos de admisión universitaria y cursos de educación técnica y profesional.

DIVULGACION DE REGISTROS ESTUDIANTILES / CUMPLIMIENTO CON UNA CITACION U ORDEN DE LA CORTE (EC §§49076 y 49077): Se requiere que los distritos hagan un esfuerzo razonable de notificar a los padres de la divulgación de información estudiantil conforme a una citación u orden de la corte.

DIVULGACION DE REGISTROS ESTUDIANTILES A OFICIALES ESCOLARES Y EMPLEADOS DEL DISTRITO (EC §§49076 (A)(1) Y 49064 (D)): Los distritos pueden divulgar registros académicos, sin haber obtenido consentimiento previo por escrito del padre, a cualquier oficial o empleado escolar, incluyendo contables, consultores, contratistas, u otros proveedores de servicios, que tengan un interés educativo legítimo en el expediente académico

SERVICIOS DE SALUD

PROGRAMA PREVENTIVO DE SALUD Y DISCAPACIDADES JUVENILES (H&SC §124085): Los exámenes físicos son un requisito para la matriculación en primer grado. Puede haber una evaluación médica gratis disponible a través del departamento de salud local. La falta de cumplir con este requisito o firmar una exención adecuada podría resultar en que su hijo sea excluido de la escuela durante hasta cinco días.

EXAMEN FISICO/NEGACION DE CONSENTIMIENTO PARENTAL (EC §49451): Un niño puede exentarse del examen físico cuando los padres entreguen anualmente al director una declaración escrita negando consentimiento para el examen físico rutinario de su hijo. Cuando haya buen motivo de pensar que el niño está sufriendo de una enfermedad contagiosa, será excluido de asistir a la escuela.

REVISIÓN DE LA VISTA (EC §49455): El distrito está obligado a evaluar la vista de cada estudiante durante kindergarten, al inscribirse por primera vez, y en los grados 2, 5, y 8. No se requiere la revisión en el año inmediatamente después de haberse inscrito por primera vez el estudiante en 4º o 7º grado. La evaluación incluirá agudeza visual, miopía y percepción de colores; sin embargo, la percepción de colores se evaluará sólo una vez y sólo en estudiantes varones. La revisión puede ser exencionada con presentar un certificado de un médico, cirujano, asistente de médico, u optometrista que presente los resultados de una determinación de la vista del estudiante, incluyendo la agudeza visual y percepción de colores. Esta revisión no se requiere si los padres han presentado al director de escuela una objeción escrita basada en una creencia religiosa.

NOTIFICACION DE REVISION DE ESCOLIOSIS (EC §§49451 y 49452.5): Además de las evaluaciones físicas requeridas según secciones 100275, 124035 y 12490 del Código de Salud y Seguridad, el distrito puede ofrecer una revisión espinal a todas las niñas de 7º grado y niños de 8º grado para la condición conocida como escoliosis.

TRATAMIENTO DENTAL CON FLUOR (H&SC §104830 et seq.): Los estudiantes tendrán la oportunidad de recibir la aplicación tópica de flúor u otro agente anti-caries en los dientes si el padre, tutor, o estudiante elegible entrega una carta indicando que desea el tratamiento.

NUTRICION DEL ESTUDIANTE / NOTIFICACION DE COMIDAS GRATIS O A PRECIO REDUCIDO (EC §§48980(b), 49510, 49520 y 49558): Los niños necesitados pueden calificar para recibir comida gratis o a precio reducido. Los detalles, criterios de elegibilidad, y aplicaciones para participar en un programa de comidas gratis o a precio reducido están disponibles en la escuela de su hijo. Los registros relacionados a la participación de estudiantes en cualquier programa de comidas gratis o a precio reducido pueden, bajo circunstancias adecuadas, ser utilizadas por empleados del distrito escolar para identificar a estudiantes elegibles para la opción de escuela pública y servicios conforme a la ley federal Cada Estudiante Triunfa (*Every Student Succeeds Act*). Cuando se selecciona un hogar para verificar la elegibilidad para recibir comidas gratis ó a precio reducido, el distrito debe avisar a los padres que la elegibilidad de su(s) hijo(s) se está verificando.

ENFERMEDADES CONTAGIOSAS (EC §48216 y49403): El distrito está autorizado para administrar agentes inmunizantes a estudiantes, cuyos padres han dado consentimiento por escrito a la administración de tal agente inmunizante. El distrito está obligado a excluir a estudiantes que no han sido adecuadamente vacunados conforme al Código de Salud y Seguridad 120325 y 120335. El distrito deberá notificar a los padres que tienen dos semanas para presentar un comprobante de que el estudiante ha sido vacunado adecuadamente o que está exencionado del requisito. Se exige que todos los estudiantes empezando en kindergarten, ascendiendo de sexto a séptimo grado en el distrito, o

anterior a su primera admisión al distrito, cumplan con los requisitos de inmunización de la sección 120335 del Código de Salud y Seguridad, al no ser que el estudiante presente al distrito una exención válida de un médico licenciado. No se aceptará ninguna exención nueva basada en creencias personales. Los estudiantes con una exención por creencias personales ya archivada con el distrito el 1 de enero de 2016 podrán seguir matriculados hasta empezar en el siguiente intervalo de grados en el distrito. Los intervalos de grado se definen como nacimiento hasta pre-escuela, K a 6º, incluyendo kínder transicional, y 7º a 12º. Los estudiantes que han calificado para un programa de educación individualizado podrán acceder a su educación especial y servicios relacionados según lo requiera su programa de educación individualizado.

MEDICACIONES (EC §49423, §49423.1): Cualquier estudiante que necesita tomar en la escuela medicaciones recetadas y que desea la ayuda del personal escolar debe entregar las instrucciones escritas del médico y una solicitud de los padres para ayuda en administrar la medicación. Los estudiantes pueden también llevar y administrarse ellos mismos epinefrina auto-inyectable y medicamentos inhalados recetados para el asma cuando la escuela haya recibido una confirmación especificada escrita con instrucciones para la auto-administración y la autorización del padre y médico o cirujano del estudiante. El padre debe liberar al distrito escolar y el personal de cualquier responsabilidad de cualquier daño que pueda resultar del medicamento auto-administrado, y proporcionar un permiso autorizando al personal escolar autorizado para consultar con el médico o cirujano.

SERVICIOS MEDICOS Y HOSPITALARIOS PARA ESTUDIANTES (EC §§49471 y 49472): Se requiere al distrito que notifique a los padres por escrito si no ofrece o no pone a disposición servicios médicos y hospitalarios para estudiantes que se lesionan mientras participan en actividades atléticas. El distrito está también autorizado para proveer servicios mediante corporaciones no lucrativas o pólizas de seguro para lesiones que sufran los estudiantes derivadas de actividades relacionadas a la escuela.

DISPONIBILIDAD DE INSTRUCCION INDIVIDUALIZADA / PRESENCIA DE UN ESTUDIANTE CON DISCAPACIDAD TEMPORAL EN EL HOSPITAL (EC §§48206.3, 48207-48208): Hay instrucción individualizada disponible para estudiantes con discapacidades temporales cuya discapacidad resulta en que su asistencia a clases diurnas regulares o programa de educación alternativo en el que está inscrito sea imposible o desaconsejable. Los padres de estudiantes hospitalizados o discapacitados temporalmente deben avisar al distrito escolar en donde está recibiendo cuidado el estudiante si desean un programa de instrucción individualizada.

REGIMEN CONTINUO DE MEDICACION (EC §49480): Los padres de cualquier estudiante en un régimen continuo de medicación debido a una condición no episódica deberá informar a la enfermera escolar y otro personal titulado de la medicación recetada, la dosis actual, y el nombre del médico supervisor. (***Ver formulario adjunto***.) Con el consentimiento del padre, la enfermera escolar puede comunicarse con el médico y aconsejar al personal escolar en relación a los posibles efectos de la medicación sobre el comportamiento físico, intelectual, y social, así como las señales y síntomas de los efectos secundarios adversos, omisión o sobredosis.

ROPA PTOTECTORA CONTRA EL SOL/USO DE CREMA PROTECTORA (EC §35183.5): Las escuelas deben de permitir el uso de ropa protectora contra el sol y deben permitir a los estudiantes utilizar durante el día escolar crema protectora, sin la receta o nota de un médico.

ASBESTOS (40 CFR 763.84, 40 CFR 763.93): El distrito tiene un plan para eliminar los riesgos de salud creados por la presencia de asbestos en edificios escolares. Puede revisar el plan en la oficina del distrito. Al menos una vez al año, el distrito avisará a los padres de las inspecciones, acciones de respuesta, y actividades post-acciones de respuesta que están planificadas o en progreso.

USO DE PESTICIDAS (EC §§17611.5, 17612 y 48980.3): Se requiere que los distritos escolares informen a los padres del uso de insecticidas en los recintos escolares y que den acceso al plan integrado de manejo de plagas cuando se utilizan ciertos pesticidas. (***Ver el adjunto***.)

PLAN COMPRENSIVO DE SEGURIDAD ESCOLAR (EC §32280 et seq.): Se requiere que cada escuela incluya en su informe anual de responsabilidad escolar (SARC por sus siglas en inglés) información sobre el estado de su plan de seguridad escolar, incluyendo una descripción de los elementos principales. Se requiere que el comité de planificación celebre una reunión pública para permitir que el público tenga la oportunidad de expresar una opinión acerca del plan escolar. El comité planificador deberá notificar a ciertas personas y entidades por escrito.

NOTIFICACION DE CUMPLIMIENTO (EC §32289): Se puede presentar una queja de incumplimiento con los requisitos de planificación de seguridad escolar al Departamento de Educación del Estado bajo el procedimiento uniforme para presentar quejas. (5 CCR 4600 et seq.)

ESCUELAS LIBRES DE TABACO (HS §104420): Está terminantemente prohibido a todas horas el uso de productos de tabaco por estudiantes, personal, padres, o visitantes en edificios propios o alquilados por el distrito, propiedades distritales, y vehículos distritales. Esta prohibición se aplica a todo empleado, estudiante, y visitante en cualquier programa de instrucción, actividad o evento atlético patrocinado por la escuela que se celebre en o fuera de propiedad distrital. Los productos prohibidos incluyen cualquier producto que contenga tabaco ó nicotina, incluyendo pero no limitándose a, tabaco sin humo, *snuff,* masticado, cigarrillos de clavo, y cigarrillos electrónicos capaces de administrar soluciones vaporizadas de nicotina o sin nicotina. Se pueden hacer excepciones para el uso o posesión de productos de nicotina con receta médica. A cualquier empleado o estudiante que viole la política distrital de escuelas libres de tabaco se le pedirá que se abstenga de fumar y éste será sujeto a acción disciplinaria según sea apropiado.

SERVICIOS ESTUDIANTILES

EDAD MINIMA PARA ADMISION A KINDER (EC §48000): Un niño/a podrá matricularse en kínder al principio del curso escolar o más tarde durante el mismo curso, si ha cumplido los cinco años en o antes del 1 de septiembre. Cualquier niño/a que cumpla años entre el 1 de septiembre del curso escolar aplicable y el 2 de diciembre será ofrecido un programa de kínder transicional de acuerdo con la ley y la política distrital. Según el caso individual, un niño/a que haya cumplido cinco años después de la fecha de arriba, pero antes del fin del curso aplicable, podrá ser admitido a kínder con la aprobación del padre o tutor y sujeto a la aprobación de la mesa directiva conforme a EC §48000.

PROSPECTO DEL CURRICULO ESCOLAR (EC §49091.14): El currículo de cada curso ofrecido por las escuelas del distrito lo acumula cada escuela en un prospecto. El prospecto de cada escuela está disponible en cada escuela con solo solicitarlo. Se pueden pedir copias por una cuota que no exceda el coste actual de hacer la copia.

EDUCACION MULTILINGÜE (EC §310): Si el distrito implementa un programa de adquisición de idiomas según EC §310, se proporcionará junto con este aviso o a la hora de matriculación la información acerca de los tipos de programas de idioma disponibles y una descripción de cada programa.

EDUCACION ESPECIAL (IDEA): Las leyes federales y estatales requieren que se ofrezca una educación pública adecuada y gratuita (FAPE) en el ambiente menos restrictivo a estudiantes discapacitados de 3-21 años. Puede obtener más información acerca de la elegibilidad de estudiantes, derechos de padres y garantías procesales con solicitarlo.

EDUCACION ESPECIAL; SISTEMA *CHILD FIND* (EC §56301): Cualquier padre que sospeche que un niño/a tiene necesidades excepcionales puede pedir una evaluación para servicios de educación especial a través del director de escuela. La política y procedimientos deberá incluir notificación escrita a todos los padres de sus derechos conforme a EC §56300.

QUEJAS DE EDUCACION ESPECIAL (5 CCR §3080): Los reglamentos estatales requieren que el distrito establezca procedimientos para tratar con las quejas de educación especial. Si usted piensa que el

distrito está en violación de las leyes federales o estatales que rigen la identificación o colocación de un estudiante de educación especial o asuntos similares, puede presentar al distrito una queja por escrito. Los reglamentos estatales requieren que el distrito mande su queja al Superintendente de Instrucción Pública del Estado. Puede obtener los procedimientos de su director de escuela.

SECCION 504 / ESTUDIANTES DISCAPACITADOS (Sección 504 del Acto de Rehabilitación de 1973): La ley federal requiere que el distrito notifique anualmente a los estudiantes discapacitados y a sus padres del deber y la política distrital de no discriminación bajo la sección 504 de la Ley de Rehabilitación.

DECLARACION DE NO-DISCRIMINACION (Título VI de la Ley de Derechos Civiles de 1964; Título IX de las Enmiendas a la Educación de los Estados Unidos de 1972; Ley de Americanos con Discapacidades; Sección 504 de la Ley de Rehabilitación Vocacional de 1973; EC §200 et seq.): El distrito no discrimina por motivos de género, identidad de género, expresión de género, sexo, raza, color, religión, origen nacional, identificación de grupo étnico, edad, información genética, discapacidad mental o física, orientación sexual, o la percepción de una o más de tales características. La política distrital de no-discriminación requiere notificación en el idioma materno si el área de servicio distrital contiene una comunidad de personas de minoridad con conocimiento limitado del inglés. La notificación debe incluir que el distrito tomará medidas para asegurar que la falta de hablar el inglés no será una barrera a la admisión y participación en programas distritales. Esta política se aplica a todos los estudiantes en cuanto a la participación en programas y actividades, con pocas excepciones tales como deportes de contacto. Según la ley federal, cualquier queja que alega incumplimiento de esta política deberá dirigirse al director de escuela. Las apelaciones pueden hacerse al superintendente del distrito. Puede obtener una copia de la política distrital de no-discriminación con solo solicitarlo.

PROGRAMA DE HUELLAS DACTILARES (EC §32390): Los distritos escolares están autorizados para ofrecer programas de huellas dactilares para niños de kínder o recién matriculados en el distrito. Si el distrito ha adoptado tal programa, se le notificará a la hora de la matriculación inicial de los procedimientos, cuota aplicable y su derecho de negar la participación de su hijo.

SITUACIONES DE NINOS SIN HOGAR (42 USC §11431-11435): Cada distrito local nombrará a un enlace para niños sin hogar que será responsable de asegurar la diseminación del aviso público de los derechos educativos de estudiantes en situaciones de carencia de hogar.

EDUCACIÓN SEXUAL / VIH

INSTRUCCION EN EDUCACION INTEGRAL DE SALUD SEXUAL Y PREVENCION DEL VIH (EC §§51938): El distrito debe notificar a los padres anualmente de la educación que tienen programada para el curso escolar en cuanto a la instrucción en la educación integral sobre la salud sexual y la educación sobre la prevención del VIH e investigaciones/estudios acerca de los comportamientos y riesgos de estudiantes. Los materiales escritos y audiovisuales utilizados en la instrucción están disponibles para inspección. Si los arreglos para la instrucción se hacen después de comenzar el curso escolar, los padres serán notificados no menos de 14 días antes del comienzo de tal instrucción si el distrito opta por proveer la instrucción mediante contratistas externos en clase o durante una asamblea. El aviso debe incluir la fecha de la instrucción, el nombre de la organización o la afiliación de cada presentador y la información que los padres tienen derecho de pedir una copia de la ley relacionada a dicha instrucción. Los padres tienen derecho a disculpar a su hijo de toda o parte de la educación integral de salud sexual y de la prevención del VIH solicitándolo por escrito al distrito. Aquellos estudiantes cuyos padres no hayan presentado una solicitud escrita para disculparles recibirán dicha instrucción. La ley también autoriza al distrito, sin previo consentimiento parental, a utilizar investigaciones anónimas, voluntarias y confidenciales y herramientas de evaluación para medir los comportamientos y riesgos de la salud de estudiantes, incluyendo exámenes, cuestionarios, y encuestas en grados 7 a 12 que contengan preguntas adecuadas a la edad acerca de las actitudes o prácticas de estudiantes respecto al sexo. El distrito deberá avisar a los padres por escrito antes de administrar tales pruebas, cuestionarios, o encuestas y ofrecerles la oportunidad de examinar los materiales. Los padres tienen derecho a disculpar a su hijo de participar solicitándolo por escrito al distrito.

INSTRUCCION DE SALUD/CONFLICTOS CON FORMACION Y CREENCIAS RELIGIOSAS (EC §51240): Cuando un padre lo pida por escrito, se permitirá que un estudiante sea excusado de parte de cualquier instrucción escolar sobre la salud si está en conflicto con la formación y creencias religiosas del padre.

ASISTENCIA ESCOLAR/ ALTERNATIVAS A LA ASISTENCIA

La ley de California (EC §48980(h)) requiere que todas las mesas directivas informen a los padres de cada estudiante al principio de cada año escolar de las varias maneras en que pueden elegir escuelas para sus hijos además de las que les asigna el distrito escolar. Los estudiantes que asisten a escuelas que no les ha asignado el distrito se conocen como "estudiantes de traslado" a través de este aviso. Existe un proceso para elegir una escuela dentro del distrito en el que vive el padre (traslado intradistrital), y potencialmente tres procesos distintos para elegir escuelas en otros distritos (traslado interdistrital). Los requisitos generales y limitaciones de cada proceso se detallan a consiguiente:

Elección de escuela dentro del distrito en el que viven los padres:

La ley (EC §35160.5(b)) requiere que la mesa directiva de cada distrito establezca una política que permita a los padres elegir las escuelas en donde asistirán sus hijos, sin importar donde viven dentro del distrito. La ley limita la opción de elegir dentro del distrito escolar según lo siguiente:

- Los estudiantes que viven en el área de asistencia de una escuela deben recibir prioridad para asistir a esa escuela por encima de estudiantes que no viven en el área de asistencia de la escuela.
- En casos cuando hay más solicitudes para asistir a una escuela que cupos disponibles, el proceso de selección será "al azar e imparcial," lo cual generalmente significa que los estudiantes serán seleccionados por medio de un proceso de lotería, en vez de según el orden de entrega de la solicitud. El distrito no puede usar el rendimiento académico ni el atletismo de un estudiante como motivo de aceptar o negar un traslado.
- Cada distrito deberá decidir el número de cupos disponibles en cada escuela que pueden ocupar estudiantes de traslado. Cada distrito también tiene la autoridad de mantener un equilibrio racial y étnico adecuado en sus escuelas, lo cual significa que el distrito puede negar la solicitud de traslado si ésta alteraría este equilibrio o si dejaría al distrito fuera de cumplimiento con un programa de desegregación voluntario o mandado por la corte.
- Bajo estas provisiones, no se le requiere al distrito que ofrezca transporte a un estudiante que se traslada a otra escuela en el distrito.
- Si se niega un traslado, el padre no tiene el derecho automático de apelar la decisión. Sin embargo, el distrito puede decidir voluntariamente establecer un proceso para que los padres apelen una decisión.

Elección de escuela fuera del distrito en el que viven los padres:

Los padres tienen tres opciones distintas para elegir una escuela fuera del distrito en donde viven. Las tres opciones son:

1ª Opción: Distrito de opción (EC § 48300 al 48315):
La ley permite, pero no requiere, que cada distrito escolar sea un "distrito de opción" – o sea, un distrito que acepta estudiantes de traslado de fuera del distrito bajo los términos de las secciones citadas del Código de Educación. Si la mesa directiva de un distrito decide hacerse un "distrito de opción" debe determinar el número de estudiantes que aceptará cada año en esta categoría y asegurar que los estudiantes se seleccionen por medio de un proceso "al azar e imparcial", lo cual suele significar un proceso de lotería. Si el distrito opta por no hacerse un "distrito de opción," los padres no pueden solicitar un traslado bajo estas provisiones.

Otras provisiones de la opción de "distrito de opción" incluyen:

- Tanto el distrito al que se trasladaría un estudiante como el distrito del que trasladaría puede negar un traslado si éste afectaría adversamente el equilibrio racial y étnico del distrito, o un plan de desegregación voluntario o mandado por la corte. Un distrito de opción no puede negar una solicitud de traslado basado en que los gastos de proveer servicios excederían los ingresos, pero sí puede negar una solicitud si ésta requeriría que se creara un programa nuevo. Sin embargo, el distrito de opción no puede negar el traslado de estudiantes con necesidades especiales, incluyendo estudiantes con necesidades excepcionales, y estudiantes aprendices del inglés (*English Learners*) aún si el coste de educar al estudiante excede los ingresos recibidos o si requiere la creación de un programa nuevo. El distrito del que se traslada un estudiante puede también limitar el número total de estudiantes que se trasladan cada año fuera del distrito a un porcentaje determinado del número total de matrículas, dependiendo del tamaño del distrito.
- Las comunicaciones de un distrito de opción con los padres o tutores contendrán información precisa y no estarán dirigidas a estudiantes basado en su rendimiento académico, habilidad atlética, u otras características individuales.
- Ningún estudiante que asiste actualmente a una escuela o reside dentro del área de asistencia de una escuela puede ser obligado a dejar esa escuela para hacer sitio para un estudiante que se traslada bajo estas provisiones.
- Se deberá dar prioridad de traslado a los hermanos de estudiantes que ya asisten a la escuela en el "distrito de opción" y a los hijos de personal militar.
- Los padres pueden pedir ayuda de transporte dentro de los límites fronterizos del "distrito de opción". El distrito está obligado a proveer transporte solo si ya lo está haciendo.
- El distrito escolar en el que reside uno de los padres mientras está de servicio militar activo no negará el traslado de ese estudiante a una escuela en cualquier distrito, si el distrito escolar al que hizo la solicitud el padre del estudiante aprueba la solicitud de traslado.

2ª Opción: Otros traslados interdistritales (EC §46600 et. Seq.): La ley permite que dos o más distritos entren en un acuerdo para el traslado de uno o más estudiantes por un periodo de hasta cinco años. Se pueden hacer nuevos acuerdos para periodos adicionales de hasta cinco años cada uno. El acuerdo debe de especificar los términos y condiciones bajo los cuales se permiten los traslados. El distrito en el que viven los padres no puede negar el traslado de un estudiante cuyo padre/madre está de servicio militar activo cuando el distrito de la propuesta matriculación ha aprobado la solicitud. La ley de traslados interdistritales también comprende lo siguiente:

- Si cualquiera de los distritos niega el traslado, el padre puede apelar la decisión al consejo de educación del condado. Existen tiempos límite determinados por ley para presentar una apelación y para que el consejo de educación del condado tome una decisión.

3ª Opción: Traslados por empleo de los padres en vez de residencia (EC §48204(b)): Cuando al menos uno de los padres/tutores legales de un estudiante está físicamente empleado dentro de los límites fronterizos del distrito escolar que no sea el distrito en el que viven durante al menos 10 horas de la semana escolar, el estudiante puede considerarse residente del distrito escolar en el que trabaja su(s) padre(s). Esta sección del código no requiere que un distrito escolar acepte a un estudiante que solicita un traslado por este motivo, pero el estudiante no puede ser negado el traslado por motivo de raza, etnicidad, sexo, ingreso de los padres, rendimiento académico, ni cualquier otra consideración "arbitraria". Otras provisiones de §48204(b) incluyen:

- Tanto el distrito en el que vive el padre/tutor legal o el distrito en el que trabaja el padre/tutor legal puede prohibir el traslado del estudiante si impacta negativamente un plan de desegregación.
- El distrito en el que vive el padre/tutor legal puede negar un traslado si determina que el coste de educar al estudiante sería más de la cantidad de fondos gubernamentales que recibiría el distrito para educar al estudiante.
- Existen límites determinados (basado en la matriculación total) en el número neto de estudiantes que pueden trasladarse fuera de un distrito bajo esta ley, al no ser que el distrito apruebe un número mayor de traslados.
- No hay proceso de apelación para la negación de un traslado. Sin embargo, el distrito que no admite al estudiante debe de dar por escrito al padre/tutor legal las razones concretas por las que ha negado el traslado.

Ley de Matriculación Abierta (EC §48350 et seq.)
Cuando un estudiante asiste a una escuela del distrito en la Lista de Matriculación Abierta, según lo haya identificado el Superintendente de Instrucción Pública, el estudiante puede solicitar un traslado a otra escuela dentro o fuera del distrito, si la escuela a la que se traslada tiene un índice de rendimiento académico (*Academic Performance Index,* API por sus siglas en inglés) superior. Los distritos con una escuela en la Lista deben notificar a los padres/tutores en esa escuela antes de o en el primer día de escuela de su opción de trasladarse a otra escuela pública. La información acerca del proceso de solicitud y las fechas límites aplicables están disponibles en la oficina distrital.

A consiguiente se da un resumen de las leyes aplicables a la asistencia escolar para cada alternativa. Para más información contacte al distrito.

AVISO DE ESCUELAS ALTERNATIVAS (EC §58501):
La ley estatal autoriza a todos los distritos escolares a ofrecer escuelas alternativas. La sección 58500 del Código de Educación define una escuela alternativa como una escuela o clase en grupo separado dentro de una escuela que opera de manera que:

(1) Maximiza la oportunidad para que los estudiantes desarrollen valores de auto-suficiencia, iniciativa, amabilidad, espontaneidad, ingeniosidad, valor, creatividad, responsabilidad, y alegría.
(2) Reconoce que se aprende mejor cuando el estudiante aprende porque tiene deseo de aprender.
(3) Mantiene una situación educativa que maximiza la motivación propia del estudiante y le anima a perseguir sus propios intereses a su propio ritmo. Estos intereses podrían resultar en parte o en total de una presentación por su(s) maestro(s) de las opciones de proyectos educativos.
(4) Maximiza la oportunidad de maestros, padres y estudiantes de desarrollar de manera cooperativa el proceso de aprendizaje y su contenido. Esta oportunidad será un proceso permanente continuo.
(5) Maximiza la oportunidad de estudiantes, padres y maestros de reaccionar continuamente al mundo cambiante, incluyendo pero no limitándose a la comunidad en la que está la escuela.

En el caso que cualquier padre, estudiante, o maestro tenga interés en más información acerca de escuelas alternativas, el Superintendente de Escuelas del Condado, la oficina administrativa de este distrito, y la oficina del director en cada área de asistencia deberán tener copias de la ley disponible para su información. Esta ley autoriza en particular a personas interesadas para pedir que la mesa directiva del distrito establezca programas escolares alternativos.

REDUCCION DE CALIFICACIONES / PERDIDA DE CREDITO ACADEMICO (EC §48980(k)): A ningún estudiante se le reducirá la calificación ni se le restará crédito académico debido a una ausencia justificada conforme a EC §48205 por trabajos/exámenes que se pueden razonablemente proporcionar/completar.

AUSENCIAS POR SERVICIOS MEDICOS CONFIDENCIALES (EC §46010.1): Se avisa a los estudiantes de 7º a 12º grado y a sus padres que la ley permite a las escuelas excusar a estudiantes para el propósito de obtener servicios médicos confidenciales sin el consentimiento de los padres. La política distrital acerca de tales ausencias excusadas está disponible con solicitarlo.

AUSENCIAS POR INSTRUCCION RELIGIOSA (EC §46014): Los distritos pueden excusar a estudiantes con consentimiento de los padres para participar en ejercicios/instrucción religiosa.

NOTIFICACION DE DIAS MINIMOS Y DIAS DE DESARROLLO PROFESIONAL PARA MAESTROS (EC §48980(c)): Se requiere que el distrito notifique anualmente a los padres de la programación de los días mínimos y días en que no hay clase debido a programas de desarrollo

profesional para maestros. La notificación debe hacerse al principio del año o lo antes posible, pero no más tarde de un mes antes del día mínimo o desarrollo profesional programado. (***Ver el adjunto***.)

MISCELANEOS

PROGRAMAS NO OBLIGATORIOS PARA PARTICIPACION DE PADRES/ESTUDIANTES (EC §49091.18): Las escuelas no pueden obligar a un estudiante ni a su familia a someterse o participar en ninguna prueba, evaluación, análisis, ni seguimiento de la calidad o carácter de la vida familiar del estudiante, evaluaciones o pruebas parentales, programas de consejería no-académica en hogar, capacitación para padres, ni planes prescritos de servicios educativos familiares.

EQUIDAD DE GENERO EN PLANIFICACION DE CARRERAS (EC §221.5(d)): Se notificará a los padres por adelantado de la consejería de carreras y selección de cursos comenzando con la selección de cursos en 7º grado, de modo de promover la equidad de género y permitir que los padres participen en sesiones de consejería y decisiones.

CAMPUS LIBRE DE DROGAS (Educación preventiva contra el uso del alcohol y drogas): La posesión, uso o venta de narcóticos, alcohol, u otras sustancias controladas está prohibida y se imponen estrictamente en todas las actividades escolares. Los registros se mandarán a las autoridades locales, y las violaciones resultarán en sanciones distritales.

DERECHO DE ABSTENERSE DEL USO DAÑINO DE ANIMALES (EC §32255 et seq): Los estudiantes pueden abstenerse de participar en proyectos educativos que incluyen el uso dañino o destructivo de animales.

LEY CADA ESTUDIANTE TRIUNFA (ESSA por sus siglas en inglés) (20 USC §6301 et seq.): Según la ley ESSA, los padres tienen los siguientes derechos:

- **Información acerca de las cualificaciones de maestros, paraprofesionales y asistentes de maestro:** Cuando lo pidan los padres, tienen derecho a información acerca de las cualificaciones profesionales de los maestros, paraprofesionales, y asistentes de maestro de la clase de su hijo. Esto incluye si el maestro satisface los criterios de acreditación y cualificaciones estatales para los grados y las materias que enseña, si el maestro enseña en condición provisional o debido a una situación de emergencia, la especialidad académica del título universitario del maestro y cualquier otro título de nivel postgrado y las materias de esos títulos, y si cualquier paraprofesional o asistente de maestro presta servicios a su hijo, y en el caso que lo hagan, cuáles son sus cualificaciones. El distrito notificará además a los padres si su hijo ha sido asignado a o ha sido enseñado durante 4 semanas o más por un maestro que no tenga la clasificación de "muy capaz".

- **Información acerca de los informes individuales de las evaluaciones estatales:** Cuando lo pidan, los padres tienen derecho a información sobre el nivel de rendimiento de su estudiante en cada prueba académica estatal que se le administró.

- **Estudiantes con dominio limitado del inglés:** La ley requiere aviso previo a los padres de estudiantes que están aprendiendo el inglés en cuanto a los programas para dominio limitado del inglés, incluyendo las razones por la identificación del estudiante como aprendiz del inglés, la necesidad de colocación en un programa educativo de lenguaje, el nivel de dominio del inglés del estudiante, cómo se evaluó dicho nivel, el estado del rendimiento académico del estudiante, los métodos de instrucción utilizados en los programas disponibles, cómo satisface el programa recomendado las necesidades del estudiante, el desempeño del programa, las opciones de los padres para sacar al estudiante de un programa y/o de rehusar la inscripción inicial, y el ritmo anticipado de transición a clases no diseñadas para estudiantes que están aprendiendo el inglés.

- **Escuelas en mejoramiento de programa:** Los padres deberán ser notificados cuando la escuela de su hijo es identificada como escuela en "mejoramiento de programa" y de las oportunidades de elección de escuela.

La información dada arriba está disponible con solicitarla de la escuela de su hijo o de la oficina distrital. Los avisos adicionales que podrían requerirse bajo la ley ESSA se enviarán por separado.

PROCEDIMIENTO UNIFORME DE QUEJAS (5 CCR §4622): Se requiere que el distrito notifique anualmente a los padres, estudiantes, empleados, comités asesores escolares y otras partes interesadas por escrito de su Procedimiento Uniforme de Quejas. (***Ver el adjunto***.)

AUTOBUSES ESCOLARES /SEGURIDAD DEL PASAJERO (EC §39831.5): Los distritos están obligados a proporcionar reglas de seguridad a todos los estudiantes nuevos y los que han sido transportado anteriormente por autobús.

NOTIFICACION DE LA LEY MEGAN (CODIGO PENAL §290.4): Los padres y miembros del público tienen el derecho de revisar la información acerca de los delincuentes sexuales registrados disponible en la oficina principal de las autoridades policiales locales de este distrito escolar.

AUSENCIAS JUSTIFICADAS (EC §48205)

(a) No obstante la sección 48200, un estudiante puede ser disculpado de la escuela cuando la ausencia sea:

(1) A causa de enfermedad del estudiante.

(2) A causa de cuarentena bajo la dirección de un oficial de salud del condado o ciudad.

(3) Para recibir servicios médicos, dentales, optométricos, o quiroprácticos.

(4) Para asistir a servicios funerarios de un miembro de familia inmediata del estudiante, siempre y cuando la ausencia no dure más de un día si el servicio es en California y no más de tres días si se hace fuera de California.

(5) Para servir como miembro de un jurado en la forma establecida por ley.

(6) Por motivo de una enfermedad o cita médica durante el horario escolar de un niño de quien el estudiante es el padre con custodia.

(7) Por razones personales justificables, incluyendo pero no limitándose a comparecencia ante un tribunal, asistencia a un funeral, cumplimiento de un día festivo o ceremonia religiosa, asistencia a retiros religiosos que no deberán exceder cuatro (4) horas por semestre, o asistencia a una conferencia sobre empleo, cuando el padre o tutor legal haya solicitado por escrito la ausencia del alumno y haya sido aprobada por el director o su representante asignado en conformidad con las normas establecidas por la mesa directiva.

(8) Para el propósito de servir como miembro del consejo electoral para una elección conforme a la sección 12302 del Código Electoral.

(9) Para los propósitos de pasar tiempo con un miembro de la familia inmediata del estudiante, que sea un miembro activo de los servicios uniformados, según se define en la sección 49701, y que haya sido llamado para servicio, esté en permiso de ausencia de, o haya regresado inmediatamente de, despliegue a una zona de combate o puesto de apoyo de combate. Las ausencias otorgadas conforme a este párrafo se otorgarán durante un periodo de tiempo a ser determinado a la discreción del superintendente del distrito escolar.

(10) Para el propósito de asistir a la ceremonia de naturalización del estudiante para hacerse ciudadano de los Estados Unidos.

(b) Un estudiante con ausencias justificadas podrá terminar todos los exámenes y tareas no realizadas durante su ausencia, y que puedan proporcionarse de manera razonable, y una vez terminadas durante un periodo de tiempo razonable recibirá el crédito completo por las mismas. El maestro de la clase de la cual el estudiante ha faltado determinará los exámenes y tareas que serán razonablemente equivalentes pero no necesariamente idénticas a los exámenes y tareas que el alumno no presentó durante su ausencia.

(c) Para propósitos de esta sección, la asistencia a retiros religiosos no excederá cuatro horas por semestre.

(d) Las ausencias bajo esta sección se considerarán ausencias en la computación del promedio de asistencia diaria y no generarán pagos distribuidos por el estado.

(e) "familia inmediata," según se usa en esta sección, tiene el mismo significado que en la sección 45194, excepto que las referencias en ésta sección a "empleado" se determinarán como referencias a "estudiante."

INVIRTIENDO PARA LA EDUCACION FUTURA (EC §48980(d)): Se aconseja a los padres acerca de la importancia de invertir en una educación superior para sus hijos y de considerar las opciones de inversión apropiadas, incluyendo, pero no limitándose a, los bonos de ahorro de los Estados Unidos.

QUEJAS DE DEFICIENCIAS RELACIONADAS A MATERIALES DE INSTRUCCION, ETC. (EC §35186): El Procedimiento Uniforme de Quejas está para ayudar a identificar y resolver deficiencias relacionadas a los materiales de instrucción, condiciones de emergencia o urgentes de instalaciones que puedan representar un peligro para la salud y seguridad de estudiantes o personal, y vacancias o asignaciones inadecuadas de maestros. El aviso del proceso de presentar una queja y el lugar en donde se puede obtener el formulario deberán estar puestos en todas las aulas.

ACREDITACION DE ESCUELAS (EC §35178.4): Se requiere que los distritos están obligados a notificar a cada padre o tutor de los estudiantes en una escuela que haya perdido su estado de acreditación y de las posibles consecuencias de perderla. La notificación se hará por escrito o publicando la información en el sitio Web del distrito o de la escuela, o cualquier combinación de estos métodos.

CUOTAS ESTUDIANTILES (EC §49010 et seq.): Se requiere que el distrito establezca políticas acerca de la provisión de una educación gratis para estudiantes. También se requiere que establezca políticas para presentar una queja de incumplimiento bajo esta sección por medio del Procedimiento Uniforme de Quejas. El aviso de las políticas de cuotas/tarifas distritales y del proceso para presentar quejas se proporcionará anualmente a los estudiantes, padres, tutores, y empleados.

PLAN DE CONTROL LOCAL Y RENDIMIENTO DE CUENTAS (EC §§52060-52077): El distrito está obligado a adoptar un plan trianual de Control Local y Rendimiento de Cuentas (LCAP, por sus siglas en inglés) y de actualizarlo en o antes del 1 de julio de cada año subsiguiente. Se requiere que el LCAP describa los objetivos anuales y las acciones concretas para implementar esos objetivos y debe medir el progreso de los subgrupos de estudiantes en ocho áreas prioritarias establecidas por el estado. Las prioridades deben estar alineadas con el plan de gastos del distrito. El LCAP deberá ser aprobado antes de poderse adoptar el presupuesto anual del distrito. Una vez adoptados a nivel local el presupuesto y el LCAP, el plan será revisado por el superintendente del condado para asegurar que los gastos proyectados están alineados con las metas y servicios. Las ocho prioridades estatales son las siguientes:

1. Dar acceso a todo estudiante a maestros con credenciales completos, materiales de instrucción alineados con los criterios estatales, e instalaciones seguras;
2. Implementación de y acceso de estudiantes al contenido académico y criterios de rendimiento del estado;
3. Participación de los padres;
4. Mejorar el rendimiento estudiantil y los resultados en múltiples medidas;
5. Apoyar la participación y compromiso de estudiantes;
6. Destacar el clima y la conectividad escolar;
7. Asegurar que todo estudiante tenga acceso a las clases que les preparan para la universidad y carreras; y
8. Medir otros resultados estudiantiles relacionados a las áreas de estudio requeridas.

Se requiere que la mesa directiva establezca un comité asesor de padres (*parent advisory committee*, o PAC por sus siglas en inglés) y un comité asesor de padres de estudiantes aprendices del inglés (ELPAC por sus siglas en inglés) para dar consejo a la mesa directiva y al superintendente en cuanto al LCAP. (Los ELPACs se requieren si la matriculación del distrito escolar incluye al menos 15% de estudiantes aprendices del inglés y el distrito matricula a 50 estudiantes como mínimo que son aprendices del inglés. Los distritos no están obligados a establecer un ELPAC nuevo si ya se ha establecido un comité de padres de aprendices del inglés). Los PACs incluirán a padres o tutores de estudiantes de bajos recursos, estudiantes aprendices del inglés, y estudiantes en hogares temporales (*foster* en inglés).

Cada distrito deberá consultar con sus maestros, directores, administradores, y otro personal escolar, grupos de empleados con derechos de negociar, padres, y estudiantes al desarrollar su LCAP. Como parte de este proceso de consulta, los distritos deben presentar sus planes propuestos al PAC y al ELPAC. Los comités asesores podrán revisar y comentar sobre el plan propuesto. Los distritos deben responder por escrito a los comentarios del PAC y el ELPAC. También se requiere que los distritos notifiquen a los miembros del público que pueden presentar comentarios escritos en cuanto a las acciones y gastos específicos propuestos en el LCAP.

Los distritos deberán celebrar al menos dos audiencias públicas para hablar de y adoptar (o actualizar) sus LCAPs. El distrito deberá primero hacer al menos una audiencia para pedir recomendaciones y comentarios del público acerca de los gastos propuestos en el plan, y luego adoptar (o actualizar oficialmente) el LCAP en una audiencia subsiguiente.

Se requiere que los distritos publiquen en el sitio Web distrital el LCAP aprobado por la mesa directiva, así como cualquier actualización o revisión, y que establezcan políticas para presentar una demanda de incumplimiento bajo §52075 por medio del Procedimiento Uniforme de Quejas. La información acerca de los requisitos de un Plan de Control Local y Rendimiento de Cuentas y el proceso para presentar demandas se proporcionarán anualmente a los estudiantes, padres, tutores, y empleados.

CONFIRMACION DE RECIBO DEL AVISO ANUAL DE DERECHOS DE PADRES/TUTORES

Corte, firme, y devuelva ésta página a la escuela de su hijo indicando que le han notificado de las actividades específicas y si tiene un hijo en régimen continuo de medicación.

Esta notificación anual también está disponible en formato electrónico y se le puede proporcionar con solicitarlo. Si la notificación se hace de forma electrónica, el padre o tutor debe entregar a la escuela esta confirmación de haber recibido la notificación.

Nombre del Estudiante:_____

Escuela: _____Grado: _____

Por la presente, confirmo que he recibido la información acerca de mis derechos, responsabilidades, y protecciones.

Firma del Padre/Tutor: _____ Fecha: _____

POR FAVOR COMPLETE LO SIGUIENTE SI FUESE APLICABLE

1. El estudiante está en un régimen continuo de medicación según lo ha prescrito un médico:

(Por favor marque uno) SI _____ NO _____

Si contestó SI: Doy permiso para contactar al médico del estudiante:

Nombre del médico:_____Teléfono: _____

Medicación: _____Dosis: _____

Medicación: _____Dosis: _____

2. Si no desea que se divulgue información de directorio, por favor firme donde está indicado abajo y entregue este formulario a la escuela **dentro de los próximos 30 días.** Tome nota que esto prohibirá que el distrito dé el nombre y otra información del estudiante a medios publicitarios, escuelas interesadas, asociaciones de padres/maestros, empleadores interesados, y entidades similares.

NO divulgar información de directorio de _____ _____
(Nombre del estudiante) (Fecha de nacimiento)

Escuela: _____ Grado: _____

☐ Marque aquí si se debe de hacer la excepción de incluir información y fotos del estudiante en el anuario escolar *(yearbook).*

Firma del Padre/Tutor: _____ Fecha: _____

3. Al firmar abajo, otorga usted **permiso al distrito para poner fotografías de su estudiante en el anuario escolar** y otras publicaciones relacionadas con la escuela.

Nombre del Estudiante:_____

Escuela: _____Grado: _____

Firma del Padre/Tutor: _____ Fecha: _____

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