

District Office:

**Santa Maria-Bonita
School District**

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Luke Ontiveros,
Superintendent

www.smbds.org

Consolidated Projects
& Migrant Education
Program Ext. 8217

Gifted and Talented
Education Ext. 8152

Independent Study
. Ext. 8160

Pupil Personnel . . Ext. 8141

Special Education . Ext. 8180

District Schools:

Adam 361-6700

Alvin 361-6760

Arellanes 361-6860

Arellanes Jr High . 361-6820

Battles 361-6880

Bonita 361-8290

Robert Bruce . . . 361-6940

El Camino Jr High . 361-7800

Fairlawn 361-7500

Jiménez 361-4340

Kunst Jr High 361-5800

Liberty 361-4530

Fesler Jr High . . . 361-7880

Miller 361-7560

Oakley 361-7620

Ontiveros 361-7680

Rice 361-7740

Sanchez 361-4625

Taylor 361-6250

Tunnell 361-7940

Santa Maria-Bonita School District

Annual Notification to Parents/Guardians

2016-2017



A Message from the District

We are happy to have you and your child join us for another year which promises to be full of opportunities for educational and personal growth. The district provides this Annual Notification to Parents (ANTP) handbook to you to help you understand the rules and policies which make our 20 schools positive places for students and staff. It is important that you read the ANTP handbook. You will then know the behavior we expect from your child and others and how you and your child can expect to be supported by our district. If everyone observes the guidelines found inside this document, I know that the coming year will be an enjoyable one for us all. Thank you for entrusting your child's education to the Santa Maria-Bonita School District.

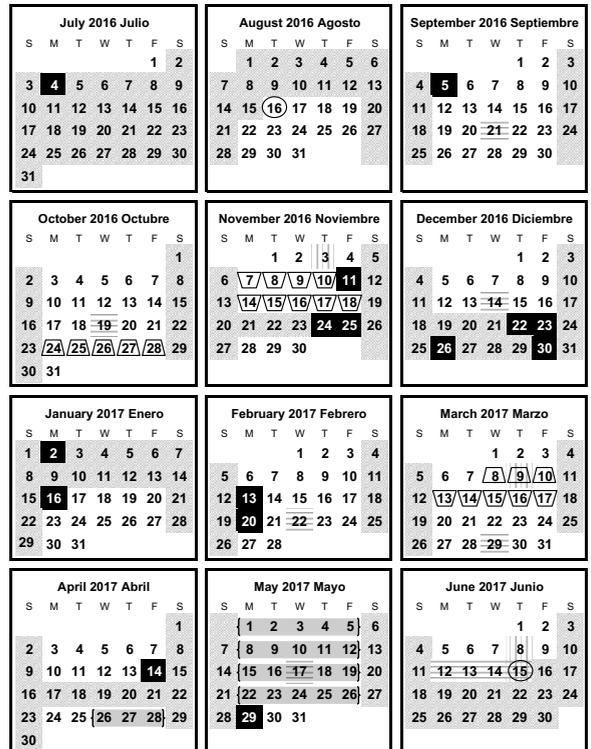
**State Law requires you to acknowledge receipt of this notice
Please Sign the Emergency Care Card**

Contents

| | |
|--|----|
| Attendance | 3 |
| Instruction and Curriculum | 5 |
| School Records and Student Achievement | 7 |
| Student Services | 8 |
| Health Services | 9 |
| Student Behavior and Safety | 11 |
| Discipline | 13 |
| Discrimination, Protections, Complaints and Procedures | 15 |
| Miscellaneous | 19 |

Important Dates

| | |
|--------------------------------|---------------------------------|
| August 16 | First day of school |
| September 5 | Labor Day |
| October 24-28 | Parent conferences (Jr High) |
| November 7-18 | Parent conferences (Elementary) |
| November 11 | Veterans Day |
| November 21-25 | Thanksgiving Break |
| December 19 - January 13 | Winter Break |
| January 16 | ML King, Jr Day |
| February 13 | Lincoln's Day |
| February 20 | Washington's Day |
| March 8-10 | Parent conferences (Jr High) |
| March 13-17 | Parent conferences (Elementary) |
| April 14-21 | Spring Break |
| May 29 | Memorial Day |
| June 15 | Last day of school |



Reporting Periods K-6: Nov 4 (58); Mar 10 (60); June 15 (62)

Minimum Days K-6: Nov 3; Mar 9; June 8 & 15

Reporting Periods 7-8: Oct 14 (43); Dec 16 (39); Mar 31 (51);
June 15 (47)

Minimum Days 7-8: Sept 21; Oct 19; Dec 14; Feb 22; Mar
29; May 17; June 12-15

Jr High Minimum Day
 Jr High Conferences
 Holiday
 Elementary Minimum Day
 Elementary Conferences
 Non-Attendance Day
 Smarter Balance/STAR Testing

Approved: March 9, 2016

The references at the end of the sections in this booklet include the following codes:

| | |
|--|--|
| BP District Board Policy | FAC Food and Agriculture Code |
| AR Administrative Regulation | USC United States Code |
| EC Education Code | CFR Code of Federal Regulations |
| HSC Health and Safety Code | ESEA Elementary and Secondary Education Act [20 USC 7114(D)(7)] |
| PC Penal Code | PPRA Pupil Privacy Rights Amendment |
| WIC Welfare and Institutions Code | FERPA Family Educational Rights and Privacy Act |
| CCR California Code of Regulations | Title VI Title VI of the Civil Rights Act of 1964 [42 USC 1981] |
| CC Civil Code | Title IX Title IX of the Civil Rights Act of 1964 [20 USC 1681-1688] |
| FC Family Code | IDEA Individuals with Disabilities Education Act |
| GC Government Code | § 504 Section 504 of the Rehabilitation Act of 1973 [29 USC 794(a)] |
| VC Vehicle Code | EOA Equal Opportunities Act [20 USC 1701] |
| BPC Business and Professions Code | |

ATTENDANCE

■ Compulsory Full-Time Education

Each person between the ages of 6 and 18 years, not exempted, is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted shall attend the public full-time day school or continuation school or classes for the full time designated as the length of the school day by the school board in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes for the full time designated as the length of the school day by the district school board in which the residence of either the parent or legal guardian is located. [EC 48200, ne]

■ Student Responsibilities

Every pupil shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of his teacher and others in authority; observe good order and propriety of deportment; be diligent in study; respectful to his teacher and others in authority; kind and courteous to schoolmates; and refrain from the use of profane and vulgar language. [5 CCR 300]

■ General Absences

Children cannot learn if they are not in school. Children learn early about being on time and not missing school. For students 6 to 18 years old, daily school attendance is compulsory. Daily school attendance improves student achievement. Teach your child to be on time and that school attendance is an important family value.

Always review the school calendar and plan activities and vacations during days off. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

Attendance reports, such as truancy, still rely on excused and unexcused absences. There are legal consequences if your child misses too much school. You must send a note and/or phone the school within 72 hours to clear any excusable absences. Unexcused absences result in a recorded truancy.

When a student has had absences in excess of 10% of the total number of days enrolled for the current school year due to illness, any further absences must be verified by a physician, school nurse, or other school personnel. Failure to provide appropriate verification shall result in the further absences being recorded as unexcused. [AR 5113]

1. Notwithstanding EC 48200, a pupil shall be excused from school when the absence is:
 - A. Due to his or her illness.
 - B. Due to quarantine under the direction of a county or city health officer.
 - C. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
 - D. For the purpose of attending the funeral services of a member of his or her 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.
 - E. For the purpose of jury duty in the manner provided for by law.
 - F. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
 - G. 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 has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - H. For any student 16 years old or older, with a GPA of 2.5 or higher, for the purposes of serving as a member of a precinct board for an election pursuant to Sec. 12302 of the Elections Code.
 - I. 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 EC 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.
 - J. Participation in religious instruction or exercises in accordance with district policy.

As the parent of a student you have many rights and responsibilities. This booklet talks about many of those and laws, policies and statutes which cover them. We suggest you read it. We must get the signed form returned or your child may not be able to attend classes. This page talks about when your child is absent from school. Only in certain cases is it permissible for a student to miss school.

Teachers build your child's education one day at a time, so every day is essential. In elementary, middle, junior, and high school, moving ahead, or even graduation, can be put in jeopardy if too many days are missed. Work with the teacher when a child must miss school.

Get homework assignments and review work. There is only one chance to get a great education.

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2. 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 thereof. The teacher of any class from which a pupil is absent shall determine the tests and assignments, which shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
3. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
4. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
5. "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." [EC 46014, 48205]

■ **Minimum Days/Pupil Free Staff Development Days**

If your child will be affected by minimum days or staff development days, we will give you at least one month's notice. The dates that were known at press time are printed in the calendar in this booklet. [EC 48980(c)]

■ **Emergency School Closing**

If natural disasters (storms, earthquakes, etc.) occur before school hours, please tune into the local radio and TV stations for information on school closings. During school hours contact your local school office. If school phone lines are down, continue to monitor local stations for emergency information.

■ **Attendance Options**

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Many districts, by agreement, also allow the transfer of students from or to other districts (inter-district transfer). Victims of bullying or violence are given preference in inter-district transfers. In some cases, the district must provide transportation. Students attending "persistently dangerous" schools can transfer and enroll in a safe school. Districts cannot prevent children of active military from changing districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [EC 46600, 48204, 48206.3, 48300, 48301, 48306, 48980, 49068]

Interdistrict Attendance

The Governing Board recognizes that students who reside in one district may wish to attend school in another district and that such choices are made for a variety of reasons.

The Superintendent or designee may approve or deny interdistrict attendance agreements with other districts on a case-by-case basis.

The interdistrict attendance agreement shall be valid for one year, to be renewed on an annual basis and shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied. [EC 46600]

The Superintendent or designee may deny applications for incoming interdistrict transfers because of overcrowding within district schools or limited district resources. [BP 5117 May 2008]

Questions or concerns regarding proof of residence may be directed to the Student Housing Technician, Mike Grogan at ext. 8278, or the Director of Pupil Personnel Services, Brian Zimmerman at ext. 8141. [EC 46600-46611, 48204, 48980, 52317]

Intradistrict

All students must attend their school of residence unless they have obtained an approved transfer from the District to attend another school.

Application forms are available at the Student Housing Office in the Business Department, 708 S. Miller Street, phone number (805) 361-8278. An explanation of the current statutory attendance options under California law as provided by the California Department of Education is available in the Student Housing Office. [BP 5111.1, BP 5116, BP 5116.1; AR 5116; EC 48980(i)] The District will annually review these options and attempt to provide options that meet the needs, potential, and interests of students. [EC 35160.5, 35291, 35351, 48980]

Open Enrollment

Due to the transition to the new California Assessment of Student Performance and Progress system, the open enrollment list for 2016-2017 cannot be calculated. The District had at least one school on the list of 1,000 low-achieving schools for the 2015-2016 school year. For information about transferring to a different school under this provision, please contact the District Office. [EC 48350-48361]

■ **Attendance Where Caregiver Resides**

If your child lives in the home of a caregiving adult, as defined by law, or a foster home your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the caregiving adult is required to determine that your child lives in the caregiver's home. [EC 48204(a), 48980(h); FC 6550-6552]

■ **Attendance in District in Which Parent/Guardian is Employed**

Until June 30, 2017, your child may have the option of attending school in the school district where you or your spouse are employed for at least 10 hours per week. After July 1, 2017, if you and the child live at your place of employment within the district three (3) days per week, the child may attend school in the district. If interested, call the district office for information. [EC 48204(b), (48204(7) after July 1, 2017), 48980(i)]

■ **Enrollment of Homeless or Foster Youth**

Foster and homeless children living in the District shall be permitted to attend a school in the District unless they: 1) stay enrolled at their school of origin, 2) their IEP indicates

attendance elsewhere, or 3) the parent or guardian, with knowledge of all options, declares in writing otherwise. [EC 48850-48859; 5 CCR 4622; WIC 361, 726, 56055]

■ Individualized Instruction

If your child has a temporary disability preventing him/her from attending regular classes, the district will provide individual instruction when possible. [EC 48206.3, 48980(b)]

■ Pupils in Hospitals Outside of School District

If, due to a temporary disability, your child is in a hospital or other residential health facility, which is located outside your school district, he/she may be eligible to attend the school district in which the hospital is located. If this situation should arise, you should notify both the district where you reside and where the hospital is located so that individualized instruction, if possible, can be provided. [EC 48207, 48208]

■ Truancy

The state defines three levels of truancy, each carrying more severe penalties for both the student and the parents or guardians. The three are truant, habitual truant, and chronic truant.

Truant: A student is truant after missing three days school or 30-minute periods without a valid excuse.

Chronic Truant: A chronically truant student has missed 10 percent or more school days in a school year.

Habitual Truant: If a student is truant three or more times in a school year and an effort is made to meet with parents, then the student is a habitual truant.

Interventions: Students who are habitually truant, miss a lot of school or are disorderly can be referred to a student attendance review board (SARB), a district attorney mediation program, or the county probation department. Through these programs the student can be given guidance to meet special needs for improving attendance or improving school behavior. The goal is to intervene before a student enters the juvenile justice system or drops out.

Student Penalties: First truancy may result in a one-day weekend class. Second truancy may be a written warning from a peace officer that remains in the student's records. Third truancy may result in assignment to an after-school or weekend program, a SARB, a probation officer, or district attorney program. A fourth truancy may result in a chance to improve attendance, but may also result in the student being placed within the jurisdiction of, and as a ward of the juvenile court. Other actions may include required community service, payment of a fine of \$100, attend a truancy mediation program, and loss of driving privileges. A finding of truancy may be handled through available community services.

Parent Penalties: In Education Code; first conviction – up to \$100 fine; second conviction – up to \$200 fine; third – up to \$500 fine. In Penal Code; parents of elementary students who are chronic truants face a fine up to \$2,000; imprisonment up to one year; or both. They may also be scheduled to meet regularly with district staff and/or referred for help. It is recommended that the parent or guardian attend classes at school with the student for one day. [EC 48260, 48260.5, 48261, 48262, 48263, 48263.5, 48263.6, 48264.5, 48291, 48293, 48320; PC 270.1, 830.1; WIC 256, 258, 601, 601.3; VC 13202.7]

School Attendance Review Board

If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board or to the probation department for services if the probation department has elected to receive these referrals. [EC 48263]

■ Notice of Alternative Schools

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects. (d) 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. (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. [EC 58501]

INSTRUCTION AND CURRICULUM

■ District Courses

Annually the District prepares curriculum, course titles, aims, and descriptions in a prospectus. The prospectus is available at each school site and may be reproduced at cost. Parents/Guardians have the right to review all course material. [EC 49091.14; PPRA]

■ Academic and non-academic courses, classes, electives, activities, sports, and related facilities

State and federal policies require academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities be available to all students without regard to their gender or gender identity, and irrespective of the gender listed in their records. Staff will not counsel students into programs, courses, or careers based on their gender or gender identity.

[EC 221.5, 221.8, 49600; GC 11135, 11138; Title VI, Title IX; § 504; California Interscholastic Federation (CIF) 300D]

■ California State Academic Standards

California along with most other States developed and adopted common academic standards in core curriculum areas. They are rigorous, internationally benchmarked, and research- and evidence-based.

Each state, and each district in California decides how they will teach and what resources they will use. More information can be found at www.cde.ca.gov/re/cc/ or www.corestandards.org. California launched a new computer-based student testing system that ties to the standards for English language arts and mathematics called the California Assessment of Student Performance and Progress (CAASPP). This new system replaces the Standardized Testing and Reporting (STAR) Program that was based on 1997 standards. Parents can opt their child(ren) out of CAASPP testing by submitting a written letter. More information about the CAASPP can be found at www.cde.ca.gov/ta/tg/ca/. [EC 60119, 60604.5, 60615]

■ LCFF and LCAP

The LCFF (Local Control Funding Formula) changes the way the State provides money to school districts. Under this new system, school districts receive a uniform base grant for every student, adjusted by grade level. Plus they receive adjustments for the number of students living in poverty, English learners, and foster youth. Then there are further adjustments for concentration of these groups if they are above 55% of the district's enrollment. More information about the LCFF is available at www.cde.ca.gov/fg/aa/lc/.

The LCAP (Local Control Accountability Plan) is a critical part of the LCFF. Each school district is required to engage parents, educators, employees, and the community to establish their plan. The plan must describe the overall vision for students, annual goals, and specific action to achieve these goals. The LCAP must focus on eight areas identified as State priorities. The plan will demonstrate how the district's budget will help achieve the goals, and annually assess how well the strategies improved outcomes. [EC 52060, 52066]

■ Exclusion From State Testing

Parents have the right to have their child excluded from participating in the state testing program. Please contact your school principal for more information about the State Testing Program. [EC 60640(a)]

■ GATE Testing

The Santa Maria-Bonita School District's Gifted and Talented Education Program (GATE) receives State funding based on approved applications. Students are referred by teachers or parents for testing and identification. All referrals must be made by October 1 of each year to your school principal, or by calling (805) 928-1783 ext. 8152. Identified students may participate in one of several delivery options. [Title V, 3831]

■ Curriculum and Personal Beliefs

Whenever any part of the instruction in health or family life education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child

shall be excused from such instruction if you request an excuse in writing. [EC 51240]

Family Life, Human Development, and Sexual Health Education

Your child will be taking classes in compliance with the California Healthy Youth Act. These will include instruction in comprehensive sexual health education, HIV prevention education, and research findings regarding pupil health behaviors and risks. Any written and audio-visual educational materials planned for use are available for inspection prior to the start of classes. You may have copies of non-copyrighted material that will be presented by a consultant or guest speaker for ten cents (10¢) per page. You will be notified before such instruction, and have a right to request, in writing, that your child not participate in any or all activities. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. At the discretion of the District, staff gives such instruction. If taught by a consultant or guest speaker, or in an assembly, parents will receive notice of the dates, name of organizations, and affiliation of speakers by mail or other commonly used method of notification at least 14 days prior to the dates of the class or assembly. During this class, students in grade 7 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes toward health, sex, and risk behaviors. Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the District or can be obtained online at www.leginfo.legislature.ca.gov. [EC 51933, 51934, 51937-51939]

Child Abuse Primary Prevention Program

Parents may refuse to allow their students to participate in a Child Abuse Primary Prevention Program. [WIC 18976.5]

Dissection of Animals

If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection. [EC 32255]

Tests/Surveys on Personal Beliefs

You and/or your children over 18 will be notified and will be asked for written permission before your child is given any test, questionnaire, survey, examination, or marketing material containing questions about your child's, or his/her parents' or guardians' personal beliefs or practices in politics, mental health, anti-social, illegal, self-incriminating, or demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility in a program or for receiving assistance), sex, family life, morality, or religion. Parents may also opt out of their child supplying information to be used for marketing. Parents have the right to review any

survey or educational materials related to the survey on any of the above items. The District has developed policies relating to the surveys and personal information. The district expects to administer the California Healthy Kids Survey (CHKS) in the Fall of 2016. If you believe your rights have been violated, you may file a complaint with the Family Policy Compliance Office at U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920. [EC 51513, 60614, 60615; PPRA; 34 CFR 98; ESEA]

SCHOOL RECORDS AND STUDENT ACHIEVEMENT

■ Pupil Records

You and your children over 18 have the right to review, get copies, and inspect their school records within five business days of a written or oral request or before any meeting regarding an individualized education program or a hearing. Those records are confidential, and privacy will be maintained, except in some instances such as when your child transfers to another school. In some instances information about your child may be released to District staff, foster agencies, after school program operators, summer camp operators, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, discipline letters, commendations, attendance, and health information. The records are maintained at SMBSD Souza Center by Brian Zimmerman. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location as the records. District policy or administrative regulation BP 5125 sets forth the criteria by which school officials and employees can look and change or delete the files and why. Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made for ten cents (10¢) per page. If you cannot afford the cost of copies they will be provided free of charge. You also have the right to file a written request with the superintendent challenging the records. You can challenge how your request was handled with the district or with United States Department of Education if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, comment not based on personal observation with time and date noted, misleading information, or violation of privacy rights. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [EC 8484.1, 49063, 49060, 49068, 49069, 49069.3, 49070-49079.7, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR 99]

Student Data from Social Media Websites

School Districts may now adopt a plan to gather student information from social media websites. The Governing Board has not adopted such a plan, but may consider it in the future. The information would pertain only to student or school safety, and must be destroyed within one year of the student leaving the District or turning 18. [EC 49073.6]

■ Regulations Regarding Pupil Achievement

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used. The progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student's ability, citizenship and effort. [EC 49067]

■ Filming/Photographs of Students

Students may be featured through photos, video or other means as representatives of the district. If you do not want your child's image used, please request a Photo Exclusion Form at your school site.

■ Consolidated Programs Notifications

You will receive annual notification if your child is participating in state or federal programs such as; ESEA/NCLB Program Improvement Status, Title 1 Schoolwide Program, Services for English Learners, Immigrant or Migrant students. The notification includes a full description of each program and services available to your child. [20 USC 6319(b)(c), BP 0420.1, 6171] If you have any questions or concerns, call the Director of Consolidated Projects, Margarita Gonzalez Zaske at ext. 8217.

■ Teacher Qualifications

A provision of federal Title I requires all districts to notify parents of children in Title I schools that they have the right to request and receive timely information on the professional qualifications of classroom teachers and paraprofessionals including state qualifications, licensing for the grade level or subject taught, any waivers for qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides are in the classroom and what their qualifications are. [ESEA; 20 USC 6311; 34 CFR 200.61]

■ Release of Directory Information

The law allows schools to release "directory information" to certain persons or organizations including military recruiters. Directory information includes a student's name, address, telephone information, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student. You may have the district withhold any of this information by submitting a request in writing. In the case of students with exceptional needs or who are homeless, no material can be released without parent or guardian consent. [EC 49061(c), 49070, 49073(c), 56515; FERPA; NCLB]

■ School Safety Plan

Every year, each school shall review and update its plan by March 1. Each school shall make its plan public and shall share the plan with numerous community leaders, school site personnel, and parent groups. Plans should, among other things, provide guidance for the response to and/or the prevention of bullying, child abuse, and disasters. Key elements are to be described in the School Accountability Report Card. Planned responses to criminal incidents need not be disclosed. The Uniform Complaint Procedure can be used regarding School Safety Plan compliance. [EC 32281, 32282.1, 32286, 32288, 32289]

STUDENT SERVICES

■ Student Meal Program

Please help us secure district funding by submitting a breakfast and lunch application regardless of income. All meals are provided to our students at no cost, however in order to continue this practice we request that every family in the district complete the breakfast and lunch application and return it to us even if you feel you do not qualify for the free or reduced breakfast and lunch program. This form helps the district secure funding not only for its food program, but also for many school based funding opportunities as well.

Applications are available online, in the first day packets, at your school site office and at the district office. Please submit your application to your school site. Application on help is available at all schools. The USDA is an equal opportunity provider and employer. The SMBSD wellness policy can be viewed at www.smbsd.org [EC 49510-49520]

■ Student Use of Technology

The Santa Maria-Bonita School District recognizes that technology is an integral component of the teaching, learning and administrative process. The District's Wide Area Network, with connections to the Internet, allows unprecedented opportunities for students, staff and parents to communicate, learn, and to access and publish information. The Board believes that the resources available through this network, and the skills that students will develop using it, are of significant value in the learning process and important to student success in the future.

The Board intends that the District's Electronic Information System (Wide Area Network), and its connection to the Internet, provide a means for educational activities in support of the Mission, Vision, Expectations and Course of Study of the Santa Maria-Bonita School District. The District dedicates the property comprising the network, and grants access to it by users, only for the educational activities authorized under this policy and the accompanying Administrative Regulation, and under the specific limitations contained therein. The Board directs the Superintendent or Designee to provide training and procedures that encourage the widest possible access to the Electronic Information System (Wide Area Network), the Internet and school networks by students, staff, parents and community members.

The Superintendent or designee shall establish regulations governing student access to technology that are age-

appropriate. The regulations shall prohibit access to harmful matter on the Internet which may be obscene or pornographic, and preclude other misuses of the system. In addition, the regulations shall establish that users have no expectation of privacy and that District staff may monitor or examine all system activities to ensure proper use of the system. Students who fail to abide by District rules shall be subject to disciplinary action, revocation of the user account and legal action as appropriate.

Because the Internet contains an unregulated collection of resources, the District cannot guarantee the accuracy of the information or the appropriateness of any material that a user may encounter on the internet. Therefore, before using the District's on-line resources, each student and his/her parent/guardian shall sign and return an ELECTRONIC NETWORK USERS AGREEMENT (See EC 6163.4). This Agreement shall specify user obligations and responsibilities and shall indemnify the District for any damages. The parent/guardian shall agree to not hold the District responsible for materials acquired or viewed by the user on the system, for violations of copyright restrictions, user's mistakes or negligence, or any costs incurred by users.

Staff shall supervise users while using on-line service, and may ask teacher aides and student aides to assist in this supervision.

STUDENT USE OF TECHNOLOGY PROCEDURES

The principal or designee shall oversee the maintenance of each school's technological resources and establish guidelines and limits on their use. He/she shall ensure that all users using these resources receive training in their proper use and receive copies of related District policies and regulations.

The Superintendent or designee will prepare an ELECTRONIC NETWORK USERS AGREEMENT. The principal or designee will require that each user sign an ELECTRONIC NETWORK USERS AGREEMENT before the user is provided access to the District's Wide Area Network. The obligations and responsibilities specified below will be part of the ELECTRONIC NETWORK USERS AGREEMENT. A proposed version of this AGREEMENT is attached as an exhibit to Administrative Regulation 6163.4(a,b,c).

Users are authorized to use the District's on-line services only in accordance with user obligations and responsibilities specified below. The use of the District's system is a privilege, not a right, and inappropriate use shall result in a cancellation of said privilege.

1. Users shall accept personal responsibility for reporting any misuse of the network to either the system administrator, the teacher or the school principal. Misuse can come in many forms, but any violation of the conditions described in paragraphs numbered two through nine below would constitute misuse of the network.
2. The user in whose name an on-line service account is issued is responsible for its proper use at all times. Users shall keep personal account numbers, home addresses and telephone numbers private. A user shall use the system only under his/her own account number.
3. The system shall be used only for purposes related to school work. Commercial, political and/or personal use of the District's

system is strictly prohibited. The District reserves the right to monitor any on-line communications for improper use. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by District officials.

4. Users shall not use the system to encourage the use of drugs, alcohol or tobacco, or any activity prohibited by law or District policy.
5. Sending or receiving any information in violation of any class rule, school policy, state or federal law or regulation, or the user contract is prohibited. Users are prohibited from accessing, posting, submitting, publishing or displaying harmful matter. Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes in a patently offensive way sexual conduct and which lacks serious literary, artistic, political or scientific value for minors (Penal Code 313).
Users are prohibited from accessing, posting, submitting, publishing or displaying material that contains objectionable language or is abusive, threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others, based on their race, national origin, sex, sexual orientation, age, disability, religion or political beliefs.
6. Copyrighted material may not be placed on the system without the author's permission. Users may download copyrighted material for their own use only. Illegal conduct may be reported to law enforcement authorities.
7. Vandalism will result in the cancellation of user privileges. Vandalism includes uploading, downloading or creating computer viruses, and/or any malicious attempt to harm or destroy District equipment, computer operating systems, or the data of any other user.
8. Users shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail.
9. Users are expected to keep messages brief and use appropriate language.

The principal or designee shall make all decisions regarding whether or not a user has violated these regulations and may deny, revoke or suspend a user's access at any time. The user may be afforded the opportunity to explain the reasons for the misuse of the network to the principal or designee. However, if the principal or designee decides not to reinstate the user's access after the user has been given an opportunity to offer an explanation, this decision shall be final.

■ School Accountability Report Card

The School Accountability Report Card is available on request, and is available annually by February 1st on the Internet at www.smbdsd.org. It contains information about the district and school regarding the quality of programs and its progress toward achieving stated goals. A copy will be provided upon request. [EC 33126, 32286, 35256, 35258, 52056]

■ Services to Disabled Pupils

If you have reason to believe your child (ages 0 through 21 years) has a disability requiring special services or accommodations, tell or write the school. Your child will be evaluated to determine whether he/she is eligible for free special or modified instruction or services.

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools. Students identified with special needs will receive a Free Appropriate Public Education in the least restrictive environment. [EC 48853, 56020 et seq., 56040, 56301; 5 CCR 4622; 20 USC 1412, (10)(A)(ii), 1412(a)(6)(A); 34 CFR 300.121]

■ Pupil Fees

While there are limited exceptions, families and students should not have to pay fees for most items related to public education. There are four types of fees identified in Education Code:

Pupil Fees: No fees or deposits can be required or collected for items including, but not limited to, materials, supplies, equipment, uniforms (i.e. band, cheerleading, basketball), lockers, locks, books, class apparatus, musical instruments.

Educational Activity Fees: No fees can be required or collected for student participation in an event or activity, either curricular or extracurricular, that is an essential part of a student's education or for transportation to those events. There can be no fees required for registering or participating in regular or extra classes.

Voluntary Donations: While voluntary donations may be suggested for activities, no student may be denied participation based on the family's ability to make a donation.

Exceptions – When fees may be required: By law, there are exceptions to the prohibition against charging of fees or deposits. These exceptions include, but are not limited to, transportation to non-essential activities, non-essential events where attendance is optional (such as a school dance), food served to students, damage to district provided materials such as textbooks, cost of community service classes, and fingerprinting. Money may also be collected for material used for projects that a student will be taking home, such as, material used in a career class like as woodshop or sewing. The Uniform Complaint Procedure can be used regarding pupil fee compliance. A complaint may be filed with the school principal, and may be filed anonymously.

[EC 17551, 17552, 19911, 32030-32033, 32220-32224, 32390, 35330, 35331, 35335, 38084, 38118, 38120, 39807.5, 48052, 48053, 48904, 49010-49013, 49063, 49065, 49066, 51815, 52373, 52612, 52615, 52920-52922, 60070; 5 CCR 4610, 4630]

HEALTH SERVICES

■ Immunizations

A pupil may not be admitted to a classroom setting in school unless he/she has been fully immunized against diphtheria, hepatitis b, haemophilus influenza type b, measles, mumps, pertussis (whooping cough), poliomyelitis, rubella,

tetanus, and varicella (chickenpox). Students must be immunized for varicella or provide proof from a doctor stating child has had the disease. All advancing students, new students, or transferring students in grades 7 through 12 must be fully immunized, including a required booster against pertussis (Tdap). They shall not be admitted without the Tdap booster.

It is this district's policy that there be no "conditional" admittance to schools. Documented proof that immunizations are up-to-date is required before admission to school is granted. This requirement does not apply in at least the following instances:

- If note from physician is supplied saying physical or medical condition does not allow vaccination.
- If a homeless or foster child is enrolling.

The required immunizations are available through a usual source of medical care, County Health Department, a school nurse, or may be administered by a health care practitioner acting under the direction of a physician. Immunizations may be given at school. There may be funds for those who cannot access services.

If an outbreak of a communicable disease occurs at a school, the non-immunized student will be excluded for his/her own safety until such a time as directed by health officials or district administration.

Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying the County Health Department listed in this section. [HSC 120325, 120335, 120338, 120370, 120375, 120400, 120405, 120410, 120415, 120480; EC 48216, 49403, 48852.7, 48853.5; 17 CCR 6000-6075; 42 USC 11432(C)(i)]

■ Physical Examinations

If you want your child to be exempt from physical examinations at school, file a written statement annually with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist. [EC 49451; PPRA]

■ Kindergarten Physical Exam

State law requires that a health examination be completed for each child. The parent must present a certificate, signed by a physician, verifying that the child has received a physical examination within 18 months prior to first grade enrollment. It is recommended that you have your child's physical exam at the same time you obtain the immunizations required for school entry. If your child does not receive this exam, you must file with the school district a waiver stating the reasons you are unable to obtain such services. You must understand that your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. [EC 49450; HSC 124085, 124100, 124105]

To obtain the required health exam during the kindergarten year, contact your child's physician. These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHDP), for more information you may contact: Santa Barbara County Public Health

Department: 2115 S. Centerpointe Parkway, Santa Maria, CA (805) 346-8410

■ Kindergarten and/or First Grade Oral Health Assessment

Many things impact a child's school progress and success, including health. Children must be healthy to learn, and children with cavities are not healthy. Baby teeth are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school.

Parents or guardians must have their child's oral health assessed by May 31 of the student's first school year (kindergarten or first grade). Assessments within the 12 months before the child enters school also meet this requirement. The assessment must be done by a licensed dentist or licensed or registered dental health professional. [EC 49452.8]

■ Vision, Hearing, and Scoliosis Screening

An authorized person will check your child's vision upon enrollment (unless the student enters the District in grade 4 or 7) and in grades 2, 5, and 8. Hearing tests will be conducted when your child is enrolled or first enters a District school. Between grades 6 and 8, your child may be screened for scoliosis (curvature of the spine). These tests will/may be administered unless you annually present to the school a certificate from a physician or optometrist verifying prior testing, or submit a letter denying consent. [EC 44878, 49451, 49452, 49452.5, 49455]

■ Medication

Children may take medication, which is prescribed by a physician, and get help from school personnel during the school day if:

1. The district designee has received a written statement from the physician detailing the medication name, method, amount, and time schedules by which the medication is to be taken; and
2. Parent, guardian, or caregiver annually submits a written statement asking the school district to assist their child in taking the medication or allow the student to self-administer certain medications. This includes allowing a school staff member to volunteer to identify the need for, and administer glucagon, epinephrine, and epilepsy seizure medication to a student. The letter gives permission to a district representative to communicate with the health care provider, pharmacist and acknowledge understanding of how the medication will be administered. Each school determines if it will have staff trained in the use and storage of auto-injectable epinephrine. The District will have a supply of epi-pens at each school site. [EC 49414(d), 49414.7, 49423, 49480]

Children may carry and self-administer a blood glucose level test, diabetes care, inhaled asthma medication, and auto-injectable epinephrine if the rules above are met and if a physician confirms in writing that the student is able to self-administer. [EC 49414, 49414.5, 49423, 49423.1, 49480]

If your child is on a continuing medication regimen for a non-episodic condition, you are required to notify the district

designee of the medication being taken, the current dosage, and the name of the supervising physician. [EC 49480]

■ **Sun Protection**

Students when outdoors can wear sun protective clothing, including, but not limited to hats. Students may also apply sunscreen during the day without a doctor's note or prescription. [EC 35183.5, 35291]

■ **Medical and Hospital Insurance for Students**

The district provides limited accident insurance on students for medical and hospital services. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. The school district assumes no liability for accidents to pupils at school. [EC 32221.5, 49472] Contact the district office.

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling Covered California (800) 300-1506. [EC 49471.5]

Public, Charter, and Private school parents/guardians and athletes are annually required to complete a concussion awareness form if student participates in school-sponsored athletics other than physical education or athletic event during the school day. [EC 49475]

■ **Drug, Alcohol and Tobacco Prevention Programs**

The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs, alcohol, or any form of tobacco product on District premises or as a part of any District activity is strictly prohibited. Beginning in January 2017, "tobacco product" is defined as (i) any product made or derived from tobacco or nicotine that is intended for human consumption, regardless of how consumed; (ii) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device (commonly known as "e-cigarettes"); or (iii) any component, part or accessory of a tobacco product. Except for members of the military, possession of tobacco by those under 21 is illegal and can lead to a \$75 fine or 30 hours of community service. It is illegal to possess synthetic marijuana. School districts may adopt no smoking policies that are not part of the TUPE program. The District has adopted a policy banning electronic-cigarettes (e-cigarettes) and other vapor delivery devices. [EC 48900, 48901; HSC 11357.5, 11375.5; BPC 22950.5(c); PC 308]

This district often seeks funding to support student programs; the district qualifies for Tobacco Use Prevention Education (TUPE) grant money. Money for the grant comes

from Proposition 99 (1988) that added a 25¢ tax on each pack of cigarettes. In grades 6-12, TUPE funds support health education efforts aimed at the prevention and reduction of tobacco use by students and provide intervention and cessation services to students currently using tobacco. All recipients will adopt tobacco free district policies as well as post "Tobacco Use Is Prohibited" signs at all property entrances. [HSC 104350, 104420, 104460]

Tobacco Products

The Board recognizes that use of tobacco products including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, and electronic nicotine delivery systems, such as electronic cigarettes, electronic hookahs, and other vapor emitting devices that mimic the use of tobacco products, presents a health hazard which can have serious consequences both for the user and the non-user and is, therefore of concern to the Board.

Students shall not be allowed to use or possess tobacco products on school property or during school hours. Students who violate this policy shall be subject to disciplinary procedures which may result in suspension from school. [BP 5131.6]

Synthetic Marijuana (Cannabis)

Every person who sells, dispenses, distributes, furnishes, administers, gives; or offers to sell, dispense, distribute, furnish, administer, or give; or possesses for sale any synthetic cannabinoid compound, or any synthetic cannabinoid derivative, to any person, is guilty of a misdemeanor, punishable by imprisonment in a county jail not exceeding six months, or by a fine not exceeding one thousand dollars (\$1,000), or by both that fine and imprisonment. [HSC 11357.5, 11375.5]

■ **Meningitis**

Meningococcal disease or Meningitis can be a life threatening infection that can be treated, but cannot always be cured. Routine vaccinations are recommended for 11-12 years olds, students entering high school and students living in college dorms. For more information please visit the California Department of Public Health website or go to www.cdph.ca.gov/HealthInfo/discond/Pages/Meningococcal_Disease.aspx [HSC 120395-120399]

■ **Confidential Medical Services**

School authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. [EC 46010.1]

STUDENT BEHAVIOR AND SAFETY

■ **Safe Place to Learn**

It is State and District policy to improve student safety, connections between students and supportive adults, and connections between schools and communities. These policies prohibit discrimination, harassment, intimidation, and bullying at all school sites and school activities based on actual or perceived characteristics: mental or physical disability, gender, gender identity, gender expression, nationality, race

or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics at any school sponsored activity. District employees must report and, when safe to do so, intervene when they see discrimination, harassment, intimidation or bullying. Resources about bullying, intimidation, and violence are found at www.cde.ca.gov, www.cde.ca.gov/lss/se/bullyres.asp, www.cde.ca.gov/lss/se/bullyfaq.asp, www.cde.ca.gov/lss/vp/ssresources.asp, www.californiahealthykids.org

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer below for assistance. [EC 200, 220, 234; PC 422, 422.55; 5 CCR 4900; BP 5145.3, 5145.7]

■ School Rules

Your child will bring home a discipline plan for his/her class for you to read and sign. This information will be reviewed with your child in class. [EC 35291, 48980]

DUTIES OF PUPILS: Your child is required to conform to school regulations; obey all directions; be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language. [5 CCR 4622]

DUTY CONCERNING CONDUCT OF PUPIL: Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playground or during recess. [EC 44807]

■ School Uniforms/Dress Code

Dress Code

In accordance with California law, any student who comes to school without being neat and clean may be sent home to be properly prepared for school or required to prepare himself/herself for the classroom before entering. The Santa Maria-Bonita School District has a requirement that all students attending school meet reasonable standards of dress and grooming. These standards will be enforced by the administrators in accordance with State law and the adopted policies and regulations of the Board of Education. Please refer to Board Policy and Administrative Regulation 5132, Districtwide Dress Code and Uniform Policy, Kindergarten Through Eighth. For questions or concerns, please contact your child's principal or assistant principal.

Students are allowed to wear articles of sun-protective clothing, including, but not limited to hats, for outdoor use during the school day. Students may use sunscreen during the schoolday, without a physician's note or prescription. School sites have the authority to establish policy regarding the use of sunscreen. However, clothing articles or hats deemed inappropriate or "gang-related" in accordance with the districtwide dress code may still be prohibited.

Skirts, Shorts and Pants

No shorts shorter than the fingertips when arms are at the sides.

No bicycle shorts or similar tight fitting pants such as leotards.

No overalls with "bibs" worn down.

No sagging or oversized pants. Pants must be worn at the waist line and stay up without a belt.

No cut-off pants or shorts with ragged edges or rolled up shorts.

No extra-long belts worn hanging down or initial buckles.

No bandannas on body or as clothing attire.

Tops

No see-through tops or other suggestive clothing.

No tank tops or crop tops.

No untucked shirts unless wearing a sweatshirt or sweater.

No oversized sweatshirts, sweaters or jackets (below waist).

Shoes

No sandals, thongs, open-toed or open-heeled shoes.

Hats/Caps

No caps/hats are to be worn on campus, unless they are worn for the purpose of protection from the sun. See second paragraph, "Dress Code."

Other

No apparel, jewelry, accessory, notebook, or manner of grooming which, by virtue of its color, arrangement, trademark, or any other attribute, denotes membership in gangs or advocates drug use, violence, disruptive behavior, or hate.

Enforcement

The teacher, assistant principal or principal will determine whether a student's dress constitutes an infraction of the dress code. The following action will be taken for each infraction:

First Offense: Referral to the principal or assistant principal for a conference and parental contact.

Second Offense: Referral to principal or assistant principal for corrective action and parental notification.

Third Offense: Referral to principal or assistant principal for corrective action, including discipline.

Fourth Offense: Referral to principal or assistant principal, suspension from school, request parental conference and recommend referral to SARB for alternative placement or recommendation for expulsion.

TIP: If unsure whether an article of clothing is appropriate, please don't send your child to school wearing it. Call the school office and check first. If you have other questions, feel free to call the office.

SCHOOL UNIFORMS: See BP/AR 5132 regarding District Wide Dress Code and School Uniform Policy - Kindergarten Through Eight. For questions or concerns regarding this policy, please call your school Principal/Assistant Principal. You may also call the Director of Pupil Personnel Services at (805) 928-1783 ext. 8141 for additional questions or concerns regarding this policy.

Board Policy and Administrative Regulation 5132, Districtwide Dress Code and Uniform Policy Kindergarten Through Eight requires:

1. The school site mandatory uniform policy shall be in compliance with State law and Governing Board Policies.
2. Schools requiring students to wear uniforms shall provide annual notice and in cases of economic hardship, the availability of financial assistance in obtaining uniforms.

3. The annual notice shall also indicate and explain that parents/guardians may obtain an exemption from the uniform requirement.

UNIFORMS MANDATORY AT THE FOLLOWING SCHOOLS: El Camino Jr. High and Fairlawn. The status of uniforms at our remaining schools was undetermined at the time this publication went to press due to pending survey results. Therefore, please call your child's school site main office phone number (listed in directory) for direction and guidance. All students are required to comply with the uniform policy unless exempted. Application for exemption are available upon request by mail, telephone or in person from your child's school site.

■ Cellphones, Pagers, Electronic Signaling Device

Districts may regulate the possession or use of any cellphone, pager or electronic signaling device while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. Use is allowed if essential to student's health as determined by a licensed physician or surgeon. [EC 48901.5]

DISCIPLINE

■ Parent Responsibility

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$19,100 in damages and another maximum of \$10,500 as adjusted annually by the California Department of Education for payment of a reward, if any. The school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. Civil penalties may also be enforced with fines up to \$25,000. [EC 48900.1, 48904; CC 1714.1; GC 53069.5]

Vandalism

Graffiti and scratching glass or other material on someone else's property is now considered vandalism and those convicted face fines, imprisonment and the requirement to clean up the damage or perform community service. Parents/Guardians may be liable to pay fines as high as \$10,000 and be required to participate in the clean up. [PC 594]

■ Impersonation on the Internet

Pretending to be another pupil or real person other than yourself on the Internet or through other electronic methods to harm, intimidate, threaten or defraud is punishable by a \$1,000 fine or imprisonment for up to one year. [EC 48900; PC 528.5]

■ Laser Pointer

Possession of a laser pointer by a student on any elementary or secondary school premise is prohibited, unless possession is for valid instruction. [PC 417.27]

■ Suspensions and Expulsions

You may also request a copy of the district Board policy on suspension and expulsion by contacting your child's principal or the Pupil Personnel Director at (805) 928-1783 ext. 8141.

Grounds for Suspension or Expulsion

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

- (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 possession of any such object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code and Penal Code 257 an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) 1. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

2. Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. An “imitation firearm” means a replica of a firearm so similar in physical properties to a firearm as to lead a reasonable person to conclude that the replica is a firearm. Displaying an imitation weapon at a school can result in a misdemeanor or fines.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
- (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
- (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
- (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (2) (A) “Electronic act” means the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- (i) A message, text, sound, or image
- (ii) A post on a social network Internet Web site, including, but not limited to, (I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1); (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
- (s) A pupil may not be suspended or expelled for any of the acts enumerated unless the act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
- (1) While on school grounds.
- (2) While going to or coming from school.
- (3) During the lunch period whether on or off the campus.
- (4) During, or while going to or coming from a school sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of this section. Except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or

her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities. [EC 35291, 48900, 48910]

Additionally, sexual harassment, hate violence, harassment, intimidation (only grades 4-12) and threats and terroristic threats against school officials or school property or both (all students) [EC 212.5, 233(e), 48900.2, 48900.3, 48900.4, 48900.7]

Mandatory Suspension / Expulsion

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

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife, explosive, 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 the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

Education Code Section 48915(c): The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior or written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive.

■ Student Search

The school principal or designee may search the person of a student, the student's locker, backpack or purse if there is a reasonable suspicion to believe the student may have a

concealed weapon, narcotics, stolen property, or contraband. [U.S. Supreme Court Case: New Jersey v. T.L.O. (1985) 469 U.S. 325]

■ Anti-drug Dogs

The District may use specially trained non-aggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or District policy. The trained dogs may sniff the air around lockers, desks, bags, items, or vehicles on District property or at District-sponsored events. They are not allowed to sniff any pupils. The above inspections may be unannounced. [EC 49350]

■ Release of Student to Peace Officer

If a school official releases your child from school to a peace officer for the purpose of removing him/her from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [EC 48906; PC 11165.6]

DISCRIMINATION, PROTECTIONS, COMPLAINTS AND PROCEDURES

All pupils have the right to participate fully in the educational process, free from discrimination and harassment. Schools have an obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity and ensure safe school sites.

The District is primarily responsible for compliance with local, state and federal laws and regulations and has procedures to address allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected individual or group including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race or ethnicity, ancestry, national origin, nationality, religion, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program, or activity that receives or benefits from local, state and federal financial assistance.

■ Sexual Harassment

The Governing Board is committed to maintaining a school environment that is free from harassment. The Board prohibits sexual harassment of any student by another student, an employee or other person, at school or at a school-sponsored or school-related activity. The Board also prohibits retaliatory behavior or action against any person who complains, testifies, assists or otherwise participates in the complaint process established in accordance with this policy.

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action which may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account including such information as:

1. Age and maturity of the victim and the perpetrator.

2. Pervasiveness of the alleged harassing conduct (i.e., how many times the act(s) occurred, how many individuals were involved, etc.).
3. Prior complaints against the perpetrator.

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

Such instruction and information shall include:

1. What acts and behavior may constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender.
2. A clear message that students do not have to endure sexual harassment. Students should be encouraged to report observed instances of sexual harassment, even where the victim of the harassment has not complained.
3. Information about the person(s) to whom a report of sexual harassment should be made.

Any student who feels that he/she is being or has been subjected to sexual harassment should immediately contact a school employee. A school employee to whom a complaint is made shall, within two (2) school days of his/her getting the complaint, report it to the principal or designee. Any school employee who observes any incident of sexual harassment on any student shall report his/her observation to the principal or designee, whether or not the victim makes a complaint. If the alleged harasser is the principal or designee, the employee may report the complaint or his/her observation of the incident to the Superintendent or designee who shall investigate the complaint.

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where necessary. In addition, the student may file a formal complaint with the Superintendent or designee in accordance with Board Policy 1312.1.

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 its schools. Information gathered in the course of investigating a sexual harassment complaint shall be kept confidential to the extent possible. If the sexual harassment is reasonably believed to include child abuse, the reporting procedures set forth in Board Policy 5141.4 shall take precedence.

■ Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, or bullying against any protected individual or group identified under Board Policy, Education Code,

California Code of Regulations, Penal Code, or Government Code including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnicity, race, ancestry, national origin, religion, color, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

The District shall promote programs that ensure non-discriminatory practices in all District activities. If you want further details in this regard, or wish to file a complaint, please contact the District's Uniform Complaint Officer. The Governing Board designates the compliance officer(s) to receive and investigate all complaints and ensure district compliance with law.

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: adult education, career/technical education, ROP programs and centers, child development, Consolidated Categorical Aid, LCAP, State Compensatory Education, State Program for Students of Limited English Proficiency, school improvement, tenth-grade counseling, tobacco-use prevention education, Peer Assistance and Review, Migrant and Indian Education, nutrition services, special education, homeless or foster youth education options, course content, physical education, discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 234, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600- 4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI, Title IX; § 504; IDEA; 42 USC 2000d, 2000e, 2000h; 34 CFR 106.9]

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Principal or designee, or any other staff member. In addition, any student who observes any such incident should report the incident to the Principal, designee or any other staff member, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying shall report the incident to the Principal or designee, whether or not the victim files a complaint.

In addition, the employee shall immediately intervene when safe to do so. [EC 234.1]

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Principal or designee shall immediately investigate the complaint in accordance with the site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

■ District's Uniform Complaint Officer and process

The Governing Board designates the following compliance officers to receive and direct the investigation of complaints and ensure district compliance with law:

Brian Zimmerman, Director of Pupil Personnel Services
708 S. Miller Street, Santa Maria, CA 93454
(805) 928-1783 ext.8141

Notifications

The Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of district complaint procedures and information about available appeals, civil law remedies, and conditions under which a complaint may be taken directly to the California Department of Education. (cf. 5145.6 - Notifications Required by Law) There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside of the district's complaint procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to, injunctions and restraining orders.

Procedures

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs including school safety planning requirements in the No Child Left Behind Act. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with the Code of Regulations, Title 5, Section 4632.

Investigations of discrimination complaints shall be conducted in a manner that protects confidentiality of the parties and the facts. (Title 5, Section 4630)

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

If the complainant or the complainant's representative decides to have legal counsel present at any meeting, they will notify the compliance officer five (5) days prior to any meeting.

Informal Procedure

In order to promote fair and constructive communication, the following procedures are encouraged prior to filing a written complaint.

1. It is recommended that the complainant contact the employee most directly involved to discuss the complaint.
2. It is recommended that the principal or coordinator be contacted so that they are aware of the situation and may assist in the solution.
3. The principal and appropriate program coordinator may meet to review the complaint.

Every effort should be made to resolve a complaint at the earliest possible stage.

Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance with the

appropriate compliance officer named above. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, district staff shall help him/her to file the complaint. (Title 5, Section 4600)

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination.

The complaint must be initiated no later than six months from the date when the alleged discrimination or non-compliance occurred, or when the complainant first obtained knowledge of the facts of the alleged discrimination or non-compliance. (Title 5, Section 4630)

Complaints regarding a special needs student or pupil fees may be filed within 12 months of the occurrence. Complaints regarding Pupil Fees may be filed anonymously and with the principal. If a complaint regarding pupil fees is valid, then the parents are due full reimbursement. Staff has been trained to deal with these types of complaints.

Investigation of Complaint

I. School/Program Level

The compliance officer shall direct an investigation of the complaint to be concluded within twenty (20) calendar days of the receipt of the complaint.

1. Complaints concerning educational programs at a school site shall be investigated by the site administrator with the assistance of program coordinators knowledgeable of state and federal laws and regulations in the programs involved.
 - (a) The site administrator may request, and if agreed to in writing by the parent, receive an extension of timelines up to a total of (60) calendar days in order to conduct an assessment of a child suspected of being discriminated against for a handicapping condition.
2. Complaints concerning educational programs at multiple school sites shall be investigated by the program coordinator knowledgeable of state and federal laws and regulations in the programs involved.
3. At the conclusion of the investigation, a meeting will be held between the complainant and the administrator(s) conducting the investigation to review findings and possible remedies. The administrator responsible for the investigation shall provide the complainant with a written report of findings and possible remedies, if any.

II. Committee Level

1. If the complaint is not resolved at the school/program level: Within ten (10) calendar days of the meeting held at Level I, the compliance officer shall convene a committee.
2. The committee shall be composed of:
 - a. The Assistant Superintendent of Instruction or designee (Chairperson)
 - b. The Director of Pupil Personnel Services or the Director of Curriculum Instruction
 - c. A school site principal, from a school other than the one involved in the complaint

- d. A teacher, from a school other than the one involved in the complaint
 - e. A parent (optional). Preference shall be given to a representative from the appropriate district advisory committee.
 - (1) In cases involving alleged discrimination, a parent shall serve on the committee only with the agreement of the complainant.
3. The committee shall conduct a review of the complaint and investigation at Level I. An opportunity will be provided for the complainant or the complainant's representative or both to present evidence relevant to the complaint and to question parties involved.
 4. Within five (5) calendar days of the date of the hearing the Chair of the Committee shall prepare and send to the complainant a written report of the District's investigation and decision, including:
 - a. Findings and disposition of the complaint including corrective actions if any
 - b. The rationale for the above disposition
 - c. Notice of complainants right to appeal the decision to the Board of Education and the California Department of Education

Appeal to the Board

If a complainant is dissatisfied with the committee's decision, he/she may, within five (5) calendar days, file his/her complaint in writing with the Governing Board. The Board may consider the matter at its' next regular Board meeting or at a special board meeting convened in order to meet the sixty (60) calendar day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the decision of the compliance committee shall be the district's final written decision. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within sixty (60) calendar days of the district's initially receiving the complaint or within an extended time period that has been specified in a written agreement with the complainant.

Appeals to the California Department of Education

If a complainant is dissatisfied with the district's decision, he/she may appeal in writing to the California Department of Education within fifteen (15) calendar days of receiving the district's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals.

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the district's decision and must include a copy of the locally filed complaint and the district's decision. (Title 5, Section 4652)

If dissatisfied with the California Department of Education's resolution of a complaint regarding a Chapter I program, the complainant may request its review by the U.S. Secretary of Education. (34 Code of Federal Regulations, 200.74) EC 1312.3(a) Title 5, Section 4650.

Basis of Direct State Intervention

- (a) The State Superintendent of Public Instruction shall directly intervene without waiting for local agency action if one or more of the following conditions exists:
 - (i) The complaint includes an allegation, and the Department verifies, that a local educational agency failed to comply with the complaint procedures required by this Chapter;
 - (ii) Discrimination is alleged by the complainant and the facts alleged indicate that the complainant will suffer an immediate loss of some benefit such as employment or education if the Department does not intervene. However, nothing in this section gives the Department jurisdiction over employment discrimination claims.
 - (iii) The complaint relates to agencies other than local educational agencies funded through the Child Development and Child Nutrition Programs.
 - (iv) The complainant requests anonymity and presents clear and convincing evidence and the Department verifies that he or she would be in danger of retaliation if a complaint were filed locally, or has been retaliated against because of past or present complaints;
 - (v) The complainant alleges that the local educational agency failed or refused to implement the final decision resulting from its local investigation.
 - (vi) The local agency refuses to respond to the Superintendent's request for information regarding a complaint;
 - (vii) The complainant alleges and the Department verifies, or the Department has information that no action has been taken by the local educational agency within 60 calendar days of the date the complaint was filed locally.
 - (viii) For complaints relating to special education the following shall also be conditions for direct state intervention:
 - (A) The complainant alleges that a public agency, other than a local educational agency, as specified in Government Code Section 7570 et seq., fails or refuses to comply with an applicable law or regulation relating to the provision of free appropriate public education to handicapped individuals;
 - (B) The complainant alleges that the local educational agency or public agency fails or refuses to comply with the due process procedures established pursuant to federal and state law and regulation; or has failed or refused to implement a due process hearing order;
 - (C) The complainant alleges facts that indicate that the child or group of children may be in immediate physical danger or that the health, safety or welfare of a child or group of children is threatened.
 - (D) The complainant alleges that a handicapped pupil is not receiving the special education or related services specified in his or her Individualized Educational Program (IEP).
 - (E) The complaint involves a violation of federal law governing special education, 20 U.S.C. Section 1400 et seq., or its implementing regulations.
- (b) The complaint shall identify upon which basis, as described in paragraph (a) of this section, that direct filing to the state is being made.

■ Complaints Regarding the Williams Settlement, Instructional Materials, Teacher Placement, and School Facilities

Parents should use the District Uniform Complaint Procedure with modifications as necessary, to identify and resolve any deficiencies regarding instructional materials; facility cleanliness, safety, emergency or urgent facility conditions that pose a health or safety threat to students; or staff, teacher vacancies or misassignments. [EC 35186, 37254, 52378]

Williams complaint procedure

A complaint form may be obtained, free of charge, at the school office, the district office, or downloaded from the district's Web site at www.smbds.org, but the form need not be used to make a complaint. You may also download a copy of the California Department of Education complaint form from this Web site, www.cde.ca.gov/re/cp/uc. The Uniform Complaint Procedure shall be used for filing Williams related complaints with the following special circumstances applying:

1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
2. Complaints beyond the site authority will be forwarded to the District within 10 days.
3. Complaints may be filed anonymously. A response may be requested if complainant is identified and will be sent to the mailing address on complaint
4. If the District is required to provide material in a foreign language based on California Department of Education census data and if requested, the response and report shall be written in English and the primary language in which the complaint was filed.
5. The form will have a box to request a response and indicate where to file the form.
6. Valid complaints should be remedied within 30 days of receipt.
7. Within 45 days of filing a complaint, notice should be sent to complainant when a response was requested. A principal will also inform the Superintendent of resolution in the same time frame.
8. If unsatisfied with resolution a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
9. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records. [EC 35186, 48985]

MISCELLANEOUS

■ School Board Meetings

School Board Meetings are held the second Wednesday of each month at the Souza Center at 6:00 pm, times and dates are subject to change. Oral interpretation is available at Board Meetings. A Spanish translation or interpretation of Board Meeting minutes and/or Board materials will be provided upon request. Requests should be made to district translator at (805) 928-1783 ext. 8149.

■ Megan's Law

In accordance with "Megan's Law" information about sex offenders may be obtained from local law enforcement agencies. (PC 290.4)

■ Management Plan for Asbestos-Containing Material

The district has available upon request a complete and updated management plan for asbestos-containing material. [40 CFR 763.93]

■ Healthy Schools Act – Pesticide Use

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. The identification includes the name and active ingredients. Only fully certified pesticides can be used on school grounds. Additionally, the District maintains a registry of chemical sensitive students, staff or other persons requesting special consideration in the event of the use of pesticides. The school's Integrated Pest Management Plan (IPM) is updated by September 15 each year. The IPM, pesticide names and active ingredients, and application dates are posted on the school and/or district website at www.smbds.org under Maintenance, Operations, and Transportation.

| <u>Product Name</u> | <u>Active Ingredient</u> | <u>Application Dates</u> |
|---------------------|--------------------------|---|
| Round-Up | Glyphosate | All District Sites August 3-7, 2016 November 23-25, 2016 January 11-15, 2017 March 28 – April 1, 2017 |
| Telstar Termidor | Bifenthrin Fipronil | Miller and Sanchez Schools September 12, 2016 December 12, 2016 March 12, 2017 June 11, 2017 |

Parents and guardians may register with the school or district if they wish to receive notification of pesticide applications at a particular school or facility. Notice of an application and written notice of unlisted pesticide use will be given 72 hours in advance. For an emergency application, 72 hours notice will be the goal. Each area of the school where pesticide is being used will be identified by a posted warning 24 hours before (or upon application, if an emergency) through 72 hours after use. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, www.cdpr.ca.gov.

If you have any questions, you may contact the Coordinator of Maintenance and Operations, Scott Roy at (805) 928-1783 ext. 8255. [EC 17610.1, 17612, 48980; FAC 13184; ne]

■ Further Information is Available

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office, please call Brian Zimmerman, Director of Pupil Personnel Services at ext. 8141. [EC 48209.13; FERPA; 34 CFR 99.7(b)]