Annual Notification to Parents/Guardians

School Year: 2021-2022
## Table of Contents

1. **ABSENCES**
   - Excused Absences
   - Absences for Religious Purposes
   - Absences

2. **ATTENDANCE**
   - Attendance Options
   - Residency Requirements
   - Temporary Disability
   - Students in Active Military Families – Residency Retention and Matriculation
   - Migratory Children – Residency Retention and Matriculation
   - Immigration Enforcement – “Know Your Rights”
   - Notice of Alternative Schools
   - Transfer of Student Convicted of Violent Felony or Misdemeanor
   - Transfer of Victims of Bullying

3. **COMPLAINTS**
   - Uniform Complaint Procedures
   - Uniform Complaint Procedures – Specific Complaints
   - Special Education Program Complaints
   - Lactation Accommodations for Parenting Students
   - Pregnant and Parenting Student Rights
   - Williams Uniform Complaint Procedures
   - Nondiscrimination
   - Sexual Harassment Policy

4. **DISCIPLINE**
   - Rules; School Discipline
   - Required Parental Attendance

5. **FACILITIES AND SAFETY**
   - Management Plan for Asbestos-Containing Material
   - Use of Pesticide Products

6. **HEALTH & IMMUNIZATIONS**
   - Administration of Prescribed Medication
   - Inhaled Asthma Medication
   - Physical Examination Exemptions
   - Student Insurance
   - Mental Health Services for Students
   - Immunizations and Control of Communicable Disease
   - Child Nutrition; School Meals

7. **INSTRUCTION**
   - Minimum and Staff Development Days
   - Career Counseling and Course Selection
   - Right to Refrain From the Harmful or Destructive Use of Animals
   - Special Education
   - Excuse from Health Instruction Based on Religious and Moral Grounds
   - Comprehensive Sexual Health Education and HIV/AIDS Prevention
   - Student Surveys, Tests, and Questionnaires Regarding Beliefs and Practices
   - California Assessment of Student Performance & Progress (CAASPP)
   - Notification of Potential Failing Grade
   - Teacher and Paraprofessional Qualifications

8. **RECORDS**
   - Student Records Policy
   - Parent Access to Records
   - Curriculum Review
   - Student Records Review
   - Parental Consent to Release Student Information; No Parental Consent to Release Directory Information
   - Transfer of Student Records
   - Student Records Complaints

9. **HIGH SCHOOL ONLY**
   - Modified Closed Campus
   - College Admission Requirements/Career Technical Education
   - State Funds for Advanced Placement Exams

10. **APPENDIX**
1. **ABSENCES**

**Excused Absences (Ed. Code §§ 46010.1, 48200, 48205, 48980)**

Except when attendance is excused, students between the ages of 6 and 18 years are required by law to attend school and parents must compel their students to do so. Students will be excused from school for the following reasons:

(1) Illness of the student.
(2) Quarantine under the direction of a county or city health officer.
(3) Securing medical, dental, optometric, or chiropractic services.
(4) Attendance at the funeral services of a member of the student’s immediate family, so long as the absence is not more than one day if the service is conducted in California, and not more than three days if the service is conducted outside California.
(5) Jury duty.
(6) Illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child for which the school staff shall not require a note from a doctor.
(7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the student’s religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the student’s absence is requested in writing by the parent and approved by the principal or a designated representative. Attendance at religious retreats cannot exceed four hours per semester.
(8) Service as a member of a precinct board for an election.
(9) Spending time with a member of the student’s immediate family, who is an active duty member of the uniformed services, 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; such absences will be granted for a period of time to be determined at the discretion of the Superintendent.
(10) Attendance of the student’s naturalization ceremony to become a United States citizen.
(11) Obtaining confidential medical services without parental consent.

A student may not have their grade reduced or lose academic credit for any excused absence(s) if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

**Absences for Religious Purposes (Ed. Code § 46014)**

With parent written consent, a student may be excused from school to attend religious exercises or classes away from school. Such absences may not exceed four days per month. An excused student must nevertheless maintain his or her attendance at the minimum level of school days required for his or her grade.

2. **ATTENDANCE**

**Attendance Options (Ed. Code §§ 35160.5, 46600 et seq., 48350 et seq., 48980)**

California law requires all school boards to inform parents of all existing statutory attendance options and local attendance options available in the District. Students who attend schools other than those assigned by the District are referred to as “transfer students” throughout this Notice.

**Current Statutory and Local Attendance and Programmatic Options in the District**

Students may elect to attend one, or a combination of the schools or programs listed below, unless restricted by Board Policy related to racial/ethnic balance and schools currently over capacity.

a. **Tulare Union High School, Tulare Western High School, and Mission Oak High School**

   Tulare Union, Tulare Western, and Mission Oak are 9-12 grade comprehensive high schools, which offer a full range of academic and vocational programs.

b. **Tulare Tech Prep**

   Tulare Tech Prep is a 9-12 grade continuation high school, which offers the required courses for graduation plus several job preparation programs intended to familiarize students with a variety of occupations.
c. **Sierra Vista Charter High School**  
Sierra Vista Charter High School (SVCHS) is a public charter through the Tulare Joint Union High School District and serves students in grades 9-12 who are looking for a smaller, more flexible learning environment than the traditional public high school setting. Sierra Vista Charter High School is a hybrid independent study program and is open to any resident of Tulare, Fresno, Kern, Kings and Inyo counties.

d. **Countryside High School**  
Countryside High School provides an opportunity for students in grades 9-12 who are best served by a small classroom environment. The academic curriculum is joined with a behavior management program and mental health services provided by a full time therapist and case managers.

e. **Tulare Adult School**  
The Tulare Adult School offers classes required for the high school diploma, citizenship and ESL (English as a Second Language) and is available to all students who are 18 years and older. Students may take adult school classes concurrently with high school classes as needed.

f. **Accelerated Charter High School**  
Accelerated Charter High School (ACHS), will provide students grades 11-12 the opportunity to accelerate credits in a smaller high school setting. Students will be able to earn required graduation credits and concurrently enroll in career technical courses through College of the Sequoias.

**Attendance Options for 2022-2023 School Year**

a. On or before **November 1, 2021**, the Superintendent or designee shall identify those schools with the district that may have available capacity for additional students. This determination shall be made utilizing state and/or contract capacity calculations indicating overcrowded schools. A list of those schools that are over crowded as well as those schools that have potential for additional students shall be made available, along with intra-district transfer applications, at all school offices.

b. All students who submit applications to the district between the open enrollment period of **November 1, 2021**, through **December 20, 2021**, shall be eligible for consideration for admission to their school of preference. Students living within the established attendance boundary shall have first priority for school enrollment. No applications shall be accepted after the **December 20, 2021**, deadline for intra-district transfer consideration.

c. Enrollment in a particular school shall be determined by lot from the eligible applicant pool if the applicant pool exceeds the number of enrollment openings as determined by the rated capacity calculation.

d. Intra-district applications for transfer are available from the Tulare Joint Union High School District office, 426 North Blackstone Street, Tulare or are available to print out online at [www.tjuhsd.org](http://www.tjuhsd.org).

e. All transfer requests approved by the Board are restricted to that student only and **does not apply to any younger siblings in the family as they enter high school**.

**Intradistrict Transfers Requests**

a. For **2022-2023** the Board will consider intra-district transfer requests only under the following conditions:

1. Ed. Code § 35160.5
2. Siblings – In order to qualify for an intra-district transfer based on the sibling condition, a family must have at least two children in a high school at the same time. Once the chain is broken, a student must attend the high school assigned to their attendance area.
3. Staff Member Student as per Administrative Regulation (AR 5116.1).
4. Space Available at a particular site.

**Interdistrict Transfers**

California law allows two or more school districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each.
The agreement must specify the terms and conditions under which transfers are permitted or denied. Districts of residence may not deny a transfer of a student whose parent is active duty military where the district of proposed enrollment approves the application. No district is required to provide transportation to a student who transfers into the district. If either district denies a transfer request, a parent may appeal that decision to the county board of education within 30 calendar days from the date of the final denial. There are specified timelines in the law for the county board of education to make a decision. See Appendix for the District’s policy on Interdistrict Transfers.

Residency Requirements (Ed. Code §§ 48200, 48204, 48204.3, 48204.4, 48206.3, 48207, 48208, 48853.5, 48980)

The District desires to admit all students who reside within the District boundaries or who fulfill the District residency requirements through other means as allowed by law. A student shall be deemed to have complied with the District’s residency requirements if any of the following are met:

**Residency** - The student’s parent or legal guardian resides within the District’s boundaries.

**Children of Military Service Members** - The student’s parent or legal guardian is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. The District must accept applications by electronic means for enrollment, including enrollment in a specific school or program within the District, and for course registration. The parent must provide proof of residency in the District within 10 days after the published arrival date provided on official documentation.

**Licensed Children’s Institution, Foster Home, or Family Home** - The student is placed within the District’s boundaries in a regularly established licensed children’s institution, a licensed foster home, or a family home pursuant to court order.

**Foster Children** - The student is a foster child who remains in his or her school of origin. When a student’s foster student status is terminated by the juvenile court during the school year, former foster students in grades K through eighth must be allowed to finish the school year in his or her school of origin. Former foster students in grades ninth through twelfth must be allowed to continue attending their schools of origin through graduation.

**Emancipated Minor** - The student resides within the District’s boundaries and whose parent or legal guardian has been relieved of responsibility, control, and authority through emancipation.

**Caregiving Adult** - The student lives with a caregiving adult within the District’s boundaries and the caregiving adult submits an affidavit to that effect.

**State Hospital** - The student resides in a state hospital located within the District’s boundaries.

**Parent’s Employment** - The Student’s parent or legal guardian resides outside of the District’s boundaries but is employed within the District’s boundaries and lives with the student at the place of employment for a minimum of three days during the school week.

**Students of Detained or Deported Parents** - The student’s parent has departed California against his or her will, and the student can provide official documentation evidencing the departure; and the student moved outside of California as a result of his or her parent leaving the state against his or her will, and the student lived in California immediately before moving outside the state. The student must provide evidence of enrollment in a California public school immediately before moving outside the state. Deported parents may designate another adult to attend school meetings and to serve as an emergency contact. No charges or fees of any kind may be required for admission or attendance in these circumstances. This law applies to parents who were: (1) in the custody of a government agency and were transferred to another state; (2) subject to a lawful removal order and who were removed or were permitted to leave California voluntarily before being removed; and (3) subject to any additional circumstances consistent with these purposes, as determined by the District.

The District may deem a student to have met residency requirements for school attendance if at least one parent or legal guardian of the student is physically employed within the boundaries of that district for a minimum of 10 hours during the school week, subject to the right of the district of residence or the district of employment to prohibit the transfer on various grounds provided for in Education Code section 48204(b), paragraphs (2) to (6).
The District is not required to admit the student to its school based on the employment of the parent, but it may not refuse to admit the student on the basis of race, ethnicity, sex, parental income, scholastic achievement, or any other arbitrary consideration. Once a student has been deemed to have residency and is enrolled in the District on this basis, the student does not have to reapply in the next school year to attend a school within the District, and the governing board shall allow the student to attend school through the 12th grade in the District if the parent so chooses and if at least one parent continues to be physically employed in the District.

**Temporary Disability (Ed. Code §§ 48206.3, 48207, 48207.3, 48208, 48980)**

A student whose temporary disability makes school attendance impossible or inadvisable must receive individual instruction either at home provided by the school district in which the student resides or in a hospital or other residential health facility, excluding state hospitals, provided by the school district in which the hospital or residential facility is located. “Temporary disability” means a physical, mental or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program to which the student can reasonably be expected to return. “Temporary disability” does not include a disability that would qualify a student as a “student with exceptional needs” under Education Code section 56026.

A student with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, located outside of the district in which the student’s parent resides, complies with the school district’s residency requirements for school attendance in the school district in which the hospital is located. Once the parent has notified the district in which the hospital is located of the student’s presence in the qualifying hospital, the district has five working days to notify the parent if individualized instruction shall be made available. If the determination is positive, individualized instruction will begin within five working days.

Students enrolled in individual instruction in a hospital or other residential health facility for a partial week, are entitled to attend school in his or her school district of residence, or to receive individual instruction provided by the school district of residence in the student’s home, on days in which he or she is not receiving individual instruction in a hospital or other residential health facility, if he or she is well enough to do so.

When a student receiving individual instruction is well enough to return to school, he or she must be allowed to return to the school that he or she attended immediately before receiving individual instruction was initiated. Absences from the student’s regular school program due to the student’s temporary disability are excused until the student is able to return to the regular school program.

**Students in Active Military Families - Residency Retention and Matriculation (Ed. Code §§ 48204.6, 48980)**

A student living in the household of an active duty military service member must be allowed to continue attending the student’s school of origin for the remainder of the school year if the family moves.

A student from an active duty military family who is transitioning between school grade levels must be allowed to continue in the school district of origin and in the same attendance area of his/her school of origin. If the student is transitioning to middle school or high school, and the school designated for matriculation is in another school district, the local educational agency must allow the student to continue to the school designated for matriculation in that school district. The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended, or if the student is unable to produce clothing or records normally required for enrollment.

If the parent or legal guardian’s military service ends during the school year, then the student is allowed to stay in his or her school of origin for the remainder of the school year if he or she is in grades 1-8, or through graduation if the student is in high school.

**Migratory Children - Residency Retention and Matriculation (Ed. Code §§ 48204.7, 54441)**

A currently migratory child is a child who has moved from one school district to another in order that the child, parent, or immediate family member might secure temporary or seasonal employment in an agricultural or fishing activity. A currently migratory child must be allowed to continue attending the student’s school of origin, regardless of any change of resident during that school year, for the duration of the student’s status as a currently migratory child. A currently migratory child who is transitioning between school grade levels must be allowed to continue in the school district of origin and in the same attendance area of his/her school of origin. If the student is transitioning to middle school or high school, and the school designated for matriculation is in another school district, the local educational agency must allow the student to continue to the school designated for matriculation in that school district.
The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended, or if the student is unable to produce clothing or records normally required for enrollment.

If the student’s status as a currently migratory child ends during the school year, then the student is allowed to stay in his or her school of origin for the remainder of the school year if he or she is in grades 1-8, or through graduation if the student is in high school.

**Immigration Enforcement - "Know Your Rights" (Ed. Code § 234.7)** - All students have the right to a free public education, regardless of immigration status or religious beliefs. For more information, please see the resources developed by the California Attorney General at [https://www.oag.ca.gov/immigrant/rights](https://www.oag.ca.gov/immigrant/rights).

**Notice of Alternative Schools (Ed. Code § 58501)** - California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
2. Recognize that the best learning takes place when the student learns because of his desire to learn.
3. 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.
4. Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
5. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, student, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance 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.

**Transfer of Student Convicted of Violent Felony or Misdemeanor (Ed. Code §§ 48929, 48980)**

The District’s governing board has adopted Board Policy 5116.2 that allows for the transfer of students who have been convicted of violent felonies and designated misdemeanors to another school within the District if the offending student and the victim of the crime are enrolled at the same school, if certain requirements are satisfied.

**Transfer of Victims of Bullying (Ed. Code § 46600)**

School districts must approve the request of a bullying victim, as defined, to transfer to another school within the district. If the requested school is at capacity, the school district must accept a request for an alternate site. If the school district of residence has only one school available, the school district of residence must honor the student’s interdistrict transfer request if the school district of proposed enrollment approves the transfer.

3. **COMPLAINTS**

**Uniform Complaint Procedures (Ed. Code §§ 262.3, 33315; 5 C.C.R. §§ 4610, 4622, 4632)**

The District has established Uniform Complaint Procedures (“UCP”) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees, and the non-compliance of the District’s Local Control and Accountability Plan. See Appendix for the District’s UCP.

The UCP addresses all allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified in Education Code section 200 and 200, and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis or a person’s association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the District that if funded directly by, or that receives or benefits from any state financial assistance. The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Adult Education
- After School Education and Safety
The Assistant Superintendent of Human Resources shall receive and investigate complaints submitted under the District’s UCP and ensure District compliance with the law. For more information concerning the filing of uniform complaints, copies of the Board Policies and Administrative Regulations pertaining to the District’s UCP are available free of charge upon request at the school office.

Except for complaints submitted under the District’s Williams Complaint Procedures, a complainant may appeal a decision made under the District’s UCP to the California Department of Education by filing a written appeal within 30 days of receiving the decision. The appeal must be accompanied by a copy of the complaint filed with the District and a copy of the District’s decision.

A complainant may pursue available civil law remedies outside of the District’s UCP. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable.

Uniform Complaint Procedures - Specific Complaints (Ed. Code §§ 48853, 48853.5, 49010, 49011, 49013, 49069.5, 51225.2, 52075; 5 C.C.R. § 4630)

Complaints alleging non-compliance with specific state laws identified below may be submitted under the District’s UCP. If a complainant is not satisfied with the District’s decision, the complainant may appeal to the California Department of Education and will receive a written decision within 60 days.

Pupil Fees - A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following: (1) a fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit; (2) a security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment; and (3) a purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity. A complaint alleging the imposition of pupil fees for participation in educational activities may be filed at the school’s principal under the UCP not later than one year from the date the alleged violation occurred. A complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

Local Control Accountability Plan - School districts, charter schools and county offices of education are required to adopt and annually update their Local Control Accountability Plans (“LCAPs”). A complaint alleging noncompliance with the LCAP may be filed under the District’s UCP and may be filed anonymously. A complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.
Graduation and Coursework Requirements for Foster Youth, Homeless Students, Former Juvenile Court Students, Students Living in Active Duty Military Households, and Migratory and Newly Arrived Immigrant Students Participating in a “Newcomer Program.” - State law outlines the rights afforded to students in foster care, who are homeless, who are former juvenile court school students, students living in the household of a parent who is an active duty member of the military, and migratory and newly arrived immigrant students participating in a “Newcomer Program,” which is a program designed to meet the academic and transitional needs of newly arrived immigrant students including, but not limited to, rights regarding a student’s school of origin, enrollment, credits, graduation, college, discipline, records, and/or certain non-educational rights. A notice summarizing the rights of foster youth is available online through the California Department of Education at http://www.cde.ca.gov/ls/pf/fy/documents/fosteryouthrights.pdf.

Special Education Program Complaints (5 C.C.R. §§ 3200-3205)

Complaints regarding special education programs are no longer covered by the District’s Uniform Complaint Procedures. Please refer to the Notice of Procedural Safeguards, Special Education Rights or Parents and Children under the IDEA and the California Education Code, which is available from your child’s school or may be accessed here: https://www.cde.ca.gov/sp/se/qa/pseng.asp, for more information about filing a complaint. Complaints alleging that a student was discriminated against due to his or her disability still fall under the Uniform Complaint Procedures.

Lactation Accommodations for Parenting Students (Ed. Code § 222)

A school operated by a school district or a county office of education, the California School for the Deaf, the California School for the Blind, and a charter school must provide reasonable accommodations to a lactating student on a school campus to express milk, breast-feed an infant child, or address other needs related to breastfeeding. Reasonable accommodations under this section include, but are not limited to, all of the following:

- Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child.
- Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
- Access to a power source for a breast pump or any other equipment used to express breast milk.
- Access to a place to store expressed breast milk safely.
- A reasonable amount of time to accommodate the need to express breast milk or breast-feed an infant child.

A student may not incur an academic penalty as a result of her use of reasonable lactation accommodations and must be provided an opportunity to make up any work missed due to such use.

A complaint of noncompliance with the requirements of this provision may be filed under the District’s Uniform Complaint Procedures. Complainants not satisfied with the District’s decision may appeal the decision to the California Department of Education and receive a written decision within 60 days. If the District finds merit in a complaint, or if the Superintendent finds merit in an appeal, the District will provide a remedy to the affected student.

Pregnant and Parenting Student Rights (Ed. Code §§ 221.51, 46015)

The District cannot apply any rule concerning a student’s actual or potential parental, family, or marital status that treats students differently on the basis of sex. The District cannot exclude or deny any student from any educational program or activity, including class or extracurricular activity, solely on the basis of the student’s pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom. The District may require any student to obtain the certification of a physician or nurse practitioner that the student is physically and emotionally able to continue participation in the regular education program or activity.

Pregnant or parenting students cannot be required to participate in pregnant minor programs or alternative education programs. Pregnant or parenting students who voluntarily participate in alternative education programs will be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program. The District must treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disabling condition.

Pregnant or parenting students are entitled to eight weeks of parental leave, which the student may take before the birth of the student’s infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant.
The student, if the student is 18 years of age or older, or, if the student is under 18 years of age, the person holding the right to make educational decisions for the student, shall notify the school of the student’s intent to exercise this right. Failure to notify the school shall not reduce these rights. A pregnant or parenting student who does not wish to take all or part of the parental leave to which he or she is entitled shall not be required to do so. A pregnant or parenting student is entitled to receive more than eight weeks of parental leave if deemed medically necessary by the student’s physician.

When a student takes parental leave, the supervisor of attendance shall ensure that absences from the student’s regular school program are excused until the student is able to return to the regular school program or an alternative education program. During parental leave, the District shall not require a pregnant or parenting student to complete academic work or other school requirements.

A pregnant or parenting student may return to the school and the course of study in which he or she was enrolled before taking parental leave. Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.

Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the school in which the student was previously enrolled when it is necessary in order for the student to be able to complete state and any local graduation requirements, unless the District makes a finding that the student is reasonably able to complete the District’s graduation requirements in time to graduate from high school by the end of the student’s fourth year of high school.

A student who chooses not to return to the school in which he or she was enrolled before taking parental leave is entitled to alternative education options offered by the District. A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.

A student shall not incur an academic penalty as a result of his or her use of these accommodations. A complaint of noncompliance with these requirements by be filed with the District under its UCP.

**Williams Complaint Procedures (Ed. Code § 35186; 5 C.C.R. §§ 4680, 4681)**

The District’s Williams Complaint Procedures address the sufficiency of instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancies or misassignments. See Appendix for the District’s Williams Complaint Procedures - Administrative Regulation 1312.4. The school principal, or the designee of the Superintendent, shall make all reasonable efforts to investigate complaints submitted under the District’s Williams Complaint Procedures.


State and/or federal law prohibit discrimination in the basis of race, color, national origin, or sex in federally financed education programs or activities. District programs and activities shall be free from discrimination, including harassment, intimidation, and bullying, based on any of the following actual or perceived characteristics:

- Age
- Ancestry
- Color
- Ethnicity
- Ethnic group identification
- Gender, including a person’s gender identity and gender expression, which is a person’s gender-related appearance and behavior whether or not stereotypically associated with a person’s assigned sex at birth
- Genetic information
- Immigration status
- Lack of English skills
- Marital, family, or parental status
- Nationality or national origin
- Physical or mental disability
- Race
- Religion or religious creed, including agnosticism, atheism, and all aspects of religious belief, observance, and practice
- Sex, including discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions, or denial of lactation accommodations for lactating students
- Sexual orientation, including heterosexuality, homosexuality, and bisexuality
Harassment, intimidation, or bullying based upon a person’s association with a person or group with one or more of these actual or perceived characteristics is also prohibited. Any questions or concerns about noncompliance can be directed to Assistant Superintendent of Human Resources, Address: 426 North Blackstone, Tulare, California 93274, Office: (559) 688-2021. See Appendix for the District’s policy on Nondiscrimination/Harassment – BP 5145.3.

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against qualified disabilities individuals in federally financed education programs or activities. The District does not discrimination in admission or access to its programs or activities. In the event of a complaint regarding discrimination based upon an actual or perceived mental or physical disability, please contact the District’s Assistant Superintendent of Human Resources, Address: 426 North Blackstone, Tulare, California 93274, Office: (559) 688-2021.

Sexual Harassment Policy (Ed. Code § 231.5, 48980; 5 C.C.R. § 4917)

See Appendix for the District’s policy on sexual harassment.

4. **DISCIPLINE**

**Rules; School Discipline (Ed. Code §§ 35291, 48980)**

The District’s Governing Board has adopted rules and regulations pertaining to student discipline, including Board Policies: 5144, 5144.1, and 5114.2 and Administrative Regulations: 5144 and 5144.2. Parents may request a copy of such rules and regulations.

**Required Parental Attendance (Ed. Code §§ 48900.1, 48914)**

Parents may be required to attend their student's class if he or she is suspended for unruly or disruptive conduct.

5. **FACILITIES AND SAFETY**

**Management Plan for Asbestos-Containing Material (40 C.F.R. §§ 763.84, 763.93)**

The District has, available upon request, a complete and updated management plan for asbestos-containing material.

**Use of Pesticide Products (Ed. Code §§ 48980.3, 17611.5, 17612)**

All schools are required to provide parents with annual notice of expected pesticide use at schools. See Appendix for a List of Pesticide Products, including name of each pesticide product, active ingredient(s) and the Internet address for further information. Please contact Director of Maintenance and Operations at the District Office at (559) 688-2021, if you wish to receive written notification at least 72 hours prior to the application of an individual pesticide at your school.

Each school will maintain a list of parents who want to be notified before individual pesticide applications are made. Prior to the application of any pesticide, the District will post a warning sign at the area to be treated at least 24 hours prior to the pesticide application and such sign will remain posted for at least 72 hours after the application. In the event of an emergency condition, advance notification and prior sign posting may not be feasible, but a warning sign will be posted immediately upon application of the pesticide.

Parents may view a copy of the school’s integrated pest management plan at the school site office. You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation’s School IPM Web site at: http://www.schoolipm.info. If you have any questions, please contact the Tulare Joint Union High School District at (559) 688-2021.

6. **HEALTH & IMMUNIZATIONS**

**Administration of Prescribed Medication (Ed. Code §§ 48980, 49423, 49480)**

Any student who is required to take, during the regular school day, medication prescribed for him or her by a physician and surgeon or ordered for him or her by a physician assistant, may be assisted by the school nurse or other designated school personnel if the District receives the following: (1) a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and (2) a written statement from the student’s parent, indicating the desire that the District assist the student in the matters set forth in the statement of the physician and surgeon or physician assistant. These written statements must be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.
Any student who is required to take, during the regular school day, medication prescribed for him or her by a physician and surgeon or ordered for him or her by a physician assistant, may carry and self-administer prescription auto-injectable epinephrine if the District receives the following: (1) a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine, and (2) parent written consent to the self-administration, a release for the school nurse or other designated school personnel to consult with the health care provider of the student regarding any questions that may arise with regard to the medication, and an agreement to release the District and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication. These written statements must be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes. Students may be subject to disciplinary action pursuant to Education Code section 48900 for using auto-injectable epinephrine in a manner other than as prescribed.

Parents of any student on continuing medication for a non-episodic condition must inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage and the name of the supervising physician. With parent consent, the school nurse may communicate with the student’s physician and may counsel school personnel regarding the possible effects of the drug, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

**Inhaled Asthma Medication (Ed. Code § 49423.1)**

Any student who is required to take, during the regular school day, medication prescribed for him or her by a physician or surgeon, may be assisted by the school nurse or other designated personnel if the District receives the following: (1) a written statement from the physician or surgeon detailing the medication name, method, amount, and time schedules by which the medication is to be taken, and (2) a written statement from the student’s parent requesting that the District assist the student in the administration of medication set forth in the physician or surgeon’s written statement. These written statements must be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.

Any student who is required to take, during the regular school day, medication prescribed for her or her by a physician or surgeon, may carry and self-administer inhaled asthma medication if the District receives the following: (1) a physician or surgeon's written statement confirming that the child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedules for administration, and (2) parent written consent to the self-administration, a release for the school nurse or other designated school personnel allowing them to consult with the student's physician, and an agreement to release the District and school personnel from civil liability in the event of an adverse reaction as a result of self-administering medication. These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. Students may be subject to disciplinary action pursuant to Education Code section 48900 for using inhaled asthma medication in a non-prescribed manner.

**Physical Examination Exemptions (Ed. Code §§ 48980, 49451)**

Parents may exempt their student from physical examinations at school by annually filing a written statement with the school principal refusing such an exam. However, when there is a good reason to believe that a student exempted from physical examination is suffering from a recognized contagious or infectious disease, he or she will be sent home and will not be permitted to return to school until school authorities are satisfied that any contagious or infectious disease does not exist.

**Student Insurance**

The district **DOES NOT** carry student health or accident insurance. This district does, however, make available a reasonably-priced individual student accident policy and **strongly urges** parents/guardians to invest in this policy if other family insurance is unavailable. *(Education Code: 49472)*

**Mental Health Services for Students (Ed. Code § 49428)**

Student mental health services are available through the school’s psychologist and social worker by contacting the school’s counseling office or through **Tulare Youth Services Bureau (TYSB)**, **Address**: 327 South “K” Street, Tulare, California, 93274, **Phone**: (559) 686-9772.
Immunizations and Control of Communicable Disease (Ed. Code §§ 49403, 48216, 48980; H. & S. Code §§ 120335, 120370, 120372)

The District cooperates with the local health officer in the control and prevention of communicable diseases in school-age children. If a parent consents in writing, the District may permit any person licensed as a physician and surgeon, or a health care practitioner (including a physician assistant, nurse practitioner, registered nurse, licensed vocational nurse, or nursing student who is acting under the supervision of a registered nurse as provided by law) who is acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to his/her student.

Students must be immunized against certain diseases before being admitted to school, unless exempted for medical reasons. Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016, are exempt from the immunizations requirement until they complete the “grade span” they were in as of January 1, 2016. Grade spans are: (1) birth through preschool, (2) Kindergarten through 6th grade, and (3) 7th through 12th grade. Students entering the District for the first time or advancing to 7th grade after July 1, 2016 are no longer exempt from immunizations based on their religious or personal beliefs. Students who had a medical exemption issued before January 1, 2021 will be allowed continued enrollment until they enroll in the next grade span. The District must exclude from school any student who does not supply evidence of inoculation (for any of the diseases listed in Health & Safety Code section 120335), and will notify the parent that he/she has two weeks to supply evidence that the student is immunized.

Students who have a medical exemption issued before December 31, 2020 will be allowed continued enrollment until they enroll in the next grade span. As of January 1, 2021, the District will only accept medical exemptions that are submitted on the California Department of Public Health’s standardized, statewide medical exemption certification form.

Child Nutrition: School Meals (Ed. Code §§ 49510-49520, 48980)

The Tulare Joint Union High School District has adopted the Community Eligibility Provision (CEP) and serves one free breakfast and one free lunch per day to all enrolled students.

Child Nutrition Program Complaints (5 C.C.R. §§ 15580-15584)

Complaints related to Child Nutrition Programs established pursuant to the National School Lunch Program, Summer Food Service Program, Child and Adult Care Food Program, Special Milk Program, School Breakfast Program, and Food Distribution Program are no longer processed through the LEA’s Uniform Complaint Procedures. Instead, complaints must be processed through the existing procedures outlined in the federal regulations and the new, related state regulations, California Code of Regulations, title 5, sections 15580-15584. A complaint must be submitted within one year of the date of the alleged violation, and may be filed by phone, e-mail, or letter. Please see California Code of Regulations, title 5, sections 15580-15584 for more information.

7. INSTRUCTION

Minimum and Staff Development Days (Ed. Code § 48980)

See Appendix for the District’s pupil-free staff development day and minimum day schedule. A student’s parent will be notified during the school year of any additional minimum days or pupil-free staff development days no later than one month before the actual date.

Career Counseling and Course Selection (Ed. Code § 221.5)

Counselors, teachers, instructors, administrators, and aides may not, on the basis of a student’s sex, offer vocational or school program guidance to the student that is different from that offered to a student of the opposite sex in counseling, nor may a counselor differentiate career, vocational, or higher education opportunities on the basis of the sex of the student counseled. Any District personnel acting in a career counseling or course selection capacity shall affirmatively explore with the student the possibility of careers or courses leading to careers that are nontraditional for that student’s sex.

Right to Refrain from the Harmful or Destructive Use of Animals (Ed. Code § 32255 et seq.)

Any student with a moral objection to dissecting, harming, or destroying animals shall notify his/her teacher regarding this objection. An alternative education project may be arranged if the teacher believes the alternative education project can provide the course of study in question. The alternative requires a comparable amount of time and effort but must not be more arduous than the original project. The District requires a signed note from a parent indicating their child’s objection.

Students with exceptional needs have a right to a free appropriate public education in the least restrictive environment. The District wants to locate, identify, and assess all children with disabilities whether homeless, wards of the state or enrolled in public or private schools. Parents should inform school officials if they have reason to believe their child has a disability requiring special services or accommodations. The child will be evaluated to determine whether he/she is eligible for free special instruction or services.

Excuse from Health Instruction Based on Religious and Moral Grounds (Ed. Code § 51240)

Upon written request of a parent, a student shall be excused from any part of health instruction that conflicts with his/her religious training and beliefs (including personal moral convictions).

Comprehensive Sexual Health Education and HIV/AIDS Prevention (Ed. Code §§ 51938, 51939, 48980)

A parent has the right to excuse his or her child from all or part of comprehensive sexual health education, HIV/AIDS prevention education, and assessments related to that education, as follows:

A parent may request in writing that his/her student be excused from participating in HIV/AIDS prevention or comprehensive sexual health education. Students so excused by their parent shall be given an alternative educational activity.

Parents may inspect the written and audio-visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them a copy of Education Code sections 51930-51939.

Every student’s parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified. Parents have a right to request that the District provide them a copy of Education Code sections 51933, 51934, and 51938.

Anonymous, voluntary and confidential research and evaluation tools to measure students’ health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the students’ attitudes concerning or practices relating to sex may be administered to pupils in grades 7-12. Parents will be notified in writing and given the opportunity to review such tests, questionnaires and surveys and be informed that in order to excuse their student, they must state their request in writing. If a school receives a written request from a parent excusing a student from this activity, the student may not be subject to disciplinary action, academic penalty or other sanction and an alternative educational activity must be made available to the student.


No test, questionnaire, survey, or examination which has questions about a student’s or his/her parents’ beliefs and practices in sex, family life, morality, religion, political affiliations or beliefs, illegal, anti-social, self-incriminating, or demeaning behavior, mental or psychological problems, legally recognized privileged relationships (such as lawyer, physician, or minister), critical appraisals of individuals with whom you have close family relationships, or income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) shall be administered without prior notification and written permission of the parent. Parents may inspect all instructional materials, including teacher's manuals, films, tapes or other supplementary material to be used in connection with any survey, analysis or evaluation.

California Assessment of Student Performance & Progress (CAASPP) (Ed. Code §§ 60604, 60615, 60640; 5 C.C.R. § 852.)
Each year, parents will be notified regarding their student’s participation in the CAASPP assessment system. Parents wanting to excuse their students from any or all parts of the CAASPP must submit a written request. Such written requests must be submitted to the school on an annual basis.

**Notification of Potential Failing Grade (Ed. Code §§ 49063, 49067)**

Parents will be notified when a teacher has determined that your student is in danger of failing a course.

**Teacher and Paraprofessional Qualifications (20 U.S.C. § 6312)**

Upon request, parents have a right to request information regarding the professional qualifications of the classroom teachers who instruct their student. Federal law allows parents to request the following information: (1) If the student’s teacher has met the state credential or license criteria for grade level and subject matter taught; (2) If the student’s teacher is teaching under an emergency or other provisional status because of special circumstances; (3) If the teacher is teaching in the field of discipline of the certification of the teacher; and (4) If the student is receiving services from paraprofessional and, if so, their qualifications.

8. **RECORDS**

**Student Records Policy (Ed. Code §§ 49063, 49064; 5 C.C.R. § 432)**

The District maintains mandatory permanent (kept indefinitely) and interim (may be destroyed after a stipulated length of time) student records. Mandatory permanent student records include the student’s legal name; date of birth; method of verification of birth date; sex of student; name and address of parent of minor student; address of minor student if different from the above and annual verification of parent/guardians’ name and address and students residence; entering and leaving date of each school year and for any summer session or other extra session; subjects taken during each year, half-year, summer session, or quarter; if marks or credit are given, the mark or number of credits toward graduation allows for work taken; verification of or exemption from required immunizations; and date of high school graduation or equivalent. Mandatory interim student records include Suspension and Expulsion Due Process, a log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record; health information, including Child Health Developmental Disabilities Prevention Program verification or waiver; participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge; language training records; progress slips and/or notices; parental restrictions regarding access to directory information or related stipulations; parent or adult student rejoinders to challenged records and to disciplinary action; parental authorizations or prohibitions of student participation in specific programs; and results of standardized tests administered within the preceding three years and written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student’s best interest to remain in independent study. In addition, permitted student records (may be destroyed when no longer useful) are kept. Permitted student records include objective counselor and/or teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavioral patterns, all disciplinary notices, and attendance records.

The following position is responsible for maintaining all student records:

(Principal and/or designee) is the official responsible for the maintenance of each type of student record. Copies of the above records may be obtained by the parent/guardian by contacting the school’s Counseling Office.

An access log or record of who has requested or received information from a student’s records is kept at the same location as the records. The Education Code and the District’s Administrative Regulation 5125 set forth the criteria under which school officials and employees may access, change, or delete information in a student’s records.

**Parent Access to Records (Ed. Code §§ 49063, 49065, 49069, 49070, 56504; 34 C.F.R. § 99.7)**

Parents of currently enrolled or former students have an absolute right of access to any and all student records related to their children that are maintained by the District. Parents have the right to inspect and review their children’s student records during regular school hours within five business days of a request. The District may charge parents a reasonable fee not to exceed the actual copying cost for reproducing copies of student records.

Parents may challenge the content of a student record if there is an inaccuracy, an unsubstantiated personal conclusion or inference, a conclusion or inference outside of the observer’s area of competence, a comment not based on the personal observation of a named person with the time and place of the observation noted, or if the student record includes misleading information or violates the student’s privacy or other rights. The Superintendent or designee will meet with the parent and the certificated employee who recorded the information in question, if any, and presently employed by the District, within 30 days. The Superintendent will determine whether to sustain or deny the allegations.
If the challenge is sustained, the changes will be made. If the challenge is denied, the parent may appeal the decision in writing to the District’s governing board within 30 days of the refusal. The District’s governing board will determine whether to sustain or deny the allegations within 30 days of receipt of an appeal. The decision of the District’s governing board is final. The Superintendent and the District’s governing board cannot order a student’s grade to be changed unless the teacher who determined the grade is given an opportunity to state the reasons for which the grade was given and is included in all discussions relating to changing the grade.

Curriculum Review (Ed. Code §§ 49063, 49091.14)

A prospectus of curriculum, including titles, descriptions, and instructions aims of every course offered, is available at the school site for parent review upon request. Copies are available for a reasonable fee not to exceed the actual copying cost.


The District may share student records with school officials and employees who have a legitimate educational interest. “School officials and employees” and “legitimate educational interest” are defined in the attached Administrative Regulation 5125.


Federal and state law require that the District obtain parent written consent prior to the disclosure of personally identifiable information contained in a student's records, except to the extent disclosure without consent is permitted by law (e.g. subpoena or court order). However, the District may disclose directory information without parental consent to certain entities. Directory information released to; law enforcement agencies, employers and prospective employers, news media, may include: student’s name, address, telephone number, date of birth, email address, 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, most recent educational agency or institution attended. Upon request by a military recruiter or an institution of higher education, the District must give the requester the names, addresses, and telephone numbers of its secondary students.

If you do not want the district to disclose directory information from your child's education records without your prior written consent, you must notify the district in writing by September 30, 2021. The district has designated the following information as directory information:

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

The district also may disclose your child's student identification number, user identification, or other unique personal identifier used to communicate in electronic systems, provided it cannot be used to access education records without a personal identification number (PIN), password, or other factor that only the authorized user knows. Your child's social security number will not be used for this purpose.

Directory information does not include your child's citizenship status, immigration status, place of birth, or any other information indicating national origin. The district will not disclose such information without your consent or a court order.
The District will not release directory information pertaining to a homeless student, unless a parent or student accorded parental rights has provided written consent that the directory information may be released.

Transfer of Student Records (Ed. Code § 49068; 34 C.F.R. §§ 99.7, 99.34)

The District will forward student records, including transcripts, immunization records, and, when applicable, suspension notices, expulsion records, and individualized education programs, to other school districts that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.


Parents have the right to file a complaint with the U.S. Department of Education concerning an alleged failure by the District to comply with the requirements of the General Education Provisions Act or FERPA. The name and address of the office that administers FERPA are:

Student Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

9. High School

Modified Closed Campus - Administrative Regulation 5112.5

The following regulations shall be observed in the implementation of the modified-closed campus plan.

1. Parents/guardians shall be notified of the closed campus plan at the beginning of each school year.

2. Ninth and tenth graders shall remain on campus during the lunch hour, with the exception of #3 below.

3. Parents/guardians may request permission for their ninth or tenth grade child to go home for lunch provided adult supervision is present.

4. Eleventh and twelfth graders shall be permitted to go off campus during the lunch hour as long as they maintain acceptable attendance, discipline records, and are on track to graduate.

   a. For Juniors – On track to graduate includes at least 100 credits at the beginning of the first semester and 130 credits at the beginning of the second semester.

   b. For Seniors – On track to graduate includes at least 160 credits at the beginning of the first semester and 190 credits at the beginning of the second semester.

5. Students who fail to maintain good attendance and discipline records may have their off campus privilege suspended.

6. Students (grades 9-12) will not be permitted to leave campus during the morning break period unless permission is granted by the administration.

The District, Board members and district employees shall not be liable for the conduct and safety of students who leave school grounds during the lunch period. (Education Code 44808.5)

The Principal of each high school shall be responsible for the annual preparation, implementation and evaluation of the school's modified closed campus program.

The Principal may revoke the off campus privilege to any or all students at any time. The principal shall submit a report to the Superintendent or designee indicating the nature and scope of the problem and a procedure for reviewing and resolving the problem.

The Superintendent shall notify the Board of Trustees of any campus closure.

College Admission Requirements/Career Technical Education (Ed. Code §§ 51229, 66204)
University of California:
The University of California (UC) has three paths to eligibility for graduating high school seniors who plan to attend:

1. Eligibility by Examination Alone – Students must achieve specified high scores on their college admissions tests.
2. Eligibility in the Local Context (ELC) – Students must rank in the top four percent of their graduating class at a participating California high school.
3. Eligibility in the Statewide Context – Students must complete specific coursework and college admissions tests and earn the required GPA and test scores.

The following website links provide more information regarding UC admission requirements:
http://www.admission.universityofcalifornia.edu/
http://www.admission.universityofcalifornia.edu/freshman/requirements/

California State University:
The California State University (CSU) system has A-G standards that must be met in each of the following areas:

1. Specific high school courses
2. Grades in specified courses and test scores
3. Graduation from high school

The following website link provides more information regarding the CSU admission requirements:
http://www.csumentor.edu/planning/high_school/

Career Technical Education:
Career Technical Education is a program of study that involved a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers.

The following website link provides more information regarding Career Technical Education:
https://www.cde.ca.gov/ci/ct/

Guidance Counseling:
Students may meet with guidance counselors at their school to discuss college admissions requirements and/or to enroll in career technical education courses.

State Funds for Advanced Placement Exams (Ed. Code §§ 48980)
The District may help pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged students pursuant to Education Code section 52242.

Cal Grant Program / Student Opt-Out (Ed. Code § 69432.9)
Students will automatically be deemed Cal Grant applicants unless the parent, or the student if the student is 18 years or older, opts out by December 20, 2021, during the student’s eleventh grade year. Eleventh graders who are 18 years or older and parents of minor eleventh graders may contact their Counselor with specific questions if they do not want their grade point averages reported to the California Student Aid Commission (CSAC) for purposes of the Cal Grant Program. Our district high schools plan to first submit senior grade point averages to CSAC on October 1, 2021. Our district high schools must first submit senior grade point averages to CSAC no later than October 1 of each year.
APPENDIX

1. BP 0410 Nondiscrimination in District Programs and Activities
2. BP 1312.3 Uniform Complaint Procedures
3. AR 1312.3 Uniform Complaint Procedures
4. E 1312.3 Uniform Complaint Procedures
5. AR 1312.4 Williams Complaint Procedures
6. E(1) 1312.4 Williams Complaint Procedures
7. E(2) 1312.4 Williams Complaint Procedures
8. BP 4033 Lactation Accommodation
9. AR 4119.11 Sexual Harassment
10. AR 4219.12 Sexual Harassment
11. BP 5117 Interdistrict Transfers
12. AR 5117 Interdistrict Transfers
13. AR 5125 Student Records
14. BP 5145.3 Nondiscrimination/Harassment
15. AR 5145.3 Nondiscrimination/Harassment
16. BP 5145.7 Sexual Harassment
17. AR 5145.7 Sexual Harassment
18. AR 5145.71 Title IX Sexual Harassment
19. AR 6020 Parent Involvement
20. Adopted School Calendar 2021-2022 School Year
21. A Message from CHP Re: Limos
22. Asbestos
23. California Law Regarding Safe Storage of Firearms
24. Child Abuse Reporting
25. COVID-19 Symptoms
27. Drug and Alcohol Policy Awareness
28. Mandatory Response and Photo/Name Release Agreement
29. McKinney-Vento Act Declaration Form
30. Medi-Cal Reimbursement Form
31. Migrant Education – Referral Questionnaire
32. Notification of Rights Under FERPA
33. Notification of Rights Under the Protection of Pupil Rights Amendment
34. Pesticide Use Notify
35. ProYouth Program
36. Safety Letter to Parents
37. Student Injuries and Insurance Letter
38. Tobacco Policy
39. Transportation Bus Schedule
40. Transportation Foggy Day Schedule
41. Transportation Riding the School Bus
42. Transportation Safety Plan
43. Transportation Seatbelt Requirement
44. Homeless Parent Handbook
Philosophy, Goals, Objectives and Comprehensive Plans

NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES

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

(cf. 1240 - Volunteer Assistance)
(cf. 4030 - NonDiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4033 - Lactation Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
(cf. 5131.2 - Bullying)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)
(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6178 - Career Technical Education)
(cf. 6200 - Adult Education)

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on race, gender, sexual orientation, religion, ethnicity, national origin, or immigration status or any other category identified above.

(cf. 3540 - Transportation)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5145.13 - Response to Immigration Enforcement)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other
NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the district’s policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed pursuant to Education Code 48980 and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms or other materials distributed by the district. The notification shall also be posted on the district’s website and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

In addition, the annual parental notification shall inform parents/guardians of their children's right to a free public education regardless of immigration status or religious beliefs, including information on educational rights issued by the California Attorney General. Alternatively, such information may be provided through any other cost-effective means determined by the Superintendent or designee. (Education Code 234.7)

The district’s nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school’s students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with
Nondiscrimination in District Programs and Activities

(disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

(cf. 6163.2 - Animals at School)
(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school websites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)
(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws is hereby designated as the district's ADA coordinator. He/she shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

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Legal Reference: (see next page)
NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
48980 Parental notifications
48985 Notices to parents in language other than English
51107 Legislative intent: state policy

GOVERNMENT CODE
8310.3 California Religious Freedom Act
11000 Definitions
11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act
54933.2 Brown Act compliance with Americans with Disabilities Act

PELAL CODE
422.35 Definition of hate crime
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5
4600-.-4670 Uniform complaint procedures
4900-.-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20
1400-.1482 Individuals with Disabilities in Education Act
1681-.1688 Discrimination based on sex or blindness, Title IX
2301-.2415 Carl D. Perkins Vocational and Applied Technology Act
6311 State plans
6312 Local education agency plans

UNITED STATES CODE, TITLE 29
794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42
2000d-.2000d-7 Title VI, Civil Rights Act of 1964
2000e-.2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-.2000h-6 Title IX
12101-.12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-.35.190 Americans with Disabilities Act
36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34
100.1-.100.13 Nondiscrimination in federal programs, effectuating Title VI
104.1-.104.39 Section 504 of the Rehabilitation Act of 1973
106.1-.106.61 Discrimination on the basis of sex, effectuating Title IX, especially
106.9 Dissemination of policy

Management Resources: (see next page)
NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES (continued)

Management Resources:

CSBA PUBLICATIONS
Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS
California Law Prohibits Workplace Discrimination and Harassment

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter, May 26, 2011
Dear Colleague Letter: Harassment and Bullying, October 2010
Notice of Non-Discrimination, Fact Sheet, August 2010
Dear Colleague Letter: Electronic Book Readers, June 29, 2010

NONDISCRIMINATION IN EMPLOYMENT PRACTICES IN EDUCATION, AUGUST 1991

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS
2010 ADA Standards for Accessible Design, September 2010

ACCESSIBILITY OF STATE AND LOCAL GOVERNMENT WEBSITES TO PEOPLE WITH DISABILITIES, JUNE 2003

WORLD WIDE WEB CONSORTIUM PUBLICATIONS
Web Content Accessibility Guidelines, December 2008

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
Safe Schools Coalition: http://www.casafeschools.org
Pacific ADA Center: http://www.adapacific.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr
U.S. Department of Justice, Civil Rights Division, Americans with Disabilities Act: http://www.ada.gov

TULARE JOINT UNION HIGH SCHOOL DISTRICT
Tulare, California

Policy
adopted: July 15, 2009
revised: October 4, 2012
revised: June 19, 2014
revised: November 15, 2018
Policy 1312.3: Uniform Complaint Procedures

Original Adopted Date: 07/15/2009 | Last Revised Date: 10/21/2021 | Last Reviewed Date: 10/21/2021

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.

The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200-8498)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School safety plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
23. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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

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

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

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

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
3. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
4. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education, or a due process hearing order shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
5. Any complaint alleging noncompliance of the district’s food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
6. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district’s food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
7. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)
Except as the Governing Board may otherwise specifically provide in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

Compliance Officers

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment. The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

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

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

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

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school
advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section “Complaints Subject to UCP” in the accompanying Board policy.

2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate.

3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred.

4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct.

5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

7. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process.

8. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant.

9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision.

10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable.

11. A statement that copies of the district's UCP are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

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

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

### Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.
All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4630)

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

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

4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)

5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

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

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

Mediation

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

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

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.
The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

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

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

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

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

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Investigation Report

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the investigation report at the same time it is provided to the complainant.

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

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

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

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

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

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

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

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

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

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

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

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

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

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

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

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

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

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

Appeals to the California Department of Education

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

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.
Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

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

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

For Office Use Only:

DC #: __________________
Date Recd: ________________
Rec'd By: __________________

UNIFORM COMPLAINT FORM

To file a complaint or charge against any school site/program/office or school district employee, complete and return this form (attach additional pages as needed) to the Assistant Superintendent, Human Resources, 426 North Blackstone, Tulare, CA 93274. Expect a response within 30 calendar days.

Complainant’s Name

Complainant’s Address

Daytime Phone Number

Name of school/program/office or name of employee and job location, against whom charge or complaint is directed*:

Discrimination on basis of: (Place a check next to any of the following which apply)

[ ] Age
[ ] Ancestry and/or national origin
[ ] Color
[ ] Physical/Mental Disability
[ ] Race
[ ] Religion
[ ] Sex/Gender
[ ] Sexual Preference

Summary of the complaint: (please provide as much detail as possible, including dates, times, locations, witnesses, etc.). Attach additional pages, if necessary.
UNIFORM COMPLAINT PROCEDURES (continued)

Have you discussed the complaint/charge with the school principal or employee or his/her supervisor? To whom have you spoken? (Put name(s) in space provided):

_____________________________________________________________________________________________________________________

What was the result of the discussion?

_____________________________________________________________________________________________________________________

If you desire a remedy or wish the district to take a particular course of action, please specify:

_____________________________________________________________________________________________________________________

_____________________________________________________________________________________________________________________

I understand that I will be free from retaliation for filing this complaint; that the District may request further information about this matter; and if such information is available, I shall present it upon request. I certify that the foregoing is true and correct.

Executed this _____ day of _______________, 20___, at ____________, California.

Signature: __________________________________________
WILLIAMS UNIFORM COMPLAINT PROCEDURES

Types of Complaints

The district shall use the following procedures described in this administrative regulation only to investigate and resolve the following: (Education Code 35186; 5 CCR 4680-4683)

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that:
   a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
   b. A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
   c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
   d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

(caf. 6161.1 - Selection and Evaluation of Instructional Materials)

2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that:
   a. A semester begins and a teacher vacancy exists.
   b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.

(caf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

   c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)
WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

(cf. 4112.2 - Certification)
(cf. 4113 - Assignment)

3. Complaints regarding the condition of school facilities, including any complaint alleging that:

a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)
WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 3514 - Environmental Safety)
(cf. 3517 - Facilities Inspection)

Filing of Complaint

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

Investigation and Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her at the mailing address indicated on the complaint form within 45 working days of the initial filing of the complaint. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

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

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

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

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)
WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

(cf. 1340 - Access to District Records)

Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186; 5 CCR 4686)

Forms and Notices

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (Education Code 35186)

Legal Reference: (see next page)
WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

Legal Reference:
EDUCATION CODE
234.1 Prohibition of discrimination, harassment, intimidation, and bullying
1240 County superintendent of schools, duties
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedures
35292.5 Restrooms, maintenance and cleanliness
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials
CODE OF REGULATIONS, TITLE 5
4600-4670 Uniform complaint procedures
4680-4687 Williams uniform complaint procedures

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California County Superintendents Educational Services Association: http://www.ccsesa.org
California Department of Education, Williams case: http://www.cde.ca.gov/eo/ce/wc
State Allocation Board, Office of Public School Construction: http://www.opsc.dgs.ca.gov

Regulation approved: January 20, 2011
revised: January 22, 2015

TULARE JOINT UNION HIGH SCHOOL DISTRICT
Tulare, California
WILLIAMS UNIFORM COMPLAINT PROCEDURES

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:
COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. That means each student, including an English learner, must have a textbook or instructional material, or both, to use in class and to take home.

2. School facilities must be clean, safe, and maintained in good repair.

3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

*Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

*Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

4. A complaint form can be obtained at the school office or district office, or downloaded from the school or district web site. You may also download a copy of the California Department of Education complaint form from the following web site: http://www.cde.ca.gov/re/cp/uc. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.
WILLIAMS UNIFORM COMPLAINT PROCEDURES

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES

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

Response requested?  □ Yes  □ No

Contact information: (if response is requested)

Name: ________________________________________________

Address: ________________________________________________

Phone number: Day: ___________________ Evening: ___________________

E-mail address, if any: _______________________________________

Date problem was observed: _______________________________________

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

School name/address: _______________________________________

Course title/grade level and teacher name: __________________________

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

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

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

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

□ A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

☐ A student does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.

☐ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

☐ A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)

☐ A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

☐ A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.

☐ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5; 5 CCR 4683)

☐ A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.

☐ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.

☐ The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.
WILLIAMS UNIFORM COMPLAINT PROCEDURES (continued)

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

Please file this complaint at the following location:

(principal or title of designee of the Superintendent)

(address)

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

(Signature)   (Date)
LACTATION ACCOMMODATION

The Board of Trustees recognizes the immediate and long-term health advantages of breastfeeding for infants and mothers and desires to provide a supportive environment for any district employee to express milk for her infant child upon her return to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee who chooses to express breast milk for her infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)
(cf. 4031 - Complaints Concerning Discrimination in Employment)

The district shall provide a reasonable amount of break time to accommodate an employee each time she has a need to express breast milk for her infant child. (Labor Code 1030)

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

The employee shall be provided a private location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable.

Employees are encouraged to notify their supervisor or other appropriate personnel in advance of their intent to make use of the accommodations offered for employees who are nursing mothers. As needed, the supervisor shall work with the employee to address arrangements and scheduling in order to ensure that the employees' essential job duties are covered during the break time.

Lactation accommodations may be denied only in limited circumstances in accordance with law. (Labor Code 1032; 29 USC 207)

Before an employee's supervisor makes a determination to deny lactation accommodations, he/she shall consult the Superintendent or designee. In any case in which lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

Legal Reference: (see next page)
LACTATION ACCOMMODATION (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex

CIVIL CODE
43.3 Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE
12940 Discriminatory employment practices
12945 Discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE
1030-1033 Lactation accommodation

CODE OF REGULATIONS, TITLE 2
7291.2-7291.16 Sex discrimination; pregnancy and related medical conditions

UNITED STATES CODE, TITLE 29
207 Fair Labor Standards Act; lactation accommodation

FAIR EMPLOYMENT AND HOUSING COMMISSION DECISIONS
Department of Fair Employment and Housing v. Acosta Tacos (Chavez), FEHC Precedential Decision 09-03P, 2009

Management Resources:

CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Rest Periods/Lactation Accommodation, Frequently Asked Questions

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS
Minimum Requirements of the California Lactation Accommodation Law

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
Lactation Support Program Toolkit

FEDERAL REGISTER
Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

OFFICE OF THE SURGEON GENERAL PUBLICATIONS
The Surgeon General’s Call to Action to Support Breastfeeding, 2011

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS
Fact Sheet #3: Break Time for Nursing Mothers under the FLSA, rev. December 2010

WEB SITES
California Department of Industrial Relations, Division of Labor and Standards Enforcement: http://www.dir.ca.gov/dlse
California Department of Public Health: http://www.cdph.ca.gov
California Women, Infants and Children: http://www.wicworks.ca.gov
Centers for Disease Control and Prevention: http://www.cdc.gov
Health Resources and Services Administration: http://www.hrsa.gov
U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers: http://www.dol.gov/whd/nursingmothers

Policy
adopted: February 2, 2012

TULARE JOINT UNION HIGH SCHOOL DISTRICT
Tulare, California
Regulation 4119.11: Sexual Harassment

Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. However, in June 2020, two motions for a preliminary injunction were filed seeking to postpone the effective date of the regulations and prohibit their enforcement. If the courtissues an injunction, portions of this administrative regulation reflecting the Title IX regulations will not be in effect. CSBA will notify districts when the court issues its decision.

Districts are also cautioned that the federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions arise.

The following administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

Title IX Coordinator

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as well as to investigate and resolve sexual harassment complaints under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:

Tammy Aldaco, Assistant Superintendent for Human Resources and Business
426 North Blackstone Street
Tulare, CA 93274
(559) 688-2021
tammy.aldaco@tulare.k12.ca.us

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district’s Title IX Coordinator. (34 CFR 106.8)

Prohibited Conduct

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual’s employment.

2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.

3. The conduct has the purpose or effect of having a negative impact upon the individual’s work performance or of creating an intimidating, hostile, or offensive work environment.

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

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual’s body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors

2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district’s sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
2. The types of conduct that constitute sexual harassment
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. Strategies to prevent harassment in the workplace
5. Supervisors’ obligation to report sexual harassment, discrimination, and retaliation of which they become aware
6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district’s obligation to conduct an effective workplace investigation of a harassment complaint
10. What to do if the supervisor is personally accused of harassment
11. The essential elements of the district’s anti-harassment policy, and how to use the policy if a harassment complaint is filed

   Employees shall receive a copy of the district’s sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.

12. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation
13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a
single act does not constitute abusive conduct unless the act is severe or egregious

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

Notifications

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted

2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment

2. The definition of sexual harassment under applicable state and federal law

3. A description of sexual harassment, with examples

4. The district's complaint process available to the employee

5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)

6. Directions on how to contact DFEH and the EEOC

7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)
<table>
<thead>
<tr>
<th>Regulation 4219.12: Title IX Sexual Harassment Complaint Procedures</th>
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<td><strong>Original Adopted Date:</strong> 10/15/2020</td>
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Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, the following administrative regulation will not take effect.

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

1. A district employee conditioning the provision of a district aid, benefit, or service on a person's participation in unwelcome sexual conduct

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 4030 - Nondiscrimination in Employment.

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

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

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

**Supportive Measures**

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

**Emergency Removal**

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)
If the respondent is a student, the district may, on an emergency basis, remove the student from the district’s education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student’s rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

**Dismissal of Complaint**

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved.

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

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

**Informal Resolution Process**

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

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

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

2. Obtains the parties’ voluntary, written consent to the informal resolution process

**Formal Complaint Process**

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

1. The district’s complaint process, including any informal resolution process

2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

   If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process

4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an
attorney, and the ability to inspect and review evidence

5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

During the investigation process, the district shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence

3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate

6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

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

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

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

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

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

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

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

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

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

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

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process.

3. Findings of fact supporting the determination.

4. Conclusions regarding the application of the district's code of conduct to the facts.

5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant.

6. The district's procedures and permissible bases for the complainant and respondent to appeal.

Appeals

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

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.

3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

4. Issue a written decision describing the result of the appeal and the rationale for the result.

5. Provide the written decision simultaneously to both parties.

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Equal Employment Opportunity Commission.

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

Remedies

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

**Disciplinary Actions**

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

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

**Record-Keeping**

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)
Students

INTERDISTRICT ATTENDANCE

The Board of Trustees recognizes that parents/guardians of students who reside within the geographic boundaries of one district may for a variety of reasons, desire to enroll their children in a school in another district.

(cf. 5111.1 - District Residency)
(cf. 5111.12 - Residency Based on Parent/Guardian Employment)
(cf. 5116.1 - Intradistrict Open Enrollment)
(cf. 5118 - Open Enrollment Act Transfers)

Interdistrict Attendance Permits

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts. (Education Code 46600)

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed to by both districts for reapplication and/or revocation of the student's permit. (Education Code 46600)

Upon receiving a permit for transfer into the district that has been approved by the student's district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

Transportation

The district shall not provide transportation beyond any school attendance area. Upon request of a student's parent/guardian, the Superintendent or designee may authorize transportation for an interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available.

Legal Reference: (see next page)
INTERDISTRICT ATTENDANCE (continued)

Legal Reference:
EDUCATION CODE
41020 Annual district audits
46600-46611 Interdistrict attendance agreements
48204 Residency requirements for school attendance
48300-48317 Student attendance alternatives, school district of choice program
48350-48361 Open Enrollment Act
48900 Grounds for suspension or expulsion; definition of bullying
48915 Expulsion; particular circumstances
48915.1 Expelled individuals: enrollment in another district
48918 Rules governing expulsion procedures
48980 Notice at beginning of term
52317 Regional occupational center/program, enrollment of students, interdistrict attendance

CALIFORNIA CONSTITUTION
Article I, Section 31 Nondiscrimination on the basis of race, sex, color, ethnicity, or national origin

ATTORNEY GENERAL OPINIONS

COURT DECISIONS
Walnut Valley Unified School District v. the Superior Court of Los Angeles County, (2011) 192 Cal.App.4th 234

Management Resources:
WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov

TULARE JOINT UNION HIGH SCHOOL DISTRICT
Tulare, California
Policy
adopted: January 20, 2011
revised: January 24, 2013
revised: March 17, 2016
revised: February 1, 2018
Students

INTERDISTRICT ATTENDANCE

Interdistrict Attendance Permits

In accordance with an agreement between the Board of Trustees and the board of another district, a permit authorizing a student's attendance outside his/her district of residence may be issued upon approval of both the district of residence and the district of proposed attendance.

The Superintendent or designee may approve an interdistrict attendance permit for a student for any of the following reasons when stipulated in the agreement:

1. When the student has been determined by staff of either the district of residence or district of proposed attendance to be a victim of an act of bullying as defined in Education Code 48900(r). Such a student shall be given priority for interdistrict attendance under any existing interdistrict agreement or, in the absence of an agreement, shall be given consideration for the creation of a new permit. (Education Code 46600)

(cf. 5131.2 - Bullying)

2. To meet the child care needs of the student. Such students may be allowed to continue to attend district schools only as long as he/she continues to use a child care provider within district boundaries.

(cf. 5148 Child Care and Development)

3. To meet the student's special mental or physical health needs as certified by a physician, school psychologist, or other appropriate school personnel.

(cf. 6159 - Individualized Education Program)

4. When the student has a sibling attending school in the receiving district, to avoid splitting the family's attendance.

5. To allow the student to complete a school year when his/her parents/guardians have moved out of the district during that year.

6. To allow the student to remain with a class graduating that year from an elementary, junior, or senior high school.

7. To allow a high school senior to attend the same school he/she attended as a junior, even if his/her family moved out of the district during the junior year.

8. When the parent/guardian provides written evidence that the family will be moving into the district in the immediate future and would like the student to start the year in the district.
9. When the student will be living out of the district for one year or less.

10. When recommended by the school attendance review board or by county child welfare, probation, or social service agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.

(cf. 5113.1 - Chronic Absence and Truancy)
(cf. 5113.12 - District School Attendance Review Board)

11. When there is valid interest in a particular educational program not offered in the district of residence.

12. To provide a change in school environment for reasons of personal and social adjustment.

The Superintendent or designee may deny initial requests for interdistrict attendance permits due to limited district resources, overcrowding of school facilities at the relevant grade level, or other considerations that are not arbitrary. However, once a student is admitted, the district may not deny him/her continued attendance because of overcrowded facilities at the relevant grade level.

Within 30 calendar days of a request for an interdistrict permit, the Superintendent or designee shall notify the parents/guardians of a student who is denied interdistrict attendance regarding the process for appeal to the County Board of Education as specified in Education Code 46601. (Education Code 46601)

(cf. 5145.6 - Parental Notifications)

Pending a decision by the two districts or an appeal by the County Board, the Superintendent or designee may provisionally admit a student who resides in another district for a period not to exceed two school months. (Education Code 46603)

Students who are under consideration for expulsion or who have been expelled may not appeal interdistrict attendance denials or decisions while expulsion proceedings are pending or during the term of the expulsion. (Education Code 46601)

(cf. 5119 - Students Expelled from Other Districts)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Once a student is admitted to a school on the basis of an interdistrict attendance permit, he/she shall not be required to reapply for an interdistrict transfer and shall be allowed to continue to attend the school in which he/she is enrolled, unless reapplication standards are
INTERDISTRICT ATTENDANCE (continued)

otherwise specified in the interdistrict attendance agreement. Existing interdistrict attendance permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year. (Education Code 46600)

The Superintendent or designee shall ensure that any communication sent to parents/guardians is factually accurate and does not target particular neighborhoods or individual parents/guardians on the basis of a child's actual or perceived academic or athletic performance or any other personal characteristic. (Education Code 48301)

An interdistrict transfer student will be ineligible for all varsity site level competition for one calendar year from the date the student enters school. Site level employee transfers will not be subject to the restriction on participation in varsity sports.

The district shall give priority for attendance to siblings of students already in attendance in the district. (Education Code 48306)

The district may accept any completed coursework, attendance, and other academic progress credited to an accepted student by any district(s) he/she has previously attended and may grant academic standing to the student based upon the district's evaluation of the student's academic progress. (Education Code 48309)

(cf. 6146.3 - Reciprocity of Academic Credit)

The district may revoke a student's enrollment if he/she is recommended for expulsion pursuant to Education Code 48918. (Education Code 48309)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Behavioral Performance, Attendance, Diligence to Studies, and Capacity

The Tulare Joint Union High School District, prior to approving an interdistrict attendance request to transfer into the district, may contact the student's district of residence to determine whether the student meets the Tulare Joint Union High School District standards of behavioral performance, attendance, and diligence to studies. If a student is determined to be experiencing difficulties in these areas, the district may recommend that the interdistrict attendance request be denied.

1. District right to deny permit: The Tulare Joint Union High School District reserves the right to deny any interdistrict permit request before the student is enrolled in this district for the following reasons:

a. Behavioral standards: The student is failing to maintain behavioral standards established by his/her district of residence.
b. Attendance/Tardies: The student has experienced difficulty in regularly attending and/or arriving on time for his/her district of residence.

c. Classes overcrowded: Classes in this district are determined to be overcrowded and space is needed to permit the enrollment of additional students who reside in this district.

d. Diligence to studies: The Tulare Joint Union High School District may not accept any student that is not working up to their individual ability level.

e. Interdistrict notification: All parents of interdistrict students will be notified in writing of the requirements for being granted an interdistrict permit. Any violation of the requirements may result in the interdistrict being revoked and/or the interdistrict permit not being granted in subsequent years.

2. District right to revoke permit: The Tulare Joint Union High School District reserves the right to revoke any interdistrict attendance permit at any time during the school year for the following reasons:

a. Failure to maintain behavioral standards: The student is failing to maintain behavioral standards established by the district.

b. Attendance/tardy problems: The student has experienced difficulty in regularly attending and/or arriving on time.

c. Diligence to studies: If the district feels that the student is not working up to his/her potential, then the interdistrict may be revoked.

d. Additional financial burden: If our interdistrict transfer student requires additional financial support beyond the amount generated by the ADA revenue, intended for that child the interdistrict permit may be revoked.
STUDENT RECORDS

Definitions

Student means any individual who is or has been in attendance at the district and regarding whom the district maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the district that are directly related to an identifiable student and maintained by the district, required to be maintained by an employee in the performance of his/her duties, or maintained by a party acting for the district. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

1. Directory information

(cf. 5125.1 - Release of Directory Information)

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee

3. Records of the law enforcement unit of the district, subject to 34 CFR 99.8

(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)

4. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student

5. Grades on peer-graded papers before they are collected and recorded by a teacher

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

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)
STUDENT RECORDS (continued)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)
STUDENT RECORDS (continued)

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require him/her to have access to student records.

School officials and employees are officials or employees whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require that they have access to student records.

Contractor or consultant is anyone with a formal written agreement or contract with the district regarding the provision of services or functions outsourced to him/her by the district. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by the district and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

County placing agency means the county social service department or county probation department. (Education Code 49061)

Persons Granted Absolute Access

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of a student younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)

2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her student records and grant consent for the release of records (34 CFR 99.3, 99.5)

3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

Access for Limited Purpose/Legitimate Educational Interest

The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:
STUDENT RECORDS (continued)

1. Parents/guardians of a student age 18 or older who is a dependent child as defined under 26 USC 152 (Education Code 49076; CFR 99.31)

2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076; CFR 99.31)

3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; CFR 99.31)

4. Members of a school attendance review board (SARB) who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

(cf. 5113.1 - Chronic Absence and Truancy)

5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; CFR 99.31)

Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that the district may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at his/her last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student at his/her last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

6. The Student Aid Commission, to provide the grade point average (GPA) of all district students in grade 12 and, when requested, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program. However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)
STUDENT RECORDS (continued)

No later than October 15 each year, the Superintendent or designee shall notify each student in grade 12, and his/her parents/guardians if the student is under age 18 years, that the student's GPA will be forwarded to the Student Aid Commission unless he/she opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

Student's social security numbers shall not be included in the submitted information unless the Student Aid Commission deems it necessary to complete the financial aid application and the Superintendent or designee obtains permission from the student's parent/guardian, or from the adult student, to submit the social security number. (Education Code 69432.9)

7. Federal, state, and local officials, as needed for an audit, evaluation, or compliance activity related to a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; CFR 99.3, 99.31, 99.35).

8. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #7 above (Education Code 49076)

9. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

10. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)

11. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)

12. Any probation officer, district attorney, or counsel of record for a minor student for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor student a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)
STUDENT RECORDS (continued)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

13. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

14. A foster family agency with jurisdiction, over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076) Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the district. (Education Code 49069.3)

(cf. 6164.6 - Identification and Education Under Section 504)
(cf. 6173 - Education for Foster Youth)

15. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)

(cf. 6173 - Education for Homeless children)

16. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education code 49076)

17. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility for the care and protection of a student, provided that the information is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))
STUDENT RECORDS (continued)

18. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing records for the above purposes, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above. (Education Code 49076)

19. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5, 34 CFR 99.1-99.67)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district of California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the district, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)
STUDENT RECORDS (continued)

Discretionary Access

At his/her discretion, Superintendent or designee may release information from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency, if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Accrediting associations (Education Code 49076; 34 CFR 99.31)

3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)

   a. The study is conducted in a manner that does not permit personal identification of parents/guardians and students by individuals other than representatives of the organization who have legitimate interests in the information.

   b. The information is destroyed when no longer needed for the purposes for which the study is conducted.

   c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.

4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
STUDENT RECORDS (continued)

5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)

6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract by the district, excluding volunteers or other parties (Education Code 49076)

(cf. 3600 - Consultants)

7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or his/her parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (Education Code 49076; 34 CFR 99.31, 99.36)

8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the provisions of 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.31, 99.37)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

De-identification of Records

When authorized by law for any program audit, educational research, or other purposes, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 34 CFR 99.31)
STUDENT RECORDS (continued)

Process for Providing Access to Records

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons. (5 CCR 433)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

When required by law, the parent/guardian shall provide written, signed and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian, the district shall provide him/her a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Within five business days following the date of request, a parent/guardian or other authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)
STUDENT RECORDS (continued)

Access Log

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

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

The custodian of records shall also make an entry in the log regarding any request for records that was denied and the reason for the denial.

The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining district-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest
6. Law enforcement personnel seeking to enforce immigration laws

The log shall be accessible only to the parent/guardian, adult student, dependent adult student, student who is age 16 years or older or who has completed the 10th grade, custodian of records, and certain state or federal officials. (Education Code 49064; 5 CCR 432)

Duplication of Student Records

To provide copies of any student record, the district shall charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

(cf. 3260 - Fees and Charges)
STUDENT RECORDS (continued)

Changes to Student Records

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

(cf. 5125.3 - Challenging Student Records)

No additions except routine updating shall be made to a student's record after high school graduation or permanent departure without prior consent of the parent/guardian or adult student. (5 CCR 437)

A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents.

(cf. 5145.3 - Nondiscrimination/Harassment)

Retention and Destruction of Student Records

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student
2. Date and place of birth and method of verifying birth date

(cf. 5111 - Admission)

3. Sex of student
4. Name and address of parent/guardian of minor student
   a. Address of minor student if different from the above
   b. Annual verification of parent/guardian's name and address and student's residence

(cf. 5111.1 - District Residency)
STUDENT RECORDS (continued)

5. Entrance and departure dates of each school year and for any summer session or other extra session

6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given

(cf. 5121 - Grades/Evaluation of Student Achievement)

7. Verification of or exemption from required immunizations

(cf. 5141.31 - Immunizations)

8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor

(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

2. A log identifying persons or agencies who request or receive information from the student record

3. Health information, including verification or waiver of the health screening for school entry

(cf. 5141.32 - Health Screening for School Entry)

4. Information on participation in special education programs, including required tests, case studies, authorizations, and evidence of eligibility for admission or discharge

(cf. 6159 - Individualized Education Program)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

5. Language training records

(cf. 6174 - Education for English Language Learners)

6. Progress slips/notices required by Education Code 49066 and 49067
**STUDENT RECORDS** (continued)

7. Parental restrictions/stipulations regarding access to directory information

8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action

9. Parent/guardian authorization or denial of student participation in specific programs

10. Results of standardized tests administered within the past three years

*(cf. 6162.51 - State Academic Achievement Tests)*

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

*(cf. 6158 - Independent Study)*

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings

2. Standardized test results older than three years

3. Routine disciplinary data

*(cf. 5144 - Discipline)*

4. Verified reports of relevant behavioral patterns

5. All disciplinary notices

6. Supplementary attendance records

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

**Transfer of Student Records**

When a student transfers into this district from another district or a private school, the Superintendent or designee shall inform the student's parent/guardian of his/her rights regarding student records, including the right to review, challenge, and receive a copy of student records. (Education Code 49068; 5 CCR 438)
STUDENT RECORDS (continued)

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

(cf. 4158/4258/4358 - Employee Security)
(cf. 5119 - Students Expelled From Other Districts)

When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918; 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5)

All student records shall be updated before they are transferred. (5 CCR 438)

Student records shall not be withheld from the requesting district because of any charges or fees owed by the student or parent/guardian. (5 CCR 438)

If the district is withholding grades, diploma, or transcripts from the student because of his/her damage or loss of school property, this information shall be sent to the requesting district along with the student's records.

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the district speak a single primary language other than English, then the district shall provide these notices in that language. Otherwise, the district shall provide these notices in the student's home language insofar as practicable. The district shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063; 34 CFR 99.7)
STUDENT RECORDS (continued)

(cf. 5145.6 - Parental Notifications)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the district and the information contained therein

2. The title(s) of the official(s) responsible for maintaining each type of record

3. The location of the log identifying those who request information from the records

4. District criteria for defining school officials and employees and for determining legitimate educational interest

5. District policies for reviewing and expunging student records

6. The right to inspect and review student records and the procedures for doing so

7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights

8. The cost, if any, charged for duplicating copies of records

9. The categories of information defined as directory information pursuant to Education Code 49073

10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law

11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school

(cf. 5020 - Parent Rights and Responsibilities)

12. Any other rights and requirements set forth in Education Code 49060-49078, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g

13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment
STUDENT RECORDS (continued)

In addition, the annual parental notification shall include a statement that student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.
NONDISCRIMINATION/HARASSMENT

The Board of Trustees desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6164.6 - Identification and Education Under Section 504)

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to
NONDISCRIMINATION/HARASSMENT (continued)

students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. He/she shall report his/her findings and recommendations to the Board after each review.

(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 1330 - Use of Facilities)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 Athletic Competition)
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

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

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21- Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)
(cf. 5145.2 - Freedom of Speech/Expression)

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory, harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools.

(cf. 3580 - District Records)

Legal Reference: (see next page)
NONDISCRIMINATION/HARASSMENT (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
48900.3 Suspension or expulsion for act of hate violence
48900.4 Suspension or expulsion for threats or harassment
48904 Liability of parent/guardian for willful student misconduct
48907 Student exercise of free expression
48950 Freedom of speech
48985 Translation of notices
49020-49023 Athletic programs
51500 Prohibited instruction or activity
51501 Prohibited means of instruction
60044 Prohibited instructional materials

CIVIL CODE
1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE
11135 Nondiscrimination in programs or activities funded by state

PENAL CODE
422.55 Definition of hate crime
422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5
432 Student record
4600- 4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20
1681-1688 Title IX of the Education Amendments of 1972
12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29
794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28
35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34
99.31 Disclosure of personally identifiable information
100.3 Prohibition of discrimination on basis of race, color or national origin
104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
106.9 Notification of nondiscrimination on basis of sex
110.25 Prohibition of discrimination based on age

COURT DECISIONS

Management Resources: (see next page)
NONDISCRIMINATION/HARASSMENT (continued)

Management Resources:

CSBA PUBLICATIONS
Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS
Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

FIRST AMENDMENT CENTER PUBLICATIONS
Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Title IX Coordinators, April 2015
Dear Colleague Letter: Harassment and Bullying, October 2010
Notice of Non-Discrimination, Fact Sheet, August 2010

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
California Safe Schools Coalition: http://www.casafeschools.org
First Amendment Center: http://www.firstamendmentcenter.org
National School Boards Association: http://www.nsba.org
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy
adopted: August 19, 2010
revised: October 4, 2012
revised: October 3, 2013
revised: June 19, 2014
revised: February 5, 2015
revised: February 1, 2017
revised: November 15, 2018

TULARE JOINT UNION HIGH SCHOOL DISTRICT
Tulare, California
NONDISCRIMINATION/HARASSMENT

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's efforts to comply with applicable state and federal civil rights laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Age Discrimination Act of 1975, and to answer inquiries regarding the district's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination, targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with more or of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Assistant Superintendent - Human Resources and Business
426 N. Blackstone Street
Tulare, CA 93274
(559) 688-2021
barbara.orisio@tulare.k12.ca.us

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.3 - Uniform Complaint Procedures)

Measures to Prevent Discrimination

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying of students at district schools or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them on the district's website and other prominent locations and providing easy access to them through district-supported social media, when available.

2. Post in a prominent and conspicuous location on the district and school web sites information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.61)
NONDISCRIMINATION/HARASSMENT (continued)

a. The name and contact information of the district's Title IX coordinator, including the phone number and email address

b. The rights of students and the public and the responsibilities of the district under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)

c. A description of how to file a complaint of noncompliance with Title IX in accordance with AR 1312.3 - Uniform Complaint Procedures, which shall include:

(1) An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations

(2) An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site

(3) A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-sponsored Social Media)

3. Provide to students a handbook that contains age-appropriate information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior. (Education Code 234.1)

4. Annually notify all students and parents/guardians of the district's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the district will address any individual student's interests and concerns in private.

(cf. 5145.6 - Parental Notifications)
NONDISCRIMINATION/HARASSMENT (continued)

5. The Superintendent or designee shall ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the district's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.

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

6. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and information regarding the district's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the district may use to provide a discrimination-free environment for all district students, including transgender and gender-nonconforming students.

(cf. 1240 - Volunteer Assistance)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

7. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)

8. At the beginning of each school year, inform each principal or designee of the district's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3-Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
NONDISCRIMINATION/HARASSMENT (continued)

(cf. 5131.5 - Vandalism and Graffiti)

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination and how to report it or file a complaint, and how to respond

3. Disseminating and/or summarizing the district's policy and regulation regarding unlawful discrimination

4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of district policy, including any student who is found to have filed a complaint of discrimination that he/she knew was not true

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Process for Initiating and Responding to Complaints

Any student who feels that he/she has been subjected to unlawful discrimination described above or in district policy is strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, any student who observes any such incident is strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

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

When a verbal report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, he/she shall make a note of the report and encourage the student or parent/guardian to file the complaint in writing, pursuant to the provisions in AR 1312.3 - Uniform Complaint Procedures. Once notified verbally or in writing, the principal or compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Transgender and Gender-Nonconforming Students

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense of his/her gender, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Transgender student means a student whose gender identity is different from the gender he/she was assigned at birth.

Regardless of whether they are sexual in nature, acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment are prohibited. Examples of the types of conduct which are prohibited in the district and which may constitute gender-based harassment include, but are not limited to:
NONDISCRIMINATION/HARASSMENT (continued)

1. Refusing to address a student by a name and the pronouns consistent with his/her gender identity

2. Disciplining or disparaging a student or excluding him/her from participating in activities for behavior or appearance that is consistent with his/her gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable

3. Blocking a student's entry to the restroom that corresponds to his/her gender identity

4. Taunting a student because he/she participates in an athletic activity more typically favored by a student of the other sex

5. Revealing a student's transgender status to individuals who do not have a legitimate need for the information, without the student's consent

6. Use of gender-specific slurs

7. Physical assault of a student motivated by hostility toward him/her because of his/her gender, gender identity, or gender expression

The district's uniform complaint procedures (AR 1312.3) shall be used to report and resolve complaints alleging discrimination against transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list as well as improper rejection by the district of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the district shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's transgender or gender-nonconforming status is his/her private information and the district shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the district has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the district shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the district pursuant to 34 CFR 99.31. Any district employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential.

When disclosure of a student's gender identity is made to a district employee by a student, the employee shall seek the student's permission to notify the compliance
Nondiscrimination/Harassment (continued)

officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless he/she is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the district's ability to meet the student's needs related to his/her status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the students need for support, the compliance officer may discuss with the student any need to disclose the student's transgender or gender-nonconformity status or gender identity or gender expression to his/her parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The district shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of his/her gender identity and begin to treat the student consistent with his/her gender identity unless district personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.

3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, his/her parents/guardians to identify, and develop strategies for ensuring that the student's access to education programs and activities is maintained. The meeting shall discuss the transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to his/her status as a transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting his/her educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.

4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the district maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes,
Nondiscrimination/Harassment (continued)

intermural sports, and interscholastic athletic programs, students shall be permitted to access facilities and participate in programs and activities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the district shall offer available options, such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door, an area in the locker room separated by a curtain or screen, access to a staff member's office, or use of the locker room before or after the other students. However, the district shall not require a student to utilize these options because he/she is transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with his/her gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with his/her gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.

(cf. 6145 - Extracurricular and Co-curricular Activities)
(cf. 6145.2 - Athletic Competition)
(cf. 6153 - School-Sponsored Trips)
(cf. 7110 - Facilities Master Plan)

5. Student Records: A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. However, at the written request of a student or, if appropriate, his/her parents/guardians, the district shall use the student's preferred name and pronouns consistent with his/her gender identity on all other district-related documents. Such preferred name may be added to the student's record and official documents as permitted by law.

(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

6. Names and Pronouns: If a student so chooses, district personnel shall be required to address the student by a name and the pronouns consistent with his/her gender identity, without the necessity of a court order or a change to his/her official district record. However, inadvertent slips or honest mistakes by district personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying district policy.

7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with his/her gender identity, subject to any dress code adopted on a school site.

(cf. 5132 - Dress Code)
NONDISCRIMINATION/HARASSMENT (continued)

TULARE JOINT UNION HIGH SCHOOL DISTRICT
Tulare, California

Regulation
approved: June 19, 2014
revised: February 5, 2015
revised: November 5, 2015
revised: February 1, 2017
revised: October 5, 2017
revised: November 15, 2018
SEXUAL HARASSMENT

The Board of Trustees is committed to maintaining a safe school that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a district compliance officer. Once notified, the principal or compliance officer shall take the steps to investigate and address the allegation, as specified in the accompanying administrative regulation.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climates)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

The Superintendent or designee shall take appropriate actions to reinforce the district’s sexual harassment policy.

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence

2. A clear message that students do not have to endure sexual harassment under any circumstance

3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
SEXUAL HARASSMENT (continued)

4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.

5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students.

6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.

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

8. A clear message that, when needed, the district will take interim measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment.

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and district procedures specified in AR 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.1 - Complaints Concerning District Employees)

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

(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.
SEXUAL HARASSMENT (continued)

(cf. 4117.7 - Employment Status Report)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Record-Keeping

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

(cf. 3580 - District Records)

Legal Reference:

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

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

GOVERNMENT CODE
12930.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20
1221 Application of laws
1232g Family Educational Rights and Privacy Act
1681-1688 Title IX, discrimination

UNITED STATES CODE, TITLE 42
1983 Civil action for deprivation of rights
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34
99.1-99.67 Family Educational Rights and Privacy
106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS
Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources: (see next page)
SEXUAL HARASSMENT (continued)

Management Resources:

CSBA PUBLICATIONS
Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014
Safe Schools: Strategies for Board of Trustees to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Dear Colleague Letter: Transgender Students, May 2016
Questions and Answers on Title IX and Sexual Violence, April 2014
Dear Colleague Letter: Sexual Violence, April 4, 2011
Sexual Harassment: It's Not Academic, September 2008
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://www.cde.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Policy
adopted: July 15, 2009
revised: October 4, 2012
revised: February 5, 2015
revised: February 1, 2017

TULARE JOINT UNION HIGH SCHOOL DISTRICT
Tulare, California
SEXUAL HARASSMENT

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

Barbara Orisio
426 N. Blackstone
Tulare, CA 93274
(559) 688-2021
barbara.orisio@tulare.k12.ca.us

(cf. 1312.3 - Uniform Complaint Procedures)

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

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress

2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.

3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.

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

(cf. 5131 - Conduct)
(cf. 5131.2 - Bullying)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

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

1. Unwelcome leering, sexual flirtations, or propositions

2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
SEXUAL HARASSMENT (continued)

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

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

Reporting Process and Complaint Investigation and Resolution

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

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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

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

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

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Confidentiality

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

However, when a complainant or victim of sexual harassment notifies the district of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the district not pursue an investigation, the district will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
SEXUAL HARASSMENT (continued)

Response Pending Investigation

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

Notifications

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

A copy of the district's sexual harassment policy and regulation shall be posted on district and school web sites and, when available, on district-supported social media.

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)

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

5. Be included in the student handbook

6. Be provided to employees and employee organizations
Cautionary Notice: The following administrative regulation reflects federal Title IX regulations added by 85 Fed. Reg. 30026, effective August 14, 2020, which establish a process for investigating and resolving allegations of conduct that meets the federal definition of sexual harassment. The federal regulations preempt any conflicting state law or regulations, but the interaction between federal and state law is not always clear. Districts should consult legal counsel if questions about a potential conflict arise. Districts should also note that 18 states, including California, have sued the U.S. Department of Education to stop the implementation of these regulations. A preliminary injunction seeking to postpone the effective date of the regulations and prohibit their enforcement is currently pending. If the court grants the injunction, the following administrative regulation will not take effect.

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 1312.3 - Uniform Complaint Procedures.

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 5145.7 - Sexual Harassment.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

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

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

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

Emergency Removal from School

On an emergency basis, the district may remove a student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and
provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

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

**Dismissal of Complaint**

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

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

**Informal Resolution Process**

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

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

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process

3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

**Formal Complaint Process**

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

1. The district's complaint process, including any informal resolution process

2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

   If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence

5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

During the investigation process, the district shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence

3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate

6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

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

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

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

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

**Written Decision**

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)
The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

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

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

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

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30

2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process

3. Findings of fact supporting the determination

4. Conclusions regarding the application of the district's code of conduct to the facts

5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant

6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

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

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties

2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator

3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome

4. Issue a written decision describing the result of the appeal and the rationale for the result

5. Provide the written decision simultaneously to both parties

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

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

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

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

Corrective/Disciplinary Actions

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

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

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

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

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

Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)
District Strategies for Title I Schools

To ensure that parents/guardians and family members of students participating in Title I programs are provided with opportunities to be involved in their children's education, the district shall:

1. Involve parents/guardians and family members in the joint development of the a district plan that meets the requirements of 20 USC 6312 and in the development of school support and improvement plans pursuant to 20 USC 6311 (20 USC 6318)

   The Superintendent or designee may:
   
   a. In accordance with Education Code 52063, establish a district-level parent advisory committee and, as applicable, and English learner parent advisory committee to review and comment on the district's local control and accountability plan (LCAP) in accordance with the review schedule established by the Board of Trustees
   
   b. Invite input on the plan from other district committees and school site councils
   
   c. Communicate with parents/guardians through the district newsletter, web site, or other methods regarding the plan and the opportunity to provide input
   
   d. Provide copies of working drafts of the plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
   
   e. Ensure that there is an opportunity at a public Board meeting for public comment on the plan prior to the Board's approval of the plan or revisions to the plan
   
   f. Ensure that school-level policies on parent/guardian and family engagement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans

2. Provide coordination, technical assistance, and other support necessary to assist and build the capacity of Title I schools in planning and implementing effective parent/guardian and family engagement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations or individuals with expertise in effectively engaging parents/guardians and family members in education (20 USC 6318)

   The Superintendent or designee may:
   
   a. Assign district personnel to serve as a liaison to the schools regarding Title I parent/guardian and family engagement issues
   
   b. Identify funding and other resources, including community resources and services, that may be used to strengthen district and school parent/guardian and family engagement programs
   
   c. Provide training for the principal or designee of each participating school regarding Title I requirements for parent/guardian and family engagement, leadership strategies, and communication skills to assist in facilitating the planning and implementation of related activities
   
   d. With the assistance of parents/guardians, provide information and training to teachers and other staff regarding effective parent/guardian involvement practices and legal requirements
   
   e. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

3. To the extent feasible and appropriate, coordinate and integrate Title I parent/guardian and family engagement strategies with parent/guardian and family engagement strategies of other relevant federal, state, and local programs and ensure consistency with federal, state, and local laws (20 USC 6318)
The Superintendent or designee may:

a. Identify overlapping or similar program requirements

b. Involve district and school site representatives from other programs to assist in identifying specific population needs

c. Schedule joint meetings with representatives from related programs and share data and information across programs

d. Develop a cohesive, coordinated plan focused on student needs and shared goals

4. Conduct, with meaningful involvement of parents/guardians and family members, an annual evaluation of the content and effectiveness of the parent/guardian and family engagement policy in improving the academic quality of the schools served by Title I, including identification of: (20 USC 6318)

a. Barriers to greater participation in parent/guardian and family engagement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background

b. The needs of parents/guardians and family members, so they can better assist with their children's learning and engage with school personnel and teachers

c. Strategies to support successful school and family interactions

The Superintendent or designee may:

a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications

b. Gather and monitor data regarding the number of parents/guardians and family members participating in district activities and the types of activities in which they are engaged

c. Recommend to the Board measures to evaluate the impact of the district's parent/guardian and family engagement efforts on student achievement

The Superintendent or designee shall notify parents/guardians of this review and assessment through regular school communications mechanisms and shall provide a copy of the assessment to parents/guardians upon their request. (Education Code 11503)

5. Use the findings of the evaluation conducted pursuant to item #4 above to design evidence-based strategies for more effective parent/guardian and family involvement and, if necessary, to revise the parent/guardian and family engagement policy (20 USC 6318)

The Superintendent or designee may:

a. Analyze data from the evaluation to identify parent/guardian and family engagement activities that have been successful and those activities that have had lower participation or less meaningful involvement by parents/guardians

b. Analyze parent/guardian and family participation to determine the level of participation by traditionally underrepresented groups

c. With the involvement of parents/guardians, recommend and draft proposed policy revisions to submit to the Board for consideration

6. Involve parents/guardians in the activities of schools served by Title I, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents/guardians or family members served by the district to adequately represent the needs of the population served by the district for the purposes of developing, revising, and reviewing the parent/guardian and family engagement policy (20
Superintendent or designee may:

a. Include information about school activities in district communications to parents/guardians and family members

b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians and family members

c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

In addition, the district shall promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement by implementing the actions specified in item #7 of the section "School-Level Policies for Title I Schools" below. (20 USC 6318)

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent involvement shall be developed jointly with and agreed upon by parents/guardians of participating students. The school policy shall describe the means by which the school will: (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved

2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent involvement

3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent involvement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

   The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
   a. Timely information about Title I programs
   b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the achievement levels of the state academic standards
   c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education

   The district shall respond to any such suggestions as soon as practicably possible.

5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district

6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

   This compact shall address:
   a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's student
academic achievement standards

b. Ways in which parents/guardians will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television viewing; volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time

c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
   
i. Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
   
ii. Frequent reports to parents/guardians on their children's progress
   
iii. Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
   
iv. Regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand

7. Promote the effective involvement of parents/guardians and support a partnership among the school, parents/guardians, and the community to improve student achievement through the following actions:

   a. Assist parents/guardians in understanding such topics as the state academic standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children

   b. Provide parents/guardians with materials and training, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to help them work with their children to improve their children's achievement

   c. With the assistance of parents/guardians, educate teachers, specialized instructional support personnel, principals and other school leaders, and other staff, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools

   d. To the extent feasible and appropriate, coordinate and integrate parent/guardian involvement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in fully participating in their children's education

   e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand

   f. Provide other such reasonable support for parent/guardian involvement activities as parents/guardians may request

In addition, the school plan may include strategies to:

   a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training

   b. Provide necessary literacy training, using Title I funds if the district has exhausted all other reasonably available sources of funding for such training

   c. Pay reasonable and necessary expenses associated with parent/guardian involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions
d. Train parents/guardians to enhance the involvement of other parents/guardians

e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students, in order to maximize parent/guardian involvement and participation

f. Adopt and implement model approaches to improving parent/guardian involvement

g. Establish a parent advisory council to provide advice on all matters related to parent/guardian involvement in Title I programs

h. Develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities

i. Make referrals to community agencies and organizations that offer literacy training, parent/guardian education programs, and/or other services that help to improve the conditions of parents/guardians and families

j. Provide a master calendar of district/school activities and meetings

k. Provide information about opportunities for parent/guardian and family engagement through the district newsletter, web site, or other written or electronic means

l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians and family members as needed

n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions

o. Provide ongoing workshops to assist school site staff, parents/guardians, and family members in planning and implementing improvement strategies, and seek their input in developing the workshops

p. Regularly evaluate the effectiveness of staff development activities related to parent/guardian and family engagement

q. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

8. To the extent practicable, provide full opportunities for the participation of parents/guardians with limited English proficiency, parents/guardians with disabilities, and parents/guardians of migrant children, including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent involvement policy. Such evaluation may be conducted during the process of reviewing the school plan for student achievement in accordance with Education Code 64001.

The school's policy shall be periodically updated to meet the changing needs of parents/guardians and the school. (20 USC 6318)

**District Strategies for Non-Title I Schools**
For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to increase their knowledge and skills to use at home to support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504)

   The Superintendent or designee may:
   
   a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
   
   b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter
   
   c. Provide parents/guardians with information about students' class assignments and homework assignments

2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504)

   The Superintendent or designee may:
   
   a. Provide parents/guardians with information regarding ways to create an effective study environment at home and to encourage good study habits
   
   b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
   
   c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees

3. Build consistent and effective two-way communication between the home and school so that parents/guardians and family members may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504)

   The Superintendent or designee may:
   
   a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
   
   b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
   
   c. Provide information about parent/guardian and family engagement opportunities through district, school, and/or class newsletters, the district's web site, and other written or electronic communications
   
   d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
   
   e. Develop mechanisms to encourage parent/guardian input on district and school issues
   
   f. Identify barriers to parent/guardian and family participation in school activities, including parents/guardians and family members who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
   
   g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care

4. Train teachers, administrators, specialized instructional support personnel, and other staff to communicate
effectively with parents/guardians as equal partners (Education Code 11502, 11504)

The Superintendent or designee may:

a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy

b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications

5. Integrate and coordinate parent involvement activities within the LCAP with other activities

The Superintendent or designee may:

a. Include parent involvement strategies in school reform or school improvement initiatives

b. Involve parents/guardians in school planning processes
## Tulare Joint Union High School District

### School Calendar for 2021-2022

<table>
<thead>
<tr>
<th>Month</th>
<th>Instructional Days</th>
<th>Staff Work Days</th>
<th>Significant Dates</th>
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<td>Last Day of School</td>
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### Total Student Instructional Days: 180

- 4 Minimum Days- August 31, October 13, June 7 & June 8
- Graduation- Tulare Union- June 7, 2022; Mission Oak- June 8, 2022; Tulare Western- June 9, 2022

Approved: 10/17/19
Revised: 03/17/21
A message from the California Highway Patrol:

The purpose of this notice is to ensure that parents are aware of a statutory exception to the definition of school bus in the California Vehicle Code (CVC) Section 545 (K). This exception was added to authorize limousine-type vehicles to transport school pupils to and from school related activities, without the requirements to enter into contractual agreement with schools or school districts.

A pupil activity bus (PAB) is a motor vehicle that is designed, used or maintained to transport more than ten passengers, including the driver, but not more than 25 persons including the driver, while being used for the transportation of pupils to or from school-related activities.

It has come to our attention that unknown carriers are operating limousine type vehicles and party busses that are not registered with the PUC (Public Utilities Commission) and therefore would not be authorized to operate as PAB’s. By operating illegally they are able to offer potential customers much lower rates than the legitimate carriers.

If you have any questions or need further information please contact a CHP Motor Carrier Specialist at one of the following offices: Fresno (559) 445-6992, Modesto (209) 545-7440, or Bakersfield (661) 395-2921.
2021-2022 School Year

Dear Parent:

In 1986, Congress passed the Asbestos Hazard Emergency Response Act (AHERA). That law requires all schools, kindergarten through twelfth grade, to be inspected to identify any asbestos-containing building materials. The law further requires the development of a Management Plan, based upon the findings of the inspection, which outlines our intent in controlling the potential for exposure to asbestos fibers in our schools.

In the past, asbestos was used extensively in building materials because of its insulating and fire retarding capabilities. Virtually any building built before the late 1970s contains at least some asbestos in pipe insulation and structural fireproofing. We too have buildings that contain asbestos materials. The primary concern arises when these materials begin to deteriorate or become damaged.

An inspection of our schools was completed in 1989 and some asbestos-containing materials were identified in our buildings. The materials are distributed in various locations and include floor tiles, pipe and boiler insulation, and some roofing materials. None of the asbestos containing materials are readily accessible to building occupants or students.

Our Asbestos Management Plan is currently being followed. It outlines in detail the methods we use to maintain the materials in a safe manner. It also includes a schedule for the phased removal of these materials were applicable.

A copy of the Management Plan is on file for your review at each school’s administrative office. The plan contains copies of individual inspection reports and other pertinent information.

Sincerely,

[Signature]

Lucy Van Seyoc, Ed.D.
Superintendent
To: Parents and Guardians of Students in the Tulare Joint Union High School District
From: Lucy Van Scyoc, Ed.D., Superintendent
Subject: California Law Regarding Safe Storage of Firearms

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

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

- California makes a person criminally liable for keeping a loaded firearm, under their custody and control, where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child’s parent or legal guardian and the child obtains access to the firearm and thereby: (1) causes death or great bodily injury to the child or any other person; (2) carries the firearm to a public place, including to any preschool or school grades kindergarten through twelfth grade, including to any school-sponsored event, activity, or performance; or (3) brandishes a firearm to others. The criminal penalty may be greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.¹

- As of 2014, California makes a person criminally liable if they negligently store or leave any loaded firearm on their premises where a child is likely to gain access to it—regardless of whether or not the child brings the gun to a public place.¹

- A parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person’s child or ward. These damages may be up to $30,000 per victim.²

Note: Gun owners may avoid criminal liability under California Penal Code Section 25100 by keeping their firearm in a locked container or secured with a locking device that renders the firearm inoperable.³

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

Sincerely,

Lucy Van Scyoc, Ed.D.
Superintendent

¹ See California Penal Code sections 25100 through 25125; 25200 through 25220.
² See California Civil Code Section 1714.3.
³ See California Penal Code sections 25105; 25205.
Child Abuse Reporting Procedures

Information to assist parents and guardians in determining whether or not child abuse has occurred and, if so, how to file a complaint of child abuse with local law enforcement.

The following information will assist parents and guardians in determining whether or not child abuse has occurred and, if so, how to file a complaint of child abuse with local law enforcement. This information has been taken from the California Child Abuse and Neglect Reporting Act in the California Penal Code and from sections of the California Education Code.

What Actions May Constitute Child Abuse

Child abuse can be any of the following:

- A physical injury which is inflicted on a child by another person other than by accidental means.
- The sexual abuse, assault, or exploitation of a child.
- The negligent treatment or maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s health or welfare, whether the harm or threatened harm is from acts or omissions on the part of the responsible person.
- The willful infliction upon a child of any cruel or inhumane corporal punishment or any injury resulting in a traumatic condition.
- The willful harming or injuring of a child or endangering of the person or the health of a child where the person responsible for the child’s welfare is a licensee, administrator, or employee of any facility licensed to care for children or an administrator or employee of a public or private school or other institution or agency.

Child abuse does not include:

- A mutual fight between minors;
- An injury that is caused by the actions of a peace officer using reasonable and necessary force within the scope of his or her employment;
- An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:
  1. To stop a disturbance threatening physical injury to people or damage to property;
  2. For purposes of self-defense;
  3. To obtain possession of weapons or other dangerous objects within control of a pupil; or
  4. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

How to File a Complaint of Child Abuse Committed at a School Site

Parents and guardians of pupils have the right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. To file a complaint, the parent or guardian must file a formal report with an appropriate local law enforcement agency. An appropriate law enforcement agency may be one of the following:
A Police or Sheriff's Department (not including a school district police department or school security department)
A County Probation Department if designated by the county to receive child abuse reports, or
A County Welfare Department/County Child Protective Services

The complaint may be filed over the telephone, in person, or in writing. A complaint may also be filed at the same time with your school district or county office of education. School districts and county offices of education, however, do not investigate child abuse allegations.

**The local law enforcement agency is required to investigate all complaints.**

In addition, if the child is disabled and enrolled in special education, a separate complaint may be filed by the parent or guardian with the California Department of Education (CDE) according to Title 5 of the *California Code of Regulations* Section 4650(a)(vii)(c). The CDE does not, however, investigate allegations of child abuse but rather investigates the conditions that may involve immediate physical danger or threaten the health, safety, or welfare of the child or children or which may result in denial of a free and appropriate public education.

If the complaint of child abuse is “substantiated” or confirmed by the local law enforcement agency, meaning that the report of child abuse or neglect, as determined by the law enforcement investigator who conducted the investigation, is, based upon the evidence, more likely to have occurred than not, then a report of the investigation will be transmitted by the law enforcement agency to the governing board of the local school district or County Office of Education. A confirmed report of child abuse or neglect received by a governing board of a school district or County Office of Education will be subject to the provisions of California *Education Code* section 44031, which gives school employees certain rights regarding personnel information and records.

In addition, a confirmed report shall be forwarded by the law enforcement agency that investigated the complaint to the California Department of Justice according to California *Penal Code* Section 11169 and notice will be provided to the alleged child abuser that he or she has been reported to the Child Abuse Central Index, as maintained by the Department of Justice.

**This guidance is mandatory only to the extent that it cites a specific statutory and/or regulatory requirement. Any portion of this guidance that is not supported by a specific statutory and/or regulatory requirement is not prescriptive pursuant to California *Education Code* Section 33308.5.**
10 things you can do to manage your COVID-19 symptoms at home

If you have possible or confirmed COVID-19:

1. **Stay home** from work and school. And stay away from other public places. If you must go out, avoid using any kind of public transportation, ridesharing, or taxis.

2. **Monitor your symptoms** carefully. If your symptoms get worse, call your healthcare provider immediately.

3. **Get rest and stay hydrated.**

4. If you have a medical appointment, **call the healthcare provider** ahead of time and tell them that you have or may have COVID-19.

5. For medical emergencies, call 911 and **notify the dispatch personnel** that you have or may have COVID-19.

6. **Cover your cough and sneezes.**

7. **Wash your hands often** with soap and water for at least 20 seconds or clean your hands with an alcohol-based hand sanitizer that contains at least 60% alcohol.

8. As much as possible, **stay in a specific room and away from other people** in your home. Also, you should use a separate bathroom, if available. If you need to be around other people in or outside of the home, wear a facemask.

9. **Avoid sharing personal items** with other people in your household, like dishes, towels, and bedding.

10. **Clean all surfaces** that are touched often, like counters, tabletops, and doorknobs. Use household cleaning sprays or wipes according to the label instructions.


cdc.gov/coronavirus
This form provides parents and guardians the opportunity to opt their student out of the release of directory information. Please read each section of the form carefully. If you have any questions about this form, please contact Tammy Aldaco, Assistant Superintendent, Student Services & Special Programs at (559) 688-2021.

Pursuant to the Family Educational Rights and Privacy Act (FERPA) and the California Education Code, the District may release directory information to certain persons or organizations, as specified in this annual notice, when it is requested. Directory information may be released to law enforcement agencies, employers and prospective employers, news media, may include: student’s name, address, telephone number, date of birth, email address, 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, most recent educational agency or institution attended. In the case of students who have been identified as having special needs or homeless, no material can be released without parent or guardian consent.

Please note: This is an OPTIONAL form. The form should only be returned to the school if you wish to opt your child out of one of these areas.

If you do not want your child’s directory information released, please check the box below. This opt-out does not apply to directory information released for District yearbook purposes.

☐ I do not want my child’s directory information to be released.

For Grades 9-12 only:

☐ I do not want my child’s directory information to be released to military recruiters.
☐ I do not want my child’s directory information to be released to institutions of higher education.

The District may use and release such directory information to third parties for purposes, including, without limitation, compiling, completing, and printing the District’s annual yearbook and/or awards listings. If you do not want your child’s directory information released and/or used for such purposes, please check the box below.

☐ I do not want my child’s directory information to be released in yearbooks and awards listings.

Parent/Guardian Signature: __________________________  Date: ________________

Student Name: __________________________  ID#: __________________________
Address: __________________________  Phone: __________________________
School: __________________________  Grade: __________________________
Drug and Alcohol Policy Awareness Form

The Board of Education believes that participation in extracurricular activities is a valuable and wholesome educational experience for our students. The Board also believes that students who represent the school on such teams or groups are held to a higher standard, because they represent not only themselves, but their school. With that in mind, the Board has enacted the following regulations pertaining to the use, possession, sale, or otherwise furnishing of alcohol and drugs by members of extracurricular teams or groups that represent their school.

These rules pertain to athletics and other activities listed below that are purely extracurricular in nature, meaning they are supported by the school district and are not part of a course where a grade is assigned.

A. Athletics
1. Any student involved in athletics will be removed from that team if he/she chooses to use, possess, sell, or otherwise furnish alcohol or drugs during school hours while under the jurisdiction of the school, or at school-sponsored events.
2. This policy applies to the use, possession, sale, or otherwise furnishing of alcohol or drugs on or after the date adopted by the CIF for the first scrimmage allowed in that sport season.
3. Any athlete who is removed from the team for the use, possession, sale, or otherwise furnishing alcohol or drugs will not receive a school letter or any other form of school recognition for that sport season.
4. In addition, any athlete violating the above provision will be suspended for up to five days, removed from all school activities for 20 consecutive school days, plus be placed on a one year probation.
5. Also, any athlete detected in the immediate area (car, hotel room, etc.) of alcohol or drugs while under the responsibility of the school will not be allowed to participate in any extracurricular activity for a period of 20 consecutive school days and be placed on probation for one calendar year.
6. As a condition of membership in CIF, all schools shall adopt policies prohibiting the use and abuse of androgenic/anabolic steroids. All member schools shall have participating students and their parents, legal guardians/caregiver agree that the athlete will not use steroids without the written prescription of a fully licensed physician (as recognized by the AMA) to treat a medical condition (Bylaw 524).

B. Other Extra-Curricular Activities
1. Any student involved in the above activities will be removed from that group if he/she chooses to use, possess, sell, or otherwise furnish alcohol or drugs during school hours while under the jurisdiction of the school, or at school-sponsored events.
2. This policy applies to the use, possession, sale, or otherwise furnishing of alcohol or drugs on or after the first day of scheduled practice for that particular group.
3. Any student who is removed from a group for the use, possession, sale, or otherwise furnishing of alcohol or drugs will not receive any form of school recognition for that activity.
4. In addition, any student violating the above provision will be suspended for up to five days, removed from all school activities for 20 consecutive school days, plus be placed on a one year probation.
5. Also, any student detected in the immediate area (car, hotel room, etc.) of alcohol or drugs while under the responsibility of the school will not be allowed to participate in any extracurricular activity for a period of 20 consecutive school days and be placed on probation for one calendar year.
Tulare Joint Union High School District

MANDATORY PARENT OR GUARDIAN RESPONSE FORM

_________________________________________  __________
Name of Student                          Grade

The enclosed information prescribed by State and Federal law is made available to the parents or guardians of all students enrolled in the Tulare Joint Union High School District.

Parents or Guardians ARE REQUIRED to acknowledge that they have read this information by signing and returning this form to their student’s English teacher within two weeks after the start of school.

I have read the attached information and understand that if I have any questions or concerns I can contact the School Principal.

_________________________________________  __________
Parent/Guardian Signature                  Date

PHOTO / NAME RELEASE AGREEMENT

The Tulare Joint Union High School District is proud of the accomplishments of its students. The campus web sites at times include student photographs as students participate in various activities district-wide.

We would like your permission to use your student’s photograph, name, and projects or assignments to post on our district or school web sites. Since the Internet is accessible worldwide, your written consent for this is necessary. If you would not object to photographs/assignments identifying your student by name, please sign and return this form to your school site.

This permission is revocable at any time with written notice.

I hereby consent to allow the Tulare Joint Union High School District to use any photographs taken of me or my class projects or assignments to promote, illustrate or publicize school activities. I understand that I may be identified by name along with this photograph or assignment, and that it will be available for viewing on the Internet.

_________________________________________  __________
Student’s Signature                        Date

_________________________________________  __________
Parent/Guardian Signature                  Date

Please return this signed form to your English teacher.
Tulare Joint Union High School District

Student Residence Questionnaire

McKinney-Vento Act Declaration Form

This questionnaire is intended to address the McKinney-Vento Act and the “No Child Left Behind Act of 2001”. Your answers will help determine residency and/or documents necessary for enrollment of your student and eligibility for federal services* available to qualified students. The information you provide will not be shared with agencies outside of this school district.

Presently, where is your child/family living? Check box(s) that apply:

☐ Live in a single family residence (home, house, or dwelling) which means that the building is usually occupied by just one household or family
☐ Live with more than one family in a house/apartment not due to financial hardship
☐ Live temporarily with a friend/relative because of a financial hardship and/or loss of housing
☐ Live in a motel/hotel or weekly rate housing
☐ Live in an emergency shelter, transitional shelter or domestic violence shelter
☐ Live in a car, trailer park (RV-recreational vehicle-not permanently fixed), or campground
☐ Live in a home without electricity, water, or heat
☐ Foster child awaiting placement
☐ Migratory child(ren) living in Labor Camp or living in circumstances described above.

Parent/Guardian Name: _______________________________________________________________________

Address: ___________________________________________________________________________________

Phone #: Home: _______________________________________     Cell: ___________________________________

Emergency Contact Name: ________________________________________  Phone :__________________________

Relationship to student/family:_______________________________________________________________________

Please list the full name of each child below and the school in which they will be enrolled

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<tr>
<th>Student</th>
<th>Birth Date</th>
<th>School</th>
<th>Grade</th>
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“Under penalty of perjury, I verify that the above information is a true and accurate account of my residential status. I understand that fraudulent and misrepresentation of the above information may be grounds for denial of my student’s enrollment at said school site. Additionally, the student whose name is listed above will be immediately withdrawn from attendance at the school site if the statement is incorrect or evidence is presented verifying that the statement is incorrect. My signature below indicates that I have read this statement and understand the conditions. My signature DOES NOT indicate consent to participate in a particular program. I will send notice to the school of any specific objections I have regarding my student’s participation in a particular program or service.” This information is subject to verification by the District.

__________________________________________________________  ___ _________________________
Signature of Parent / Guardian       Date

*If you qualify for McKenney-Vento, you may:
(1) Participate fully in all school activities/programs for which you are eligible.
(2) Continue to attend the school in which you were last enrolled, even if you have moved from that school’s attendance zone or district.
(3) Receive transportation from your current residence back to your school of origin.
(4) Qualify automatically for free lunch.
(5) Contact the District Liaison to resolve any disputes that arise during the enrollment process.
RE: Medi-Cal Health Insurance

School Year: 2021-2022

Dear Parents:

School districts that provide school-based health service have an opportunity to bill private and government insurance companies. Medi-Cal reimburses school districts through a special program called the Local Educational Agency Direct Billing Option. To receive these important funds, the federal government requires that private health insurances be billed for services provided to students covered by those companies. Sign and return this completed form to the attendance office only if you wish the district to bill your health insurance. The school district will continue to provide health services with NO COST to the families.

Student Name: __________________________

Birthdate: __________________________

Does this student have health insurance coverage? Please check applicable boxes.

☐ Medi-Cal ☐ Healthy Families ☐ Other Insurance ☐ Military ☐ No Coverage

If your child has medical insurance, please fill out the following insurance information.

Member Name: __________________________ Birthdate: __________ Member ID#: __________________

Member’s Relationship to Student: __________________________ Subscriber Gender: M F

Full name of Insurance Company: __________________________ Phone#: __________________

Insurance Address: __________________________ City, State, and Zip: __________________

Group#: __________________________ Policy#: __________________

Name of Employer: __________________________ Work Phone#: __________________

Work Address: __________________________ City, State, Zip Code: __________________

I authorize release of information by the school district to my health insurance carrier to process any health-related claims.

__________________________________________
Signature of Parent/Guardian

__________________________________________
Print Name of Parent/Guardian

__________________________
Date

If you are interested on how your child might be eligible for low or no-cost health insurance through California Healthy Families and Medi-Cal, please contact the District office at (559) 688-2021.

Sincerely,

Lucy Van Scyoc, Ed.D.
Superintendent
The Migrant Education Program is a national program that provides:
- Free supplemental services to migratory children and youth, under the age of 22
- Academic supplemental support
- And much more…

Please answer the following questions:

1. In the last 3 years, have you or a member of your family moved (or made a trip) and engaged in agricultural or fishing work?
   - Yes [ ]
   - No [ ]
   - Unsure [ ]

2. In the last 3 years, has your child(ren) moved (or made a trip) with you or a family member who worked in agriculture or in fishing work?
   - Yes [ ]
   - No [ ]
   - Unsure [ ]

Some examples of agricultural and fishing work:

Parent/Guardian: __________________________ Date: __________________________
Current Address: __________________________ City: __________________________
Phone #: __________________________ Alternate Phone #: __________________________

<table>
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<tr>
<th>Child(ren) First and Last Name</th>
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<th>2.</th>
<th>3.</th>
<th>4.</th>
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A school representative of the Migrant Education Program may contact you to follow up with this questionnaire. 
All the information provided will be kept confidential.

****Please forward questionnaire to the school MEP Student Recruiter or Migrant Office****

Student Recruiter Use Only:

Revised 05/28/20
Notification of Rights under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

(1) The right to inspect and review the student’s education records within five (5) days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

The following programs are used by the District to improve student learning. Data such as demographics, classes, test results, attendance, discipline, and grade information may be shared with these programs for District use. These companies protect any data stored on their systems and limit access to district staff or their support staff working with district staff.

- Feeder Schools - Information on student progress.
- eTrition - Cafeteria System
- Aeries - Student Information System
- Google - User Accounts, E-mail, and Office Suite.
- IO Education.
- Renaissance Learning - Reading assessment system.
- SICCA - Student monitoring for extracurricular activities.
- Forecast 5 Suite - Budget and enrollment forecasting.
- SI&A - Attendance monitoring.
- PLATO, Edgenuity - Online curriculum.
- Naviance - Counseling, college and career monitoring.
- Key Data Sys - Assessment monitoring.
- Edmodo - Learning Management Systems.
- Scholastic
- Blackboard

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests.
A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Tulare Joint Union High School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

[NOTE: In addition, a school may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.]

Release of Directory Information

Definition

Directory information means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes: (34 CFR 99.3; Education Code 49061; 20 USC 1232 g)

1. Name
2. Address
3. Telephone number
4. Email address
5. Date of birth
6. Major field of study
7. Participation record in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended
**Directory information** does not include a student's social security number or student identification number. However, for purposes of accessing or communicating in electronic systems, directory information may include a student identification number, user identification, or other personal identifier used by the student provided that the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user. (34 CFR 99.3)

**Directory information** also does not include a student’s citizenship status, immigration status, place of birth, or any other information indicating national origin.

**Notification to Parents/Guardians**

At the beginning of each school year, all parents/guardians shall be notified as to the categories of directory information the school or district plans to release and the recipients of the information. The notification shall also inform parents/guardians of their right to refuse to let the district designate any or all types of information as directory information, how to refuse release, and the period of time within which a parent/guardian must notify the district in writing that he/she does not want a certain category of information designated as directory information. (Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37)

(cf. 5125 - Student Records)
(cf. 5145.6 - Parental Notifications)

In addition, the annual parental notification shall include a statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and that the district will not release such information without parental consent or a court order.

(cf. 5145.13 – Response to Immigration Enforcement)

The Superintendent or designee shall notify parents/guardians that they may request that the district not release the name, address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. (20 USC 7908)

**Parent/Guardian Consent**

No directory information of a student identified as a homeless child or youth as defined in 42 USC 11434a shall be released, unless the parent/guardian, or the student if he/she is 18 years or older, has provided written consent that directory information may be released. For any other student, directory information shall not be released if his/her parent/guardian notifies the district in writing that such information not be disclosed without the parent/guardian's prior consent. (Education Code 49073; 20 USC 1232g, 7908)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

For a former student, the district shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the district, unless the opt-out request has been rescinded. (34 CFR 99.37)
PPRA affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- **Consent** before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
  1. Political affiliations or beliefs of the student or student’s parent;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, and anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parents; or
  8. Income, other than as required by law to determine program eligibility.

- **Receive notice and an opportunity to opt a student out of** –
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

- **Inspect**, upon request and before administration or use –
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

**Tulare Joint Union High School District** has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. **Tulare Joint Union High School District will directly notify parents and eligible students of these policies at least annually at the start of each school year** and after any substantive changes. **Tulare Joint Union High School District** will also directly notify parents and eligible students, such as through U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

**Parents/eligible students who believe their rights have been violated may file a complaint with:**

Student Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605
Dear Parent or Guardian,

The Healthy Schools Act of 2000 (as amended by Assembly Bill 2865, Chapter 865, Statutes of 2006) requires all California school districts and child day care centers to notify parents and guardians of pesticides that they expect will be applied during the upcoming year. We want to notify you that the following pesticides may be used at your school site during the 2021-2022 school year.

<table>
<thead>
<tr>
<th>Pesticide Product</th>
<th>Active Ingredient</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demon Max</td>
<td>Cypermethrin</td>
</tr>
<tr>
<td>Demand CS</td>
<td>Lambda-Cyhalothrin</td>
</tr>
<tr>
<td>Termidor</td>
<td>Fipronil</td>
</tr>
<tr>
<td>Cykick</td>
<td>Cyfluthrin</td>
</tr>
<tr>
<td>CT511</td>
<td>Pyrethrins</td>
</tr>
<tr>
<td>D-Force H.P.X.&gt;</td>
<td>Deltamethrin</td>
</tr>
<tr>
<td>Maxforce ant killer bait gel</td>
<td>Fipronil</td>
</tr>
<tr>
<td>Suspend Polyzone</td>
<td>Deltamethrin</td>
</tr>
<tr>
<td>Maxforce magnum roach bait gel</td>
<td>Fipronil</td>
</tr>
<tr>
<td>Suspend SC</td>
<td>Deltamethrin</td>
</tr>
<tr>
<td>Gentrol Aerosol</td>
<td>Hydroprene</td>
</tr>
<tr>
<td>Gentrol</td>
<td>Hydroprene</td>
</tr>
<tr>
<td>Advion WDG</td>
<td>Indoxacarb</td>
</tr>
<tr>
<td>Wisdom TC</td>
<td>Bifenthrin</td>
</tr>
<tr>
<td>Maxforce Impact roach gel bait</td>
<td>Clothianidin</td>
</tr>
<tr>
<td>Niban granular bait</td>
<td>Orthoboric Acid</td>
</tr>
<tr>
<td>Nyguard plus</td>
<td>Pyriproxyfen</td>
</tr>
<tr>
<td>Cynoff EC</td>
<td>Cypermethrin</td>
</tr>
<tr>
<td>Wasp-Freeze-d-trans allethrin</td>
<td>Phenothrin</td>
</tr>
<tr>
<td>Maxforce Complete granular insect bait</td>
<td>Hydramethylnon</td>
</tr>
<tr>
<td>Phantom</td>
<td>Chlorfenapyr</td>
</tr>
<tr>
<td>Alpine</td>
<td>Dinotefuran</td>
</tr>
</tbody>
</table>

426 N. Blackstone, Tulare, CA – 93274 Phone (559) 688-2021 Fax (559) 687-7317
www.tulare.k12.ca.us  facebook.com/juusd
You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation’s School IPM Web site at http://www.schoolipm.info. If you have any questions, please contact the Tulare Joint Union High School District at (559) 688-2021.

Sincerely,

[Signature]

Daniel Pierotte
Director of Facilities
# 2021-2022 ProYouth XL Expanded Learning Program Agreement

<table>
<thead>
<tr>
<th>Student's Full Legal Name: ______________________</th>
<th>2021/2022 Grade: ______</th>
<th>Birth Date: ______ / ______ / ______</th>
<th>Age: ______</th>
</tr>
</thead>
<tbody>
<tr>
<td>School: ______________________</td>
<td>School ID number: ______________________</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Students 18 years or older may fill out this application for themselves.**

- Gender: ______ | Ethnicity/Race: ______ | Primary Language: ______ | Eligible for free and reduced meals (circle one): Y / N |
- Student Address: ______________________ | City: ______________________ | Zip: ______________________ |
- Parent/Guardian: ______________________ | Relationship: ______________________ |
- Parent/Guardian: ______________________ | Relationship: ______________________ |
- Phone #: (______) - ______ - ______ | Release Authorization (circle one): Y / N |
- Phone #: (______) - ______ - ______ | Release Authorization (circle one): Y / N |
- Email: ________________________________________________________________ | ______ |

**Copies of any custody agreements, court orders, and restraining orders pertaining to the student? (circle one): Y / N**

Parent/Guardian must keep the school and ProYouth updated with legal documents.

**Emergency Contacts:**

<table>
<thead>
<tr>
<th>Name: ______________________</th>
<th>Phone#: (______) - ______ - ______</th>
<th>Relationship: ______________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: ______________________</td>
<td>Phone#: (______) - ______ - ______</td>
<td>Relationship: ______________________</td>
</tr>
</tbody>
</table>

**Enrollment:** Enrollment is open all year. This enrollment form is required to attend services provided by ProYouth. Completion of this enrollment form will allow your student to participate in all ProYouth Programs for the duration of the current school year.

**Emergency Contacts:** As part of the Registration form ProYouth requires that the Parent/Guardian complete the Emergency Information section. Please remember that it is the Parent/Guardian responsibility to update the information with the ProYouth Program should the information change. In the event of an emergency, ProYouth staff will attempt to contact Parent/Guardian or those designated to pick up the students.

**Discipline:** Participation in the ProYouth expanded learning program is a privilege. Disruptive or disrespectful behavior toward other students or ProYouth staff or behavior that endangers the safety of others is grounds for dismissal. We encourage Parents/Guardians to discuss concerns about student behavior with the ProYouth Site Director.

**Policy on Liability:** ProYouth is not liable for the payment of expenses incurred as result of any injuries. ProYouth is not liable for any personal items that may be damaged or lost or for the cost of replacing items. When required by law, ProYouth must provide information that you have provided to us to law enforcement.

Consent to School District Sharing Student Records with ProYouth: in accordance with Education Code section 49075, I, the undersigned, provide consent to the Tulare Joint Union High School District and Visalia Unified School District to release my student’s records as follows:

- To the ProYouth Site Director and Regulatory Compliance Director. Student’s full name, parent/legal guardian and emergency contact information, District student identification number, date of birth, grade level, academic grades, attendance information.
- To the ProYouth Regulatory Compliance Director: CalPADS statewide student identification number, student’s gender, ethnicity, race(s), special education status (status only no details of the student’s disability will be provided), English language learner status.

I further provide consent for ProYouth Programs to share the above-referenced student record information with ProYouth, as necessary, in order to comply with the requirements of grant provided to ProYouth. This authorization shall be effective immediately and shall remain in effect for the remainder of the current school year.

**Transportation from XL Program:** (Please circle all that apply)

- Students that drive must have a valid driver’s license and current insurance.

**Walk** | **Pick Up** | **Bus** | **Drive**
---|---|---|---

**Permission to photograph:** Occasionally, ProYouth activities may be photographed, video and/or audio recorded for educational, publicity or fundraising purposes, please indicate if you give permission for your student and/or yourself to appear in videos or audio recordings without compensation (e.g., as part of brochures or program websites).

- Yes, I give permission
- No, I do not give permission

**ProYouth Computer and Internet Policy Agreement:** I understand that my student may be provided access to ProYouth Program provided technology resources and have supervised access to the internet. I allow my student’s generated projects or work to be published by ProYouth. I will be held financially responsible for any and all damage to the technology resources that are caused by the student named above. Any misuse of technology resources by the named student will result in immediate withdrawal of any and all access privileges and may result in other disciplinary action.
ProYouth is an equal opportunity provider.

PARTICIPATION WAIVER AND RELEASE

ProYouth requests the following information in order to be in compliance with insurance regulations.

________________________ has my permission to participate in the ProYouth Program and all ProYouth sponsored activities, including all sports and physical education activities that may be offered as a component of ProYouth. I understand and acknowledge that participation in sports and physical educational activities poses risks to my student, including the risk of strains, sprains, broken bones, and serious injury or death.

I hereby certify that the minor is my child and that their date of birth is ______________ and I do hereby certify that, to the best of my knowledge and belief, said minor is in good health. In the event that I, or other parent/guardian or emergency contacts, cannot be reached in an emergency, I hereby give permission to the staff to secure proper treatment for my student. I do hereby consent to whatever x-ray, examination, anesthetic, medical, surgical, dental diagnosis or treatment, and hospital care are considered necessary in the best judgment of the attending medical professional and performed by or under the supervision of the medical staff of the hospital or facility furnishing medical or dental services. It is further understood that the undersigned will assume full responsibility for any such action, including payment of costs. ProYouth is not liable for any expenses incurred as a result of any injuries.

I, as the parent/guardian of the minor, do hereby, for my student, myself, my heirs, executors, and administrators, release and forever discharge and hold harmless the ProYouth Program and all officers, directors, employees, agents, and volunteers of the organization, acting officially or otherwise, from any and all claims, demands, actions, or causes of action which, in any way, arise from the minor’s participation and/or my participation in activities.

MEDICAL INFORMATION

I hereby advise that the above-named minor has the following allergies, reactions to medicine, or unusual physical conditions which should be made known to a treating physician. I acknowledge that only day school staff, and not ProYouth staff, can administer medications to my child.

Known allergies: ____________________________________________

Medications and schedule: __________________________________

Any other concerns ProYouth should be made aware of: ________________________________

Does your student have any special needs, or an IEP or 504 Plan? Please provide any information that the Program should know: __________________________________________________________

AUTHORIZATION FOR USE OR DISCLOSURE OF HEALTH INFORMATION

This form authorizes ProYouth to receive and use your student’s individually identifiable health information, as set forth below, consistent with federal laws (including HIPAA) concerning the privacy of such information. This information will enable us to support the needs of your student. Please complete.

Student/Patient Name: __________________________________________ Date of Birth: ________________

I, the undersigned, do hereby authorize the school districted marked below to share health information from the above-named student’s medical record with ProYouth. I, the undersigned, do hereby authorize ProYouth to share health information from the above-named student’s record with the school district marked below.

_______ Visalia Unified School District, 5000 W. Cypress Ave., Visalia, CA 93277
_______ Tulare Joint Union High School District, 426 N. Blackstone, Tulare, CA 93274

Requested information shall be limited to the following all minimum necessary health information.

DURATION: This authorization shall become effective immediately and shall remain in effect until June 30, 2022. Any changes to this release must be submitted to the ProYouth Site Director in writing.

For additional information, contact the ProYouth Administrative Office:
608 East Center Avenue, Visalia, CA 93292 Office: 559-374-2030 Fax: 559-741-4886

For additional questions, contact the Area Program Manager: Nathan Ortiz at 559-967-4791

I understand that reasonable measures will be taken to safeguard the health and safety of all participants engaged in all afterschool expanded learning program activities. I will be notified as soon as possible in case of an emergency. In the event I cannot be reached in an emergency, I hereby authorize transportation to a medical facility at my expense to provide whatever emergency medical treatment is necessary. I understand that the School District and the ProYouth Program do not carry medical or dental insurance for children injured on the school premises or in ProYouth-related activities.

I acknowledge that I have carefully read this document in its entirety and understand the information herein. A copy will be made available to me upon my request.

I verify that the information contained in this registration form is complete and accurate. By signing below, I authorize and give consent for my student to participate in the ProYouth Expanded Learning Program. I have read and understand the conditions of my student’s participation as described in the Participation Waiver and Release herein. I agree to each of the terms and acknowledgements herein and permit my student to participate in the ProYouth Program and all sponsored activities.

Date: __________ Parent Name (Print): __________________________ Signature: __________________________
School Year: 2021-22

Dear Parents:

The Tulare Joint Union High School District is prepared and has plans in place for major emergency situations. We believe that the reaction of people in emergencies depends largely upon their training. Our school staff has been trained for a variety of emergencies, and we hold drills regularly to make certain that the students understand emergency procedures.

Please convince your students that they are as safe at school as they are at home in a serious emergency. School buildings have been designed with safety in mind, and inspections are made regularly to remove possible hazards. We also have personnel who are trained in first aid. Our primary concern in the event of an emergency is the safety and welfare of the students.

Your students should be instructed to obey the directions of their teachers and of the bus driver on the way to and from school, if they ride the bus. If walking, riding a bicycle, or driving an automobile to and from school, they should be told to continue toward their destination (either to or from school) when an emergency arises.

We ask for your cooperation by doing the following in an emergency:

➢ Please do not telephone the school. Telephone lines will be needed for emergency communications.
➢ Please do not drive to school. Streets should be clear and open for emergency vehicles.
➢ Please do check your email and text messages. The school district utilizes the Aeries Communication system to send out emergency notices and important updated information regarding emergency situations.

In conjunction with the Office of Emergency Services, we urge every family to make home emergency plans and preparations. If you have any questions about our emergency preparedness program, please contact the principal of the appropriate school.
RE: Student Injuries and Insurance
2021-2022 School Year

Dear Parent:

Your student’s school does not provide medical insurance coverage for school accidents. This means that you are responsible for the medical bills if your student gets hurt during school activities. Student accident/health insurance plans are offered to help you pay those bills. Application forms are available at the school.

Many coverage options are available. The Student Health Care and High Option 24-Hour Accident plans are especially recommended for those students with no other insurance because they provide the most help when injuries occur. Student Health Care covers illness as well as injury, 24 hours a day.

If your student does have other health coverage, student insurance may also be used to help pay those charges not covered by other insurance. If your student qualifies for Medicare, you must obtain from your school nurse’s office a copy of the “Important Notice to Persons on Medicare” prior to applying for student insurance.

Please read your brochure carefully. If you have any questions, please call the plan administrator, Pacific Educators Insurance Services, at (800) 722-3365. Bilingual representatives are available for parents who need assistance in Spanish.

In order to document your having been notified of this matter, please sign and complete the bottom of this form and send it back to the school nurse with your student immediately.

Sincerely,

[Signature]

Lucy Van Scyoc, Ed.D.
Superintendent

As Parent/Guardian of (Name of Student): ____________________________, I understand that the School does not provide medical insurance for student injuries but does make voluntary student insurance available. I have been informed of this program.

Parent/Guardian Signature: ____________________________ Date: ________ Grade: ________
Tobacco Policy

The Board of Trustees recognizes that tobacco use presents health hazards and desires to discourage students’ use of tobacco products. Students shall not smoke, chew or possess tobacco or nicotine products on school property or during school hours, at school-sponsored events, or while under the supervision of district employees. Students who violate this prohibition shall be subject to the disciplinary procedures which may result in suspension from school. All students shall receive instruction on the effects of using tobacco on the human body.
The district is anxious to provide as much opportunity as is economically feasible for students who reside a long distance from campus to attend and participate in school activities. The district operates an extensive transportation system to transport students to and from school and many activities away from campus.

**Bus service is provided to:**
- Students who live more than two (2) miles walking distance from school
- Students in certain special education programs

**All bus riders are required to have their ID and a "sticker issued by the Driver" to ride the school bus.** This sticker is placed on their student body ID card. The sticker will be provided by the bus driver. The student will need to scan their ID card to and from school to ride the bus. It is very important to note that **no student will be permitted to ride any bus but their own**, without a note signed by the principal or assistant principal. Please note that students who receive permission to attend a school outside their attendance area must provide their transportation to and from school. No student will ride a bus without their ID and pass.

**Seat belt use if equipped on buses by law is mandatory at all times when the bus is in motion. This will be enforced.**

**TRANSPORTATION DEPARTURE SCHEDULES**

These are the daily morning bus schedules for Tulare, Pixley, Tipton and cross-town school buses between the high schools. **It is important to note that the times and stops are subject to change.** If you have any questions about the bus stops, please contact the transportation department at 688.2021 ext. 2023 or 2009. **Students are required to be at their bus stop at least ten (10) minutes prior to bus arrival.**

******The country bus stop times and locations are determined just prior to school starting back and/or at the beginning of school due to new students and/or graduation of previous bus riders. If country students are returning bus riders please be at your bus stop location 15 minutes earlier than last year until we make the necessary additions and drops to our bus routes. The bus driver will be communicating with the students of updated times and locations.******

<table>
<thead>
<tr>
<th>Tulare Stops</th>
<th>Tu&lt;Tw&lt;Mo</th>
<th>Tipton Stops</th>
<th>Tu&lt;Tw&lt;Mo</th>
<th>Pixley Stops</th>
<th>Tu&lt;Tw&lt;Mo</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mooney Grove Park</td>
<td>7:10AM</td>
<td>Library</td>
<td>7:05AM</td>
<td>Sub Station</td>
<td>7:00AM</td>
</tr>
<tr>
<td>Ave 200 RV Park</td>
<td>7:23AM</td>
<td>Lipscomb/Newman</td>
<td>7:15AM</td>
<td>Terra Bella Apart.</td>
<td>6:55AM</td>
</tr>
<tr>
<td>Oaks St.</td>
<td>Tu&lt;Mo</td>
<td>7:30AM</td>
<td>St. Johns Church</td>
<td>7:15AM</td>
<td>Bradbury/Market</td>
</tr>
<tr>
<td>Oaks St.</td>
<td>Tw</td>
<td>8:00AM</td>
<td>Klindera/Lafond</td>
<td>7:30AM</td>
<td>Bradbury/Cedar</td>
</tr>
<tr>
<td>Inyo/Gemini</td>
<td>7:35AM</td>
<td></td>
<td>Elm/Ellsworth</td>
<td>7:10AM</td>
<td></td>
</tr>
<tr>
<td>Devenshire/Logan</td>
<td>7:23AM</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DelaVina/</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bella Oaks</td>
<td>Tu&lt;Mo</td>
<td>7:40AM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DelaVina/</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bella Oaks</td>
<td>Tw</td>
<td>7:50AM</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paseo/Bonarda</td>
<td>Tu&lt;Mo</td>
<td>7:40AM</td>
<td>MO to TU</td>
<td>8:05AM</td>
<td></td>
</tr>
<tr>
<td>Paseo/Bonarda</td>
<td>Tw</td>
<td>7:50AM</td>
<td>MO to TW</td>
<td>8:05AM</td>
<td></td>
</tr>
<tr>
<td>Live Oak</td>
<td>7:53AM</td>
<td>TU to MO</td>
<td>8:05AM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cypress</td>
<td>Tu&lt;Tw</td>
<td>7:55AM</td>
<td>TU to TW</td>
<td>8:05AM</td>
<td></td>
</tr>
<tr>
<td>Cypress</td>
<td>Mo</td>
<td>8:00AM</td>
<td>TW to TU</td>
<td>8:05AM</td>
<td></td>
</tr>
<tr>
<td>Sunrise Estates</td>
<td>Tu&lt;Tw</td>
<td>7:45AM</td>
<td>TW to MO</td>
<td>8:05AM</td>
<td></td>
</tr>
<tr>
<td>Sunrise Estates</td>
<td>Mo</td>
<td>7:55AM</td>
<td>MO to ACHS</td>
<td>8:05AM</td>
<td></td>
</tr>
<tr>
<td>Tech Prep,Oakwood, E st.</td>
<td>7:55AM</td>
<td></td>
<td>TU to ACHS</td>
<td>8:05AM</td>
<td></td>
</tr>
<tr>
<td>Kohn St.</td>
<td>7:50AM</td>
<td></td>
<td>TW to ACHS</td>
<td>8:05AM</td>
<td></td>
</tr>
</tbody>
</table>

**CROSSTOWN BUSES BETWEEN HIGH SCHOOLS**

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<tr>
<td>MO to TU</td>
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<tr>
<td>MO to TW</td>
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<tr>
<td>TU to MO</td>
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<td>TU to TW</td>
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<td>TW to TU</td>
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<td>TW to MO</td>
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<td>MO to ACHS</td>
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<td>TU to ACHS</td>
<td>8:05AM</td>
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<tr>
<td>TW to ACHS</td>
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Information regarding foggy day bus schedules can be obtained by:

- Visiting the TJUHSD website. The bus schedule information is in the upper right hand corner of the district homepage located on the internet at http://www.tulare.k12.ca.us/
- Watching TV channel 18, 24, 30 or 47. For fog information call (559) 656-5990
- The Foggy Day Schedule implementation will also be communicated via Staff email and Aeries communication.

When buses are running on a regular schedule, there will be NO ANNOUNCEMENT. If you do not see or hear information indicating there is a foggy day schedule you should assume buses are running on regular schedule. The only exception is when fog drops after the buses have already begun their normal routes. In this case, if your bus is more than 20 minutes late, you can assume it is not coming. Check for foggy day schedules. *Afternoon bus routes never change, even if there is a foggy day schedule in the morning.*

**PLAN A**
- All routes and buses delayed 2 hours. No matter where you are on a country route, just add two hours to your normal pick up time.
- If you live inside the main populated area of the City of Tulare, special foggy day shuttles will run at approximately the same time as the regular morning route. Students will be picked up at or near their regular bus stop just like any other day. See foggy day shuttle schedule below for a list of stops and times.

**PLAN B**
- All buses outside the main populated area of the City of Tulare are cancelled, with the exception of assigned buses. Monday- Thursday the assigned buses will depart from the Pixley Sheriff Substation at 9:15am. and the assigned buses will depart from the Tipton Library at 9:20am. On Friday’s just add an extra hour to the departure time.
- If you live inside the main populated area of the City of Tulare, special foggy day shuttles will run at approximately the same time as the regular morning route. See foggy day shuttle schedule below for a list of stops and times.

**PLAN C**
- All buses outside the main populated area of the City of Tulare are cancelled.
- If you live inside the main populated area of the City of Tulare, special foggy day shuttles will run at approximately the same time as the regular morning route. See foggy day shuttle schedule below for a list of stops and times.

**PLAN D**
- Complete shut down. All buses and routes are cancelled! Farm shuttles will only be allowed to run after Plan D restrictions are lifted.

**FOGGY DAY SHUTTLES**
All times listed below are for intown Tulare stops.

<table>
<thead>
<tr>
<th>Shuttle # 1 (TW)</th>
<th>Shuttle # 4 (TW, TU)</th>
<th>Shuttle # 9 (MO &amp; TU)</th>
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<tbody>
<tr>
<td>8:00 AM</td>
<td>Cherry &amp; Pleasant</td>
<td>7:45 AM</td>
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<tr>
<td>8:02 AM</td>
<td>Gem &amp; Merritt</td>
<td>7:52 AM</td>
</tr>
<tr>
<td>8:05 AM</td>
<td>M St. &amp; Mercedes</td>
<td>Shuttle # 5 (TW)</td>
</tr>
<tr>
<td>8:07 AM</td>
<td>M St. &amp; Kennedy</td>
<td>7:45 AM</td>
</tr>
<tr>
<td>8:09 AM</td>
<td>Kennedy &amp; Oaks</td>
<td>7:45 AM</td>
</tr>
<tr>
<td>8:10 AM</td>
<td>Oaks &amp; Lois</td>
<td>8:00 AM</td>
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<tr>
<td></td>
<td></td>
<td>8:03 AM</td>
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<tr>
<td></td>
<td></td>
<td>8:04 AM</td>
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<table>
<thead>
<tr>
<th>Shuttle # 2 (TU-MO)</th>
<th>Shuttle # 6 (TU, TW &amp; MO)</th>
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</thead>
<tbody>
<tr>
<td>7:25 AM</td>
<td>Cherry &amp; Pleasant</td>
</tr>
<tr>
<td>7:30 AM</td>
<td>Devenshire &amp; Logan</td>
</tr>
<tr>
<td>7:40 AM</td>
<td>De La Vina &amp; Bella Oaks</td>
</tr>
<tr>
<td>7:40 AM</td>
<td>Paseo del Lago &amp; Bonarda</td>
</tr>
<tr>
<td>7:53 AM</td>
<td>Live Oak School</td>
</tr>
<tr>
<td>7:55 AM</td>
<td>Hillcrest/Blue Oak/Lynora</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>Shuttle # 3 (Tu,Tw,Mo)</th>
<th>Shuttle # 8 (MO/TW/TU)</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:35 AM</td>
<td>M St. &amp; Gail</td>
</tr>
<tr>
<td>7:36 AM</td>
<td>Oaks &amp; Lois</td>
</tr>
<tr>
<td></td>
<td>7:43 AM</td>
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<tr>
<td>7:45 AM</td>
<td>Sand Hills &amp; Tulare Ave</td>
</tr>
<tr>
<td>7:53 AM</td>
<td>Kohn Elementary School</td>
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</tbody>
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RIDING THE SCHOOL BUS

The Tulare Joint Union High School District Board of Trustees seeks to provide as much opportunity as is economically feasible for students who reside a long distance from campus to attend school and participate in school activities. Consequently, the district operates an extensive transportation system to transport students to and from school and to many activities away from our campuses.

Some of the school bus routes for this school year have been revised and are subject to change. We will once again enforce the two mile walk radius. For more information on our bus stops, times and maps please visit our website at www.tulare.k12.ca.us or give us a call at 559-688-2021 ext. 2023. Students will not be allowed to ride a different bus route or get off at an unauthorized stop without a prior parental/guardian permission slip approved by the school attendance office.

Who can ride the bus?

The Tulare Joint Union High School District provides bus service for:

● Students who live more than two miles walking distance from school.
● Students in certain special education programs.

What about students who go to schools outside their attendance area?

Transportation is provided only if they are enrolled in a special education program not offered at their local school. Other students who receive permission to attend a school outside their attendance area must provide their own transportation to and from school.

What are some of the rules of conduct on buses?

● Students must scan their identification cards to and from school in order to ride the bus.
● Students must be at the bus stop at the time designated and be ready to board with the least possible delay.
● Students should look for traffic in both directions before crossing the street and should cross at crosswalk areas where possible.
● Students must not stand or play in the roadway while waiting for the bus.
● Students should remain in line at least five feet from the bus when it stops to pick up passengers and should not move toward the bus until the door is open.
● No animals, alcoholic beverages, tobacco products, firearms, drugs or explosives are allowed on the bus.
● School dress code will be strictly enforced.
● Students must conduct themselves in an acceptable manner at all times. Vulgarity or other inappropriate behavior will not be permitted.
● Students shall not block the aisle or emergency exits with musical instruments, books, or other possessions.
● Students shall not extend arms or heads out of the bus windows at any time.
● Students shall not spit, throw, or drop anything out of the bus at any time.
● Seat belt use is mandatory when buses are equipped.

What can I do when the bus does not show up on time?

If you are reasonably sure that the delay is not due to weather conditions, please allow at least 15 minutes before calling the District Transportation Department Office. A bus may be delayed due to traffic conditions or mechanical problems. If, at the end of 15 minutes, your bus still has not arrived, you may wish to call the transportation office at 559-688-2021 extension 2023 or 2009. Please do not call this number for foggy day information. Transportation office reserves the right to change bus stop times or routes without notice when necessary to ensure student safety.

Who can ride a late bus?

Buses will depart from Tulare Western at approximately 5:50 pm, Mission Oak at approximately 5:55 pm, and Tulare Union at approximately 6:05 pm. These buses are for athletes who remain after school to practice. Anyone else desiring to ride a late bus must have written permission from a counselor or assistant principal. Identification is required to board the late bus.

Any other questions about buses? Call the Transportation Department at 559-688-2021 extension 2023 or 2009.
Transportation Safety Plan

For fog delays please call (559) 656-5990
For Transportation routes please call (559) 688-2021
A copy of the District Transportation Safety Plan is located at each school. Required elements of the transportation safety plan include:

1. Determining if pupils require escort pursuant to Paragraph (3) of subdivision (d) of Section 22122 of the Vehicle Code:

Prior to opening the door at each stop, school bus drivers will determine if students are required to cross the roadway. In addition to the requirements of paragraph (d) (1) of Section 22112 of the Vehicle Code, the driver shall escort all pupils in prekindergarten through grade 12 who need to cross the roadway or private road upon which the bus is stopped, and shall use an approved hand-held "STOP" sign while escorting pupils. Students who fail to follow the driver's instructions are subject to disciplinary action.

Tulare JUHSD transportation department will endeavor to develop school bus routes which contain a minimum number of stops that require students to cross the roadway. Special-education pupils or other pupils who require assistance to board or leave the school bus will not normally be required to cross the roadway.
Whenever you see the alternating flashing red lights on a school bus, you **must** stop if you are on a **two-lane highway**...

![Diagram of two-lane highway with vehicles stopped behind the school bus](image)

...if or you are on a **multiple-lane roadway** and you are traveling in the same direction as the bus you must stop behind the bus until the red lights have been deactivated. Vehicles that are traveling in the opposite direction of the bus are not required to stop.

![Diagram of multiple-lane roadway with vehicles stopped behind the school bus](image)

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**2. Procedures for all pupils in pre-kindergarten, kindergarten, and grades 1 to 8, inclusive, to follow as they board and exit the appropriate school bus at each pupil's school bus stop:**

A list of authorized school bus stops and routes will be posted at each school site. Students must board and exit at their assigned stop. Requests to have a student's stop changed must be made in writing and approved in advance by the Transportation Director. Students must be at the bus stop, on the right side of the street, 5-10 minutes before
the bus arrives. While waiting, they must respect the rights of property owners near the stop; vandalism, dangerous play or excessive noise may result in disciplinary action. If students are late to the stop and on the wrong side of the street, they must not cross the street until the driver gives them instructions and turns on the flashing red lights. Once again, any violation(s) of these procedures will be cause for appropriate disciplinary action.

Once the driver has closed the door and pulled away from the curb, the bus will not stop for students late to the stop. Students must never run across the street or run after a moving bus.

Students who must cross the street when they exit the bus in the afternoon must follow the driver's instructions, as stated in paragraph (1), above. Students are cautioned against entering the Danger Zone, which is the area around and within ten feet of the bus. Students exiting the bus should remain in the clear view of the bus driver after they exit. Students are expected to travel directly home from the school bus stop, and are accountable to the District for their actions between the school bus stop and their homes. Note: As of August 2009, the danger zone area has been increased to 12 feet around the bus.
3. **Procedures for boarding and exiting a school bus at a school or other trip destination:**

At schools or other trip destinations, students waiting to board are expected to observe the same standards of conduct, which they observe in the classroom. Students should form an orderly line no closer than twelve feet from the entrance door of the bus, then enter the bus without delay and take seats as instructed by the driver or school administrator.

Upon arrival at schools or other trip destinations, students are expected to remain quietly seated until instructed to exit by the driver. Students may cross in front of the bus when instructed to by the driver. Students must **never** cross behind the bus. Students are cautioned against entering the Danger Zone, which is the area around and within twelve feet of the bus. Students exiting the bus should remain in the clear view of the bus driver after they exit.

4. **Proper conduct while riding a school bus**

The conduct of the students riding Tulare Joint Union High School District buses or those chartered by Tulare Joint Union High School District, shall be the joint responsibility of the transportation director, school site administrator, bus driver, and parents.

It is very important to remember that **C.C.R. title 5 (14103)** grants complete authority to the school bus driver. This regulation also commits the driver to complete responsibility for what takes place on his/her bus. Therefore, the drivers’ directions must be followed at all times. The following conduct is a violation of district regulations. All violations will be dealt with accordingly including but not limited to suspensions of bus riding privileges.

**Reminder:** The school bus is an extension of the each respective school site. Therefore, all rules pertaining to student conduct while in school shall be in effect at all times when students are riding the bus.

**Students will do the following:**

- Scan I.D. cards when boarding the bus
- Required to wear seat belts at all times when the bus is in motion
- Ride only those buses to which students are eligible and assigned to, and normally take to and from school.
- Observe classroom conduct.
- Remain seated and facing forward while the bus is in motion.
- Keep your entire body inside the bus at all times.
- Sit in seats and areas assigned by the bus driver.
- Exit the bus through the front door only, unless otherwise directed by the driver.
**Students will not do the following:**

- Threaten, harm or endanger the safety of the passengers and/or drivers.
- Possess lighting devices, alcoholic beverages, drugs, glass containers, live animals/insects, explosive devices or weapons, pressurized containers (hair spray, perfume, paint, etc.).
- Engage in boisterous conduct, fighting or throwing of any object inside or outside of the bus.
- Use profane, vulgar/abusive language or gestures.
- Write on seats, walls or intentionally damage any portion of the bus.
- Tamper with school bus equipment
- Students will refrain from cell phone use when entering or exiting the bus to increase their awareness.

### 5. School bus emergency evacuation procedure exercises

At least once each school year the Tulare Joint Union High School District will conduct school bus emergency evacuation exercises in order to meet and/or maintain two specific state requirements:

1. To achieve the highest level of safe riding practices while students are being transported to or from school and/or school related activities.
2. To meet or exceed E.C. 39831.5 which mandates all school bus motor carriers to instruct pupils in emergency procedures and passenger safety. Notification will be sent to parents with information regarding school bus emergency evacuation practices prior to these events take place.

### 6. Safe walking routes to school

All students who choose to walk to school are to do so by following a safe route. Students are encouraged to always:

- A. Walk with classmates, friends or family members
- B. Look both ways before crossing streets or intersections.
- C. Use a crosswalk or cross at street corners.
- D. Always cross at designated intersections where district cross guards can escort students across roadways
- E. Never accept a ride from a stranger.

### 7. School bus stops

All school bus stops within Tulare Joint Union High School District boundaries are designated by the district superintendent and approved for safety by the California Highway Patrol. A list of all school bus stops and schedules will be made readily
available at each school site office. In order to exceed California safety standards for school pupil transportation the following is required:

1. Parents and students must be familiar with the school bus route schedule.
2. Students must arrive at their designated stop 5-10 minutes **before** the bus arrives.
3. Each driver will instruct students on how to line up properly while waiting for the bus to arrive. Students must remain **twelve (12)** feet away from the bus as the bus approaches the stop.

4. Proper loading and unloading procedures are required each day while riding the bus. Any display of behavior violating the required procedures for loading and unloading will result in appropriate disciplinary measures.

5. Any student who is not familiar with the school bus transportation system should be accompanied by a parent or responsible adult to and from school bus stops.

All of the above recommendations, procedures, policies and laws have been designed and implemented for the sole purpose of providing the safest means of transportation for all students who ride Tulare Joint Union High School District buses. With the cooperation of district administration, staff, parents, and students this community will continue to enjoy the safety and success of the time honored tradition of riding the “yellow bus” to school each day.

**Unassigned Bus Stop:**

No student shall be allowed to utilize any designated bus stop other than the student’s primary designated stop without the written permission of the pupil’s parent/guardian and approval and direction from the site administrator/principal. This permission shall include the full name of the parent/guardian, the home and or work phone number and a legal signature giving the department this permission. No pupil shall be allowed to disembark at a location other than a district approved designated bus stop. Disembarking at a stop other than the student’s designated stop will be sufficient cause to suspend the student’s riding privilege.

Bobby R. Richardson, Transportation Supervisor
Paul S. Azevedo, School Bus Driver Instructor
Seat Belt Requirement

Seat Belts are required to be worn on TJUHSD school buses.

This is a friendly reminder that wearing seat belts by the driver and all passengers is required by district policy, California Department of Education now and will be also required by law in July 2018.

This requirement applies to Home to School, School to Home, SPAB Trips and Athletic Trips.

This requirement of wearing seat belts also applies to:

Administrators
Teachers
Coaches
Walk On Coaches
Chaperones

Please support the bus drivers in the monitoring and application of this requirement as the student(s)/athletes look to their teacher and coaches as role models/mentors and if they are not leading by example and wearing their seat belts it makes the driver’s job much tougher to enforce and make sure we are in compliance.

The requirement is based on safety tests and remember that we do not make the rules as we are tasked with making sure the rules are followed on the school buses. The bus driver is in command of their vehicle when in operation.

Please see the CCR below.

Thank You in advance for your support in this matter.

5 CCR § 14105

All passengers in a school bus or in a school pupil activity bus that is equipped with passenger restraint systems in accordance with sections 27316 and 27316.5 of the Vehicle Code, shall use the passenger restraint system. All pupils described in subdivision (a) of Education Code Section 39831.5, shall be instructed in an age-appropriate manner in the use of passenger restraint systems required by Education Code Section 39831.5(a)(3). The instruction shall include, but not be limited to, the following information:

(a) Proper fastening and release of the passenger restraint system:

(1) Fastening: To fasten, insert the latch plate (the metal “tongue” attached to one side of the webbing) into the proper buckle (the receptacle that comes out from the “bight” in the back of the seat, a slot in the seat cushion, or from the side). The latch plate inserts into the buckle until you hear an audible snap sound and feel it latch. Make sure the latch plate is securely fastened in the buckle.
(2) Unfastening: To unfasten, push the buckle release button and remove the latch plate from the buckle. The buckle has a release mechanism that, when manually operated during “unbuckling,” breaks the bond and separates the two sections.

(b) Acceptable placement of passenger restraint systems on pupils: Adjust the lap belt to fit low and tight across the hips/pelvis, not the stomach area. Place the shoulder belt snug across the chest, away from the neck. Never place the shoulder belt behind the back or under the arm. Position the shoulder belt height adjuster so that the belt rests across the middle of the shoulder. Failure to adjust the shoulder belt properly would reduce the effectiveness of the lap/shoulder belt system and increase the risk of injury in a collision.

(c) Times at which the passenger restraint system should be fastened and released: Passenger restraint systems shall be used at all times the school bus or school pupil activity bus is in motion except when exempted in subdivisions (e) and (f) of this section.

(d) Acceptable placement of the passenger restraint systems when not in use: When not in use, passenger restraint systems shall be fully retracted into the retractors so that no loose webbing is visible, or stored in a safe manner per the school bus manufacturer's instructions.

(e) This section does not apply to a passenger with a physically disabling condition or medical condition which would prevent appropriate restraint in a passenger restraint system, providing that the condition is duly certified by a licensed physician or licensed chiropractor who shall state in writing the nature of the condition, as well as the reason the restraint is inappropriate.

(f) This section also does not apply in case of any emergency that may necessitate the loading of school children on a school bus in excess of the limits of its seating capacity. As used in this section, “emergency” means a natural disaster or hazard (as determined by the school district superintendent or their designee) that requires pupils to be moved immediately in order to ensure their safety.

Note: Authority cited: Sections 33031, 38047.5, 38047.6 and 39831, Education Code. Reference: Sections 38047.5, 38047.6, 39830, 39830.1 and 39831.5, Education Code; and Sections 27316 and 27316.5, Vehicle Code.

HISTORY
This database is current through 1/26/18 Register 2018, No. 4
NCHE publications are supported through a contract with the U.S. Department of Education's Office of Safe and Healthy Students. For more information, visit https://www.ed.gov/programs/homeless/index.html.

What You Need to Know to Help Your Child in School
A Guide for Parents, Guardians, and Caregivers

Local Liaison

Maria Bueno
Tulare Joint Union High School District
(559) 688-2021

State Coordinator for Homeless Education

Leanne Wheeler
California Department of Education
866-856-8214

If your family is in a temporary or inadequate living situation due to a loss of housing, your child might be eligible for certain educational rights and services.

National Center for Homeless Education
http://nche.ed.gov
800-308-2145
homeless@serve.org

National Center for Homeless Education
Supporting the Education of Children and Youth Experiencing Homelessness
Eligibility for McKinney-Vento Services

If your family lives

› in a shelter
› in a motel or campground due to the lack of an alternative adequate accommodation
› in a car, park, abandoned building, or bus or train station
› doubled-up with other people due to loss of housing or economic hardship

Your child might be able to receive help through a federal law called the McKinney-Vento Act.

McKinney-Vento Rights and Supports

Your McKinney-Vento eligible children have the right to

› receive a free, appropriate public education.
› enroll in school immediately, even if lacking documents normally required for enrollment.
› enroll in school and attend classes while the school gathers needed documents.
› enroll in the local school; or continue attending the school of origin (the school they attended when permanently housed or the school in which they were last enrolled), if that is your preference.

*If the school district believes that the school you select is not in the best interest of your children, then the district must provide you with a written explanation of its position and inform you of your right to appeal its decision.
› receive transportation to and from the school of origin, if you request this.
› receive educational services comparable to those provided to other students, according to your children’s needs.

Resources from NCHE

Toll-free Helpline: 800-308-2145 or homeless@serve.org

NCHE can explain your child’s school rights and tell you how to contact the local liaison in your school district. The local liaison can help enroll your child in school and make sure that your child receives the help that he/she needs.

Website: http://nche.ed.gov

The NCHE website has a lot of good information, including a webpage for parents who want to help their child in school: https://nche.ed.gov/ibt/parent_res.php.

Parent Pack Pocket Folders

Parent Pack Pocket Folders are folders where you can keep important records and papers related to your child’s schooling. The folder also explains the educational rights of children in homeless situations. Order these folders for free by calling 800-308-2145 or visiting https://nche.ed.gov/online_order.php.
What can I do to help my child in school?

» Make sure your child goes to school every day and arrives rested and fed.
» Provide a quiet place for your child to do homework, and set aside time every day to help your child with homework.
» Pay attention to your child’s health needs and take care of any problems early.
» Ask your child what he or she is learning in school. Have him or her explain it to you. If you show interest in your child’s education, he or she will know that it’s important.
» Read to your child every day. For older children, set aside time each day for you and your child to read together silently. Talk about what you read.
» Praise your child for what he or she does well, like getting a good grade or playing on a school sports team.
» Listen to what your child shares with you and talk about any problems he or she is having. You also can talk about these problems with a teacher or school counselor.
» Encourage your child to participate in things like sports and music.

Frequently Asked Questions

When I move, should I keep my child in the same school or transfer my child to the local school?

Moving from one school to another can be upsetting for children. They have to leave the friends and teachers they know and get used to new friends, teachers, and classes. Because of this, it is usually best for your child to stay in his/her same school (the school of origin), even if you move to a different area.

Here are some questions to think about when deciding whether your child should stay in the same school or move to the new school where you’re living:

» How old is your child?
» How permanent is your current living arrangement? Do you plan to move back close to the school of origin or do you think you’ll stay near your current living arrangement?
» Is your child attached to his/her school of origin? An older child who feels very connected to his/her school of origin and/or is about to graduate might have a harder time changing schools.
» How anxious is your child because you have had to move? Would changing schools be overwhelming?
» Would changing schools cause your child to fall behind in school and get bad grades?
» Is this a good time of year for your child to change schools, such as at the end of a semester or school year, after testing, or after an event that is important to your child?
» How much time would your child have to spend going back and forth to the school of origin? A long ride might have a negative impact on your child’s schoolwork.
» Are there safety issues to think about in choosing which school your child should attend?

Good Questions Make Good Readers

Asking children about what they read will help them become good thinkers.

For stories (fiction):

» What happened? What do you think will happen next? Why?
» Who is the main character? Do you like him/her? Why? Would you have done what he or she did? If not, what would you have done?
» How did this story make you feel?

For informational material (non-fiction):

» What was the article or chapter about? Ask for as many details as possible.
» What do you think was the author’s main point?
» What part did you find the most interesting?
» Why do you think this information is important?
What if the school and I disagree about where my child should go to school?

If you and the school disagree, the school district has to tell you in writing why it thinks your child should go to a different school than the one you want. The district also has to tell you in writing how you can appeal this decision. Your child can still enroll in, attend, and participate fully in the school you think is best for him or her while the disagreement is being settled.

Whom can I contact to help with my child’s education?

» Every school district has a local homeless education liaison. This person can help you decide which school would be best for your child and communicate with the school. The local liaison also can help your child get school supplies, supplemental services, and free school meals; set up transportation to and from the school of origin; and help you find community supports.

» When you enroll your child in a new school, you should ask to meet his/her teacher(s). You also should talk to your child’s teacher(s) every so often to talk about how he or she is doing. Know at least one teacher at your child’s school well enough to ask questions about your child’s schoolwork and to give him or her information that will help your child learn.

» The school counselor can help your child deal with changes and challenges. Share with this person any information about how your child is acting at home, or things he or she is dealing with that might affect schoolwork.

» Other good people to know are the school principal, attendance officer, bus driver, school social worker, and school nurse.

» All school and school district staff can help make sure your child gets all the services he or she needs to do well in school. You are an important partner in your child’s education and should work as a team with the school and school district.

What questions should I ask about services under the McKinney-Vento Act?

» Who is the local homeless education liaison? How can I contact him or her?

» What transportation is available for my child to stay in the same school (the school of origin)?

» If my child changes schools, who can help us transfer records to the new school quickly?

» How can my child receive free meals at school?

» How can my child receive free school supplies, if needed?

» Who can help if my child needs special education services? How quickly can these services be set up?

» What academic help is available for my child, such as Title I programs or after-school tutoring?

» What programs can help develop my child’s talents and address his/her unique needs?

» Are there sports, music, or other activities available for my child?

» How can my child go on class field trips or participate in other school activities if I can’t pay for them?

» Is there a preschool program for my younger children?