



**SAN LUIS OBISPO COUNTY  
OFFICE OF EDUCATION**

**LEADERSHIP ■ COMMUNITY ■ SERVICE**

**JAMES J. BRESCIA, ED. D., SUPERINTENDENT**

# **2020-2021**

## **San Luis Obispo County Office of Education Annual Notification of Official Information to Parents, Guardians & Students**

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California Education Code §5145.6 requires that parents receive annual notification of information of their rights and responsibilities. Please take time to review the following information. If you would like clarification on any of the following notifications please contact the administrator of your child's San Luis Obispo County Office of Education (SLOCOE) program or school.

### **ATTENDANCE**

Children cannot learn if they are not in school. CA Ed Code §48200 requires students who are 6 – 18 years old to attend school on a regular basis. Schools do not receive funding for a student who is not in school, even when they are sick or have an excused absence. It is essential that your child attend school whenever possible; even if for part of a day, after or before appointments.

CA Ed Code §48205 defines the following absences as an excused absence.

- (1) Due to his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
- (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- (8) For the purpose of serving as a member of a precinct board for an election pursuant to §12302 of the Elections Code.
- (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in §49701, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

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

For purposes of this section, attendance at religious retreats shall not exceed four (4) hours per semester.

“Immediate Family”, as used in this section, has the same meaning as that set forth in §45194, except that references therein to ‘employee’ shall be deemed to be references to “pupil”. (EC 48205(e))

### **ATTENDANCE WHERE CAREGIVER RESIDES**

If your child lives in the home of a care-giving adult, as defined by law, your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the care-giving adult is required to determine that your child lives in the caregiver's home. (EC48204(d))

Active-duty military families may enroll their children in the school district where they are living not the district where the military base is located. Proof of residency needs to be provided within 10 days.

### **ATTENDANCE IN DISTRICT IN WHICH PARENT/GUARDIAN IS EMPLOYED**

Your child may have the option of attending school in the school district where you or your spouse is employed. If interested, call the school office for information. (EC48204(b))

### **MIGRATORY CHILDREN-RESIDENCY RETENTION**

Currently migratory children, who are enrolled in a school due to a parent's or immediate family member's temporary or seasonal employment in an agricultural or fishing activity, as defined by Education Code section 48204, must be allowed to continue in their schools or origin for the duration of their status as migratory children. If/when a student's status as a migratory child changes during the school year, the school district must: (1) allow K-8th graders to continue in their schools of origin for the remainder of that school year; and (2) allow 9-12th graders to continue in their schools of origin through graduation.

Migratory children and their parents/guardians must be informed of the impact that remaining in their schools of origin will have on their eligibility to receive migrant education services.

### **PUPILS IN HOSPITALS OUTSIDE OF SCHOOL DISTRICT**

If, due to a temporary disability, your child is in a hospital or other residential health facility, which is located outside of SLOCOE District, he/she may be eligible to attend the school district in which the hospital is located. (EC48207) If this situation should arise, you should notify both the District where you reside and where the hospital is located so that individualized instruction, if possible, can be provided (EC48208)

### **INDIVIDUALIZED INSTRUCTION**

If your child has a temporary disability preventing him/her from attending regular classes, SLOCOE will provide individual instruction when possible. This instruction can be provided at home or in a hospital or residential health facility by the district where the facility is located.

### **MINIMUM DAYS/PUPIL-FREE STAFF DEVELOPMENT DAYS**

The COE will notify parents/guardians of its minimum days and staff development days at least one month in advance. The dates known at press time are included on school calendars and on the website. (EC48980(c))

### **PARENTING STUDENTS**

Students, who are also parents, may miss school to care for his/her child without a doctor's note. These pregnant/parenting students may not be treated differently on the basis of sex, may participate in educational and extracurricular activities if physically and emotionally able to participate, not be required to attend alternative programs. Pregnancy and complications are treated as any other temporary disabling condition. These students may voluntarily take 8 weeks of parental leave or more if deemed medically necessary by the student's physician, cannot be required to make up the academic work while on parental leave, return to school and the program in which the student was enrolled in prior to the leave, and not incur academic penalties based on the use of any accommodations above.

### **DEFINITION OF A TRUANT**

Pursuant to §48260(a): Any pupil... who is absent from school without valid excuse three full days in one school year or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the attendance supervisor or to the superintendent of the school district.

### **SUBSEQUENT REPORT OF TRUANCY**

Pursuant to §48261: Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

### **DEFINITION OF A HABITUAL TRUANT**

Pursuant to §48262: Any pupil is deemed a habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed a habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil.

## **HABITUAL TRUANT MANDATES & INTERVENTIONS**

The law requires that after a student has been reported as a truant three or more times in one school year and after an appropriate school employee has made a conscientious effort to hold at least one meeting with the parent and the student, the student is deemed a habitual truant. Pursuant to §48263: When a student is a habitual truant, or is irregular in attendance at school, or is habitually insubordinate or disorderly during school, the student may be referred to a **School Attendance Review Board (SARB)** Hearing.

### **PRE-SARB CONFERENCE**

Pre-SARB conferences are informational meetings designed to ensure you and your child are aware of the current laws related to school attendance and the consequences for parents and children when a student fails to attend school regularly. The meeting will be scheduled with a parent or guardian, the student, an administrator or designee, and may also include a probation officer assigned as the school's truancy officer or other support staff. The goal of this meeting is to increase positive student attendance, thereby preventing a referral to SARB or any serious legal consequences.

### **SARB HEARING**

SARB hearings are formal proceedings intended to provide solutions for students who fail to respond to the normal avenues of school intervention. The directives ordered by SARB are designed to divert students with serious attendance and/or behavioral problems from the juvenile justice system and to reduce the number of students who drop out of school. The hearing will be scheduled with a parent or guardian, the student, and a district administrator or designee. Members of the Board may include, but are not limited to, representatives from SLOCOE, County Probation Department, District Attorney's Office, Department of Social Services, Department of County Mental Health, Court and Community School, Local Law Enforcement, Family Resource Center, and other community-based youth service agency/organizations that may be appropriate. Results of the hearing may include, but are not limited to, referrals to the County Truancy Board or the District Attorney's office, adjustments in school placement or program, or participation in counseling or parenting classes.

### **NOTIFICATION OF TRUANCY TO PARENT(S) OR GUARDIAN(S)**

Pursuant to §48260.5: Upon a pupil's initial classification as a truant, the school shall notify the pupil's parent or guardian using the most cost-effective method possible, which may include electronic mail or a telephone call:

- a) That the pupil is truant.
- b) That the parent or guardian is obligated to compel the attendance of the pupil at school.
- c) That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution pursuant to Article 6 (commencing with §48290) of Chapter 2 of Part 27.
- d) That alternative educational programs are available in the district.
- e) That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- f) That the pupil may be subject to prosecution pursuant to §48264.
- g) That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege pursuant to §13202.7 of the Vehicle Code.
- h) That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.

### **INSTRUCTION**

Due to the nature and variety of our programs, we serve students on a variety of different calendars. Calendars are provided to each student and family at the beginning of the school year, or time of enrollment. Calendars can also be found on the SLOCOE website.

### **SCHOOL ACCOUNTABILITY REPORT CARD (SARC)**

The School Accountability Report Card is available on request, and is available on the Internet at <https://www.slocoe.org/wp-content/uploads/2018/02/03012018-SARC-Com-School.pdf> It contains information about the COE and schools regarding the quality of programs and progress toward achieving stated goals. (EC33126, 35256, 35258)

### **CAREER COUNSELING**

When all students are provided career counseling and course selection opportunities, all students are provided equal services. Parents may participate in counseling sessions. (EC221.5)

## **EXCUSED FROM INSTRUCTION DUE TO RELIGIOUS BELIEF**

Whenever any part of the instruction in health or family life education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction upon your written request. (EC51240)

## **FOSTER AND HOMELESS YOUTH**

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all homeless school-aged children to the same free and appropriate public education that is provided to non-homeless students. Every school district must appoint a liaison to assist these students.

A homeless student is defined as a person between the ages of birth (Early Head Start and Head Start Programs) and twenty-two (special education students) who lacks a *fixed, regular, and adequate* nighttime residence and may temporarily:

- Live in an emergency or transitional shelter; abandoned building, parked car, or other facility not designed as a regular sleeping accommodation for human beings;
- Live “doubled-up” with another family, due to loss of housing stemming from financial problems (e.g., loss of job, eviction or natural disaster);
- Live in a hotel or motel;
- Live in a trailer park or campsite with their family;
- Have been abandoned at a hospital;
- Be awaiting foster placement in limited circumstances;
- Reside in a home for school-aged, unwed mothers or mothers-to-be if there are no other available living accommodations; or
- Be abandoned, runaway, or pushed out youth or migrant youth that qualifies as homeless because he/she is living in circumstances described above.

A homeless student has the right to attend either the *school of origin, defined as the school that the student was last enrolled or attended when last housed or any school attended in the past fifteen (15) months*; or the *current school of residence*. If a dispute arises over school selection or enrollment, the parent/guardian has the right to dispute the school’s decision by contacting the district’s homeless liaison and following the district’s dispute resolution policy.

The law requires the immediate enrollment of homeless students, which is defined as “attending class and participating fully in school activities”. Schools cannot delay or prevent the enrollment of a student due to the lack of school or immunization records *or other documentation usually required for enrollment*. It is the responsibility of the district homeless liaison to refer parents to all programs and services for which the student is eligible. Referrals may include, but is not limited to: free nutrition, special education services, tutoring, English Language Learners programs, Gifted and Talented Education program, preschool, before and after school services or any other program offered by the school or district. The district shall ensure that transportation is provided, at the request of the parent/guardian/unaccompanied homeless youth, to and from the school of origin, if feasible.

Unaccompanied youth; such as teen parents not living with their parent or guardian or students that have run away or have been pushed out of their homes, have access to these same rights.

### **Credit exemption to receive a diploma based on state minimum requirements:**

AB 2306 states that students who are **foster, /homeless or former juvenile court school students** that transfer schools after the second year of high school, and are greatly deficient in credits may be able to graduate within four years with the state minimum requirements. School districts are required to issue and accept partial credit for courses that have been satisfactorily completed. Schools are required to notify students of this option. This exemption from local graduation requirements also now applies to children of active-duty military families (AB 365). AB 1124 amended AB 2306 allowing a juvenile court student to defer the issuance of the diploma until he or she is released. Then upon release, it allows the student to decline the diploma for the purpose of enrolling in a school to take additional coursework. This credit exemption has also been given to current migratory students and students participating in a newcomer program.

*Foster and homeless youth are allowed educational rights, such as: immediate enrollment, remain in the school of origin, enrollment in local comprehensive school, partial credits, graduation with state minimum requirements with possible fifth year/exemption from local graduation requirements, and access to academic resources, services and extracurricular activities. A local educational agency must provide a remedy to the affected pupil following the Uniform Complaint Procedures, including information regarding exemption from local graduation requirements, if educational rights are not allowed at the public high school.*

## **TESTS/SURVEYS ON PERSONAL BELIEFS**

Unless you and your children over 18 years of age provide written notification for nonparticipation, your child may volunteer to anonymously complete questionnaires, surveys (such as the Healthy Kids Survey), examinations, or marketing materials containing questions about your child's or his/her parents'/guardians' personal beliefs or practices in politics, mental health, anti-social, illegal, self-incriminating, or demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility in a program or for receiving assistance), sex, family life, morality, or religion. Parents/guardians have the right to review any survey or educational materials related to the survey on any of the above items. SLOCOE has developed policies relating to the surveys and personal information. (EC51513; PPRA, 20 U.S.C.; No Child Left Behind Act [NCLB])

## **IMMIGRATION**

### **Residency Retention for Students Whose Parents are Detained or Deported**

SB 257 added Education Code section 48204.4 which now allows students whose parents have been detained or deported to retain residency in a school district regardless of the student's current residency when certain conditions are met.

### **Immigration Enforcement-Know Your Rights**

Assembly Bill (AB 699 added Education Code section 234.7 which requires LEAs to provide parents and guardians, as appropriate, information regarding the right to a free, public education, regardless of immigration status. This must include information relating to immigrant's rights posted on the Attorney General's website <https://www.oag.ca.gov/immigrant/rights>

### **Discrimination Based on Immigration Status**

AB 699 also amended Education Code sections 200, 220, and 2341 to prohibit discrimination based on immigration status. Annual notice anti-discrimination provisions and Uniform Complaint Procedures provisions will require updates to include immigration status as a protected classification.

## **STUDENT RECORDS**

You and your children, over 18 years of age, have the right to review and inspect their school records within five (5) days of a written request. Those records are confidential, and privacy will be maintained, except in some instances such as when your child transfers to another school. The records include transcripts, discipline letters, commendations, attendance, health, and possibly other related information. The records are maintained at the school site by school officials/designees. There is a log of who has viewed the records that is kept at the same location as the records. The COE 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 student's enrollment. Policy/Regulation 5125 sets forth the criteria by which school officials and employees can look and change or delete the files and why. You may have copies made for five (5) cents per page. You also have the right to file a written request with the Superintendent challenging the records. You can challenge how your request was handled with the COE or with the United States Department of Health, Education and Welfare if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, comment not based on personal observation with time and date noted, misleading information, or violation of privacy rights. You will have the opportunity to meet with the Superintendent or designee within thirty (30) days. If your challenge is sustained, the changes will be made. If not, you can appeal to the Board of Trustees, which has final authority. If you still have a different view, your view can be included in the student's record. (EC49063, 49060, 49070; Family Educational Rights & Privacy Act [FERPA] 34 CFR - Part 99).

**Only if a court order is provided, will any student information be disseminated, attached or provided to federal officials.**

**The court order must indicate prior approval of the presiding judge of the juvenile court.**

## **SOCIAL SECURITY NUMBER– EC 49076.7**

Prohibits schools districts, county offices of education, and charter schools from collecting or soliciting social security numbers or the last four digits of the social security numbers from pupils or their parents or guardians unless otherwise required to do so by state or federal law.

*Pupils and their parents or guardians should not be asked to provide their social security numbers or the last four digits of the social security numbers unless required by state or federal law. If a form is requesting that you provide a social security number or the last four digits of the social security number for you and/or your child and it does not specify the state or federal law that requires this information, ask the school administrator for more information before providing it.*

## **REGULATIONS REGARDING PUPIL ACHIEVEMENT**

SLOCOE believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used. The progress report should reflect student progress in class work and proficiency levels and indicate educational growth in relation to the students' ability, citizenship, and effort. (EC49067)

## TEACHER QUALIFICATIONS

A provision of Federal Title I requires all districts to notify parents of children in Title I schools that they have the right to request and receive timely information on the professional qualifications of classroom teachers and paraprofessionals including state qualifications, licensing for the grade level or subject taught, any waivers for qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides, are in the classroom and what their qualifications are. (No Child Left Behind (NCLB))

## STANDARDS OF PROFICIENCY IN BASIC SKILLS/PROSPECTUS

The COE has adopted student basic skills standards of proficiency as required by law. Skills shall include, but are not limited to, reading comprehension, writing, and computation skills. All skills should be articulated across the grade levels pursuant to §49063(K) the prospectus is available by contacting the school or program office. (EC49063(k))

## CALIFORNIA HIGH SCHOOL EXIT EXAMINATION (CAHSEE)

AB 830 has eliminated the California High School Exit Exam (CAHSEE).

## CALIFORNIA HIGH SCHOOL PROFICIENCY EXAM

Requires the principal of a school maintaining grades 11 and 12 to distribute an announcement explaining the California High School Proficiency Examination provided under EC 48412. Notification to be made in time sufficient to enable interested pupils to meet examination registration requirements for fall test of that year.

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency is equivalent to a high school diploma; however, it is not equivalent to completing all coursework required for regular graduation from high school. Pupils planning to continue his or her studies in a college or university should contact the admissions office of the institution to find out if the Certificate of Proficiency will meet admission requirements. A pupil is eligible to take the CHSPE only if he or she meets one of the following requirements on the test date: 1) is at least 16 years old; 2) has been enrolled in the tenth grade for one academic year or longer; or 3) will complete one academic year of enrollment in the tenth grade at the end of the semester during which the CHSPE regular administration will be conducted. A fee for each examination application shall not be charged to a homeless or foster youth under the age of 25. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>.

## CAL GRANT PROGRAM

By January 1<sup>st</sup> of a pupil's grade 11 academic year, a school district or charter school must provide written notice to each grade 11 pupil and, for a pupil under 18 years of age, his or her parent or guardian that the pupil will be automatically deemed a Cal Grant applicant unless the pupil opts out. The deadline to opt out must not be less than 30 days from the date of the notice. Until a pupil turns 18 years of age, only a parent or guardian may opt the pupil out. Once a pupil turns 18 years of age, only the pupil may opt himself or herself out and, if prior to the conclusion of the notice period, the pupil may opt in over the prior decision of a parent or guardian to opt out. The notice must indicate when the school will first send grade point averages to the Student Aid Commission and the submission deadline of October 1.

A Cal Grant is money for college that does not have to be paid back. To qualify, a student must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent and career colleges or technical schools in California also take Cal Grants.

In order to assist students apply for financial aid, all students in grade 12 are automatically considered a Cal Grant applicant and each grade 12 student's GPA will be submitted **by the October 1 deadline** to the California Student Aid Commission (CASC) electronically by a school or school district official. A student, or the parent **or** guardian of a student under 18 years of age, may complete a form to indicate that he **or** she does not wish for the school to electronically send CASC the student's GPA. Until a student turns 18 years of age, only the parent **or** guardian may opt out the student. Once a student turns 18 years of age, only the student may opt himself **or** herself out, and can opt in if the parent **or** guardian had previously decided to opt out the student. **Notification regarding CASC and the opportunity to opt out of being automatically deemed a Cal Grant applicant will be provided to all students and their parents or guardians by January 1 of the students' 11<sup>th</sup> grade year.**



## **DISSECTION OF ANIMALS**

If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection to participation. (EC32255.1)

## **RELEASE OF DIRECTORY INFORMATION**

The law allows schools to release "directory information" to certain persons or organizations, including military recruiters. Directory information may include a student's name, address, telephone information, date & place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student. You may have the COE withhold any of this information, including photos of your child, by submitting a request in writing to the school office. The Superintendent or designee may limit or deny the release of specific directory information to any public or private nonprofit organization based upon his/her determination of the best interest of the student. (EC49061(c), 49073; NCLB)

## **SCHOOL SAFETY PLAN**

Pursuant to §3226 and 32288, each school shall review and update the comprehensive school safety plan by March 1 of each school year. Each school shall report on the status of its school safety plan to numerous community leaders and include a description of its key elements in the school accountability report card. (EC32286, 32288)

## **DISABLED STUDENT SERVICES**

If a student is disabled and receiving medical or health care, that student is entitled to special instruction provided by the school district in which the medical or health facility is located. Parents should notify the office of the superintendent of the district in which the facility is located to arrange for the provision of instruction. Individual instruction is also available for temporarily disabled students. (EC48206.3, 48207, 48208)

## **MEAL PROGRAM and E.I.T.C.**

Your child may be eligible to purchase breakfast and lunch at a reduced rate. An application will be sent to all students' homes at the beginning of the school year.

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

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

There are many options for notifying households about the EITC which may include in-person, electronic, mail, flyers, or by phone. For additional information, refer to the IRSEITC webpage at <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit> or the California EITC Web page at <https://www.ftb.ca.gov/individuals/faq/net/900.shtml>.



If you have questions regarding this subject, please contact the IRS by phone at 800-829-3676 or through its website at [www.irs.gov](http://www.irs.gov) You can also contact the Franchise Tax Board by phone at 800-852-5711 or through its website at [www.ftb.ca.gov](http://www.ftb.ca.gov)

### **LACTATING PUPILS**

Requires a school operated by a school district or a county office of education, to provide, only if there is at least one lactating pupil on the school campus, reasonable accommodations on a school campus to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. These reasonable accommodations include, but are not limited to, access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child, permission to bring onto a school campus any equipment used to express breast milk, access to a power source for that equipment, and access to a place to safely store expressed breast milk.

### **DISCIPLINE**

SLOCOE desires to prepare youth for responsible citizenship by fostering self-discipline and personal responsibility. We believe that good planning, a good understanding of each child and parent involvement can minimize the need for discipline. Teachers shall use positive conflict resolution techniques and avoid unnecessary confrontations. When misconduct occurs, staff shall make every effort to identify and correct the causes of the student's behavior. Policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school and program has developed disciplinary rules in accordance with the law to meet the school and student needs. Staff shall enforce disciplinary rules fairly and consistently, without regard to race, creed, color, or sex. In order to maintain safe and orderly environments, the COE shall give employees all reasonable support with respect to student discipline. If a disciplinary strategy is ineffective, another strategy shall be employed.

### **SCHOOL RULES**

Per CA Education Code §48980, parents, guardians, and students have a right to review school rules regarding student discipline. The basic school rules are listed below. If you have additional questions, or would like to review additional rules, please contact the school office.

1. Be respectful of others and their property.
2. Bring to school only those things needed to do schoolwork.
3. Use appropriate language.
4. Hats, hoods, and head coverings are not allowed inside classrooms or other buildings.
5. Personal electronic devices must be checked-in with site staff prior to the start of the school day.
6. If you are not legally allowed to possess an item, or it is not allowed on campus – you cannot display or advertise it ~ *and we don't want to hear about it either.*
7. Food and drinks are prohibited in the classroom.
8. Students are not allowed in the parking lot without staff permission.
9. Once a student is on campus, they may not leave without being properly checked out through the office.

SLOCOE prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all district property and in district vehicles at all times. ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin.

Section 119405 of the Health and Safety Code prohibits the sale of e-cigarettes to minors which means that students should not be in possession of any such devices. Students using, in possession of, or offering, arranging or negotiating to sell ENDS can be subject to disciplinary action, particularly because ENDS are considered drug paraphernalia, as defined by 11014.5 of the Health and Safety Code.

### **DRESS CODE**

Cleanliness, appropriate grooming, and proper dress are important in setting the pattern of school and social conduct. The standards of dress for school should not be inconsistent with the academic atmosphere at the school nor should an individual's attire be disruptive to the learning processes for his/her fellow students. Any student who comes to school without proper attention having been given to personal cleanliness or neatness or improper attire may be sent home to be

properly prepared for school, or provided alternative clothing to use for the remainder of the school day. SLOCOE schools prohibit the presence of any apparel, jewelry, accessory, notebook, or manner of grooming by virtue of its color, arrangement, trademark or any other attribute which demonstrates membership in gangs, advocates drugs, advocates hate, violence, or disruptive behavior. Examples of prohibited dress or appearance include, but are not limited to:

1. Exposed undergarments
2. Excessively sagging pants
3. Excessively short or tight garments
4. Bare midriff shirts/pants
5. Strapless shirts
6. Attire with messages or illustrations that are lewd, indecent or vulgar
7. Attire that advertises products or services not permitted by law to minors
8. See-through clothing
9. Attire that exposes cleavage
10. Any adornment such as chains or spikes that could reasonably be perceived as a weapon
11. Any symbol, style or attire frequently associated with intimidation, violence or violent groups
12. Headgear of any kind may not be worn in buildings

Students whose dress and/or grooming is found to be in violation of the dress code or considered disruptive to the educational process will be sent to the principal's office. The student will remain there until appropriate clothing is brought from home. Multiple dress violations may result in a detention, community service or suspension. These standards apply at all school functions.

The following procedures are guidelines for implementing the policy and the code:

1. Teachers, counselors, or administrators are to make a reasonable attempt to counsel students whose grooming and/or dress deviates from the dress code.
2. A student who is found to be in violation of the dress code may be sent home or may otherwise be required to properly prepare himself/herself for school.
3. If the violations continue, contact is to be made with the parents/guardians by the school representative and the parents/guardians are to be made aware of the failure of the student to conform to the rules and regulations of the school.
4. Continued violation of the dress code constitutes willful disobedience and is good cause for suspension or expulsion from school.

### **GANG-RELATED APPAREL**

The principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received. (EC35183)

### **RELEASE OF STUDENT TO A PEACE OFFICER**

If a school official releases your child from school to a peace officer for the purpose of removing him/her from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent/guardian. (EC48906)

### **PARENT RESPONSIBILITY**

Parents/guardians are liable for all the damages caused by the willful misconduct of their minor children which result in death or injury to other students, school personnel, or damage to school property. Parents/guardians are also liable for any school property loaned to the student and willfully not returned. Parents/guardians' liability is defined in §48904. The school may withhold the grades, diplomas or transcripts of the student responsible until such damages are paid or the property returned, or until completion of a voluntary work program in lieu of payment of money. (EC48904, Civil Code Sec.1714.1) If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. (EC48900.1)

## **FAMILY ENGAGEMENT**

Research tells us that family engagement in school makes a big difference. When schools, families and communities work together, student achievement increases. SLOCOE schools welcome and encourage family participation in a variety of ways. SLOCOE has aligned parent involvement in the LCAP and SPSA stakeholder engagement processes by streamlining the two into a single coherent system of parent and family engagement activities that reflect and represent both the LCAP and SPSA requirements. This will promote a more comprehensible, unified, and understandable system for parents to more easily and meaningfully engage in their child's educational process. To review the Family Engagement Policy, please see the school office or the SLOCOE website.

## **STUDENT SEARCH**

The school principal or designee may search the person of a student, the student's backpack or purse if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband. (U.S. Supreme Court Case: *New Jersey vs. T.L.O.* (1985) 469 U.S. 325)

## **SEARCH – Police Dogs**

Ensuring your students are safe from drugs requires a drug free school. Trained police dogs may be used in a search on the school grounds, in hallways, social areas, locker rooms, gyms, parking lots and classrooms. As a parent one of the most crucial policies to demand from your student's school is a drug free campus. Nationwide, over 85% of high school students and 44% of junior high students report seeing drugs used, sold, or stored on campus with 31% of high school students and 9% of junior high students seeing such conduct at least once a week (Center for Substance Abuse Research). Law Enforcement and probation will be involved along with school officials during any search of campus involving trained police dogs.

## **CELL PHONES and other ELECTRONIC SIGNALING DEVICES**

Schools may regulate the possession or use of any cell phones, pagers, iPods, mp3 players, or electronic signaling devices while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. (EC48901.5)

## **GROUND FORS SUSPENSION AND/OR EXPULSION**

### **EC 48900. Grounds for Suspension and Expulsion**

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

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

(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

(D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, or image.

(ii) A post on a social network Internet Web site, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

- (1) While on school grounds.
  - (2) While going to or coming from school.
  - (3) During the lunch period whether on or off campus.
  - (4) During, or while going to or coming from, a school sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5.
- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

## **MANDATORY SUSPENSION AND/OR EXPULSION**

### **EC 48915. Circumstances for Recommending Expulsion**

- (a)(1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:
- (A) Causing serious physical injury to another person, except in self-defense.
  - (B) Possession of any knife or other dangerous object of no reasonable use to the pupil.
  - (C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
    - (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
    - (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
  - (D) Robbery or extortion.
  - (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
- (a)(2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.
- (b) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:
- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
  - (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
- (c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:
- (1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or designee of the principal. This subdivision applies to an act of possessing a firearm only if possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.
  - (2) Brandishing a knife at another person.
  - (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

(5) Possession of an explosive.

(d) The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

(1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.

(2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.

(3) Is not housed at the school site attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

(1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.

(2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(f) The governing board shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study which meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

(g) As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

(h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

## **TECHNOLOGY**

SLOCOE recognizes that technology provides ways to access the most current and extensive sources of information. Technology also enables students to practice skills and to develop reasoning and problem-solving abilities. Every effort shall be made to provide equal access to technology throughout SLOCOE schools and classes.

### **ACCEPTABLE INTERNET USE POLICY--Electronic Media Communication**

SLOCOE provides computers, Internet and email access to teachers, students, staff and administrators. To create a common expectation for the acceptable use of such communication devices, each user of such devices is expected to subscribe to and observe this Acceptable Internet Use Policy. This policy does not cover all required or expected behavior. Each user is expected to exercise sound judgment regarding appropriate conduct. Please read this document carefully before signing, since you are agreeing to adhere to this policy. Your signature at the end of this document is legally binding and indicates that you have read the terms and conditions carefully and understands their significance.

**COMPUTERS** No software may be installed on any computer unless it has been approved by SLOCOE Information Technology Services Department. Making copies of any SLOCOE owned software is prohibited. Passwords and other access restrictions must be made known to the appropriate supervisor so that authorized access is always available to information on computers. Computers and associated technology may not be used for commercial or political purposes, or for any purpose that is immoral, illegal, or contrary to SLOCOE policies. Use of technology for employee organization purposes is permitted only in accordance with the separate rules established between the employer and those organizations.

**ELECTRONIC (COMPUTER) FILES** Documents created and stored on computers and e-mail systems may be considered public records, subject to disclosure under the Public Records Act. Any information relating to the conduct of the public's business is a public record if it is prepared, owned, used or retained by the office in any form. This includes computer records, e-mail messages and anything downloaded and retained from the Internet, including bookmarks. It is not necessary for there to be a hard copy, i.e. paper, for an item to be considered a public record. Any record that is stored on any office equipment, even if it is a personal item placed there by an employee or student, may fit the definition of a public record. These records may be subject to disclosure under a request for public records. Although SLOCOE does not regularly monitor

computer files, e-mail or Internet use, we retain the right to do so. Employees do not have a legitimate expectation of privacy with respect to what they store, send, receive, or access. Additional cautions regarding use of e-mail are detailed below.

**CONFIDENTIAL STUDENT FILES AND DOCUMENTS** Confidential student files and documents may be sent in an electronic format as set forth: Within the County Office of Education: • Documents are sent strictly through the COE system (slocoe.org) to computers/e-mail accounts that are password protected (slocoe.org); • Documents that are printed shall be placed into secure files; • Documents are saved into electronic files which reside on password protected computers or in password protected accounts; • Documents should never be left accessible to the public. Outside the County Office of Education: • Documents shall only be sent when password protected; • Social security numbers shall not be sent electronically; • Documents shall have a cover sheet which includes the following language:

**CONFIDENTIALITY NOTICE:** This communication and any documents, files, or previous email messages attached to it, constitute an electronic communication within the scope of the Electronic Communication Privacy Act, 18 USCA 2510. This communication may contain non-public, confidential, or legally privileged information intended for the sole use of the designated recipient(s). The unlawful interception, use, or disclosure of such information is strictly prohibited under 18 USCA 2511 and any applicable laws. If you received this message in error or are not the intended recipient, you should destroy the email message and any attachments or copies, and you are prohibited from retaining, distributing, disclosing or using any information contained herein. Please inform us of the erroneous delivery by return email or by calling us at (805) 543-7732. Thank you for your cooperation.

**EMAIL:** Email is a very convenient way to communicate and to send computer documents as attachments. When an e-mail message is sent or received, the message may be deleted without saving it (although this does not erase the message from existence), or a hard copy of the message may be printed, and/or the message may be kept in electronic files. Although there is informality inherent in using email, remember to maintain a hard copy of documents that constitute a record for the office. Under the Brown Act, board members and officers of official bodies may not use email to conduct meeting business. E-mail is not guaranteed to be private. System operators do have access to all mail. The SLOCOE will provide a reasonable level of security for information on the network, but cannot guarantee the privacy or confidentiality of any information stored or transferred on it. E-mail can theoretically be intercepted and read at any point where it is forwarded along the network and e-mail with invalid user or hostnames is sometimes delivered to the system administrator. The identity of the person who created a message can be determined; courts have ordered commercial providers to disclose this information in legal cases. If there is any information that absolutely should not be seen by another person, then do not email it. E-mail users are expected to follow the generally accepted rules of network etiquette. Each user represents him/herself and SLOCOE on a potentially global forum. The following rules are provided as a sample: <sup>TM</sup> Be polite. Abusive messages are unacceptable. <sup>TM</sup> Use appropriate language. Although electronic mail (e-mail) tends to be more casual than other forms of written communication, never swear, use vulgarities or any other inappropriate language. <sup>TM</sup> Be discreet. Do not reveal any personal information, address or phone numbers of students or colleagues. <sup>TM</sup> Disruptions. Do not use the network in such a way that would disrupt the use of the network by other users. <sup>TM</sup> Good practices: Be brief. Don't contribute to information overload. Spell it right. Forgive spelling and grammatical errors of others. Make sure each message is easy to read and understand. Get the most appropriate audience for the message, not the widest one. Use accurate titles for messages to indicate what they are about. Capitalizing entire words that are not titles is generally termed as SHOUTING! Be careful with the use of humor- it is commonly misinterpreted as satire. Cite references for facts, as appropriate. Keep signatures brief. Post only to groups known to the user.

**INTERNET** The Internet is a vast collection of networked computers offering a cornucopia of information on every conceivable topic. Web browsers have made the Internet graphical and enabled access with unprecedented ease. Users are advised that some Web sites may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material. The SLOCOE does not condone the use of such materials. SLOCOE provides a Web filtering service that blocks access to much of the inappropriate material, minimizing the potential access by students. We believe that the valuable information and interaction available on this worldwide network far outweigh the possibility that users may procure material that is not consistent with educational goals. Internet access is coordinated through a complex association of government agencies, and regional and state networks. The smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. Guidelines are provided here so that users are aware of the responsibilities they are about to acquire. In general this requires efficient, ethical and legal utilization of the network resources. If a user violates any of these provisions, his or her account may be terminated and future access could be denied; additionally, disciplinary and/or legal action may be taken.



**INTERNET ACCESS - TERMS AND CONDITIONS** 1. Acceptable Use - Access must be in support of education and/or research and must be consistent with the educational objectives of the community. Using other organization's network or computing resources must comply with the rules appropriate for that network. 2. Privileges - The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The SLOCOE system administrators will deem what is unacceptable use and their decision is final. Also, the administrators may close an account at any time, as required.

**ACCEPTABLE/UNACCEPTABLE USE** 1. Any use for illegal, inappropriate, or obscene purposes, or in support of such activities, is prohibited. Illegal activities shall be defined as a violation of local, state, and/or federal laws. Inappropriate use shall be defined as a violation of the intended use of the network, and/or purpose and goal. Obscene activities shall be defined as a violation of generally accepted social standards for use of a publicly-owned and operated communication vehicle. 2. Use for commercial purposes, including personal gain, is prohibited. 3. Copying materials in violation of copyright law is prohibited. 4. Use for product advertisement, religious advocacy, or political lobbying is prohibited. 5. No use shall serve to disrupt the use of the network by other users. 6. Any user's traffic that traverses another network may be subject to that network's acceptable use policy. From time to time, SLOCOE will make decisions on whether specific uses are consistent with this policy. The SLOCOE shall remain the final authority on the use of the network and the issuance of user accounts. We reserve the right to modify this policy at any time. Users will receive prompt notification of all modifications.

**SECURITY** - Security on any computer system is a high priority, especially when the system involves many users. Any security problem should be brought to the attention of the system administrator. Do not demonstrate the problem to other users. Do not use another individual's account. Attempt to login as a system administrator will result in immediate cancellation of user privileges. APPROVED BY COUNTY BOARD OF EDUCATION 9/1/05 REVISED BY COUNTY BOARD OF EDUCATION 12/11/08

#### **USER AGREEMENT**

I understand and will adhere to the above Acceptable Internet Use Policy. I further understand that any violation of the regulations above is unethical and may constitute a criminal offense. Should I commit any violation to this policy, my access privileges may be revoked, and/or disciplinary/legal action may be taken.

#### **TRANSPORTATION-SCHOOL BUS RULES**

The school bus is considered an extension of the classroom. The same rules apply as when a student is at school. Please refer to our discipline sections in this handbook along with the PBIS matrix. The same incentives and consequences will be used for your student on the bus as in school.

#### **MEDICAL INFORMATION**

##### **NOTICE TO PARENTS/GUARDIANS: CALIFORNIA LOCAL EDUCATIONAL AGENCY PROGRAM**

Your school district, in cooperation with the California Departments of Health Services and Education, has a program to allow the District to be reimbursed with federal Medicaid dollars for selected health services (such as hearing and vision screenings, health assessments) provided to eligible students at school. In accordance with Local Education Agency rules and guidelines, we are notifying you that eligible student records may be forwarded to the District's billing agency. These records will be forwarded in a confidential manner. Our vendor holds a contract with the District that contains a specific confidentiality clause to ensure information is not disclosed inappropriately; further, our vendor is HIPAA compliant (Federal Health Insurance Portability & Accountability Act),

School health services currently provided to all students will not be changed by this program. Students will not be denied services they require to attend school, and parents will never be billed for services by the school district.

#### **KINDERGARTEN & FIRST GRADE PHYSICAL EXAMINATIONS**

State law requires that for each child enrolling in the first grade, the parent/guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file with the school district a waiver stating the reasons you are unable to obtain such services. You must understand that your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. You may find it convenient to have your child immunized at the same time that the physical examination is conducted. These services may be available to you at no cost through the Child Health

& Disability Prevention Program (CHDP). For information, you may contact SLO County Health Department, 5575 Hospital Drive, Atascadero, CA - 805.461.6050.

### **ORAL HEALTH ASSESSMENT**

California Law, Education Code §49452.8, now requires that your child have an oral health assessment (dental check-up) by May 31 in either kindergarten or first grade, whichever is his or her first year in public school. Assessments that have happened within the 12 months before your child enters school also meet this requirement. The law specifies that the assessment must be done by a licensed dentist or other licensed or registered dental health professional.

### **IMMUNIZATIONS**

A pupil may not be admitted to school unless he/she has been fully immunized against diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, measles, mumps, and rubella. Students entering kindergarten and seventh grade are required to have three doses of Hepatitis B vaccine and a second dose of measles containing vaccine. Students must be immunized for varicella or provide proof from a doctor stating that the child has had the disease. Tdap booster vaccine is required for all incoming 7<sup>th</sup> graders. The required immunizations are available from the San Luis Obispo County Health Department or a physician. Documented proof of immunization must be up-to-date before admission to school is granted.

Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

Beginning January 1, 2016, parents of students in any school, will no longer be allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the next grade span at kindergarten (including transitional kindergarten) or 7<sup>th</sup> grade.

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

If the parent or guardian files with the governing authority a written statement by a licensed physician to the effect that the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, indicating the specific nature and probable duration of the medical condition or circumstances, including, but not limited to, family medical history, for which the physician does not recommend immunization, that child shall be exempt from the immunization requirements.

Students who had a medical exemption on file and issued on or before December 21, 2020 will be allowed continued enrollment until they enroll in the next grade span. As of January 1, 2021, the standardized certification form developed by the California Department of Public Health shall be the only documentation of a medical exemption that may be accepted. (Health and Safety Code section 120372(a).)

A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above.

### **MEDICATION(S)**

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

1. The COE designee has received a written statement from the physician detailing the method, amount, and time schedules by which the medication is to be taken; and
2. Parent/guardian submits a written statement indicating his/her desire that the school district assist his/her child in taking the medication; and
3. Parent/guardian signs a release statement on a special form available from the COE. (EC49423)

If your child is on a continuing medication regimen for a non-episodic condition, you are required to notify the COE designee of the medication being taken, the current dosage, and the name of the supervising physician. (EC49480) With the parent/guardian's consent, the school nurse may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the drug on the student's physical, intellectual and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

### **ANAPHYLAXIS TREATMENT**

California Education Code §49414 authorizes school districts to provide epinephrine auto-injectors to trained personnel to use to provide emergency medical aid to persons suffering from an anaphylactic reaction.

Anaphylaxis is a rapid, severe allergic response triggered by insect stings, foods, medications, latex materials, exercise, or in rare cases by unknown causes. This is a life-threatening allergic condition, requiring immediate treatment. Administering epinephrine to students during a medical emergency may help to insure the student's health and safety at school. Therefore, SLOCOE has adopted a policy for giving life-saving epinephrine to students in need of such treatment.

This policy states that a credentialed, licensed school nurse or trained, unlicensed school staff, under the direct or indirect supervision of the credentialed school nurse (or supervisor of health), may administer epinephrine in the form of an epinephrine auto-injector during a severe, life-threatening allergic reaction. The epinephrine auto-injector rapidly delivers a pre-measured, sterile, single dose of epinephrine by direct injection through the skin. This is not a vaccine, nor does it contain blood products.

### **PHYSICAL EXAMINATIONS**

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

### **SCOLIOSIS SCREENING**

Between grades 6 and 8, your child may be screened for scoliosis (curvature of the spine), unless you submit a written denial of consent. (EC49452.5)

### **VISION & HEARING APPRAISAL**

Your student's vision and hearing may be checked by an authorized person unless you present the school a certificate from a physician or optometrist verifying prior testing, or a letter stating it violates your faith in a recognized religious belief. (EC49455, 49452)

### **SUN PROTECTION**

Students, when outdoors, can wear sun protective clothing, including, but not limited to, hats. Students may also apply sunscreen during the day, without a doctor's note or prescription.(EC35183.5)

### **CONFIDENTIAL MEDICAL SERVICES**

According to the Education Code, school authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent/guardian. School districts are permitted to grant such excuses, but are not required to do so. SLOCOE does grant such excuses. (EC46010.1)

### **MEDICAL & HOSPITAL INSURANCE FOR STUDENTS**

SLOCOE does not carry accident or injury insurance on any students. The responsibility for such protection lies with the parents or guardians. Information regarding Medi-Cal or Covered California can be obtained at [www.coveredca.com](http://www.coveredca.com) or by calling 800-300-1506.

### **MENTAL HEALTH SERVICES**

Your student has access to our mental health therapists daily on campus. Please contact a staff member if you wish to know more about the availability of a wide range of mental health services provided for our students.

## **DRUG, ALCOHOL & TOBACCO PREVENTION PROGRAMS**

This notice is provided in compliance with the requirements of state and federal law as a part of the COE's drug, alcohol and tobacco prevention programs. The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs, alcohol, or any form of tobacco product on COE premises or as a part of any its activities is wrong, harmful and is strictly prohibited. All pupils will abide by this prohibition as a condition of attendance. Any violations of COE or school standards of conduct, rules and regulations or state or federal laws regarding illicit drugs, alcohol and tobacco will be investigated. Violators will be subject to prosecution in accordance with local, state and federal law and COE disciplinary action up to and including expulsion, and/or requirements to satisfactorily complete drug abuse assistance, tobacco cessation program, or rehabilitation programs selected by the COE in conformance with law. The COE's drug, alcohol and tobacco education and prevention programs are designed to address the legal, social and health consequences of drug, alcohol and tobacco use and to provide pupils with effective techniques for resisting peer pressure to use illicit drugs, alcohol or tobacco. Information about any drug, alcohol and tobacco counseling, rehabilitation, and re-entry programs available to pupils may be obtained by contacting the school. This information may include programs sponsored or maintained by various community groups or agencies. The COE neither supports nor endorses any specific program, agency or firm. The information is provided only to assist parents and pupils who may desire information regarding the resources available to assist them.

## **TOBACCO-FREE CAMPUS**

Requires all school districts, charter schools, and county offices of education that receive Tobacco Use Prevention Education (TUPE) funding to adopt and enforce a tobacco-free campus policy no later than July 1 of each fiscal year. Information about the policy and enforcement procedures shall be communicated clearly to school personnel, parents, pupils, and the larger community. Information about smoking cessation support programs shall be made available and encouraged for pupils and staff.

HSC 104495: Prohibits smoking a cigarette, cigar, or other tobacco-related products and disposal of cigarette butts, cigar butts, or any other tobacco-related waste within 25 feet of any playground or tot lot sandbox area. It also prohibits the use of a tobacco product within 250 feet of a youth sports event. The prohibitions do not apply to private property or a public sidewalk located within 25 feet of a playground or a tot lot sandbox area.

HSC 104559: Without regard to whether a school district, charter school, and county office of education receives TUPE funding, the use of tobacco and nicotine products, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and other nicotine delivery devices, such as electronic cigarettes, is prohibited.

*The use of tobacco and nicotine products is prohibited on school or district grounds, buildings, and vehicles, and within 250 feet of a youth sports event. Tobacco product includes, but is not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or an electronic device (e.g., electronic cigarette, cigar, pipe, or hookah) that delivers nicotine or other vaporized liquids.*

## **FAMILY LIFE EDUCATION OR SEX EDUCATION COURSES**

In the California Comprehensive Sexual Health and HIV/AIDS Prevention classes, written and audiovisual educational material will be used and are available for inspection prior to the start of classes. You have the right to request, in writing, that your child not attend these classes. You may withdraw this request at any time. Schools must ensure that all pupils receive sexual health instruction from adequately trained personnel in appropriate courses. SLOCOE staff (teachers) and outside contractors may be used. This instruction will emphasize that sexual abstinence and abstinence from intravenous drug use as the most effective means of AIDS prevention and sexually transmitted diseases. The instruction will also include development of refusal skills to assist pupils to overcome peer pressure and use effective decision-making skills to avoid high-risk activities. During this class, students in grade 9 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, questionnaires measuring student attitudes toward health, sex and risky behaviors. Parents are hereby notified that they have the opportunity to review the material and can request, in writing, that their child not participate. Copies of Education Code 51938 can be requested from your school site or the COE, or can be obtained online at [www.leginfo.ca.gov](http://www.leginfo.ca.gov).

## **YOUTH SUICIDE PREVENTION POLICY**

Assembly Bill 2246 (O'Donnell) addressed this issue by requiring LEAs to adopt suicide prevention policies before the beginning of the 2017-18 school year. Chaptered as California *Education Code (EC)* Section 215, AB 2246 mandates that the Governing Board of any LEA that serves pupils in grades seven to twelve, inclusive, adopt a policy on pupil suicide prevention, intervention, and postvention. The policy shall specifically address the needs of high-risk groups, include consideration of suicide awareness and prevention training for teachers, and ensure that a school employee acts only within

the authorization and scope of the employee's credential or license. SLOCOE's Suicide Prevention Policy can be found on the SLOCOE website and can be made available by the school administrator. [YOUTH SUICIDE PREVENTION POLICY](#)

## **COMPLAINT PROCEDURES**

### **DISCRIMINATION**

Discrimination against any protected group as identified under Education Code §200 and 220 and Government Code §1135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in adult education, consolidated categorical aide programs, vocational education, and special education is prohibited in any program which receives state or federal financial assistance. Complaints may be filed under the County Office's Uniform Complaint Procedure process.

### **FILING A COMPLAINT - UNIFORM COMPLAINT PROCEDURES**

The County Office of Education is responsible for compliance with state and federal laws and regulations and has procedures to address allegations of unlawful discrimination and complaints alleging violation of laws governing educational programs. It is unlawful to discriminate against any protected group as identified under Education Code section 200 and 220 and Government Code section 1135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance. If you wish further details in this regard, or wish to file a complaint, please contact the County Office's Uniform Complaint Officer (UCO). Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging discrimination may be filed by a person on their own behalf or on behalf of another person or group of people within six months of the occurrence or when facts become known. Staff has been trained to deal with these types of complaints.

### **COMPLAINTS REGARDING DISCRIMINATION & THE EDUCATION OF HANDICAPPED STUDENTS**

The County Office is committed to equal opportunity for all individuals in education. The County Office programs and activities shall be free from discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color or mental or physical disability, lack of English skills, marital or parental status, or any other unlawful consideration. The County Office of Education shall promote programs which ensure that these discriminatory practices are eliminated in all activities. (EC56501)

You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA). A handicap or limited English language skills will not be a barrier to any programs. The California Department of Education and the Office for Civil Rights of the U.S. Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds. (EC260, et. seq., above cited Federal statutes).

If you wish further details in this regard, or wish to file a complaint, please contact the County Office of Education's Uniform Complaint Officers listed below.

### **UNIFORM COMPLAINT OFFICERS & PROCESS**

The County Superintendent has designated the following compliance officers to receive and investigate all complaints and ensure compliance with the law:

#### **Title IX Officer**

Katherine Aaron, Assistant Superintendent Student Programs & Services  
3350 Education Drive San Luis Obispo, CA 93405 (805)782-7321

#### **Uniform Complaint Officer**

Thomas Alvarez, Chief Human Resources Officer  
3350 Education Drive San Luis Obispo, CA 93405 (805)782-7233

You may contact your school's office or the County Office to obtain a copy of the complaint procedures.

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer (UCO), who is responsible for processing the claims. A complaint should be completed within sixty (60) days of the incident, unless otherwise indicated.
2. You may contact the UCO to obtain a copy of the complaint process.
3. You may choose to have your complaint mediated.
4. There shall be an investigative meeting after receiving the complaint.
5. The UCO shall send a written report about the investigation and decision. There are then five (5) days to appeal the decision to the Board of Trustees.
6. If the decision is unsatisfactory to the complainant, the complainant has fifteen (15) days to appeal to the California Department of Education (CDE).
7. You may forward your complaint directly to CDE and they may choose to intervene immediately, based upon established criteria.
8. There is no allocation in this process to preclude a complainant from pursuing available legal remedies outside of the County's complaint process. Such remedies may include mediation, attorneys and legal remedies. Civil law remedies may include, but are not limited to, injunctions and restraining orders.

For discrimination complaints, sixty (60) days must elapse from the time an appeal is filed with CDE before pursuing civil remedies, except for an injunction. Complaints may also be forwarded to the appropriate state or federal agencies in the following cases:

American Civil Liberties Act 504 - Office of Civil Rights

Child Abuse -San Luis Obispo County Department of Social Services, Protective Services Division, or law enforcement

Discrimination/Nutritional Services - U.S. Secretary of Agriculture

Employment Discrimination -Department of Fair Employment and Housing, Equal Employment Opportunity Commission

Health & Safety/Child Development -San Luis Obispo County Department of Social Services

Student Records - Family Policy Compliance Office (FPCO), U.S. Department of Education 20 USC 11138,

34 CFR 300.510-1, 300.513; EC 232.262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000 59300, 64000(a);  
5 CCR 4620-4632

### **NONDISCRIMINATION/HARASSMENT**

SLOCOE programs and activities shall be free from discrimination, including, harassment, with respect to actual or perceived sex, sexual orientation, gender, ethnic group identification, race, pupil's actual or potential parental, family or marital status, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance. [Education Code section 200 and 220 and Government Code section 11135]

SLOCOE shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, testing procedures, and other activities. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision. In physical education, when objective standards have an adverse effect on students because of their gender, race, ethnic group or disability, other standards shall be used to measure achievement and create comparable educational opportunities.

SLOCOE prohibits intimidation or harassment of any student by any employee, student or other person in our programs. Staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies and be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges. Parents/guardians and students also shall be provided with similar information.

Students who harass other students shall be subject to appropriate counseling, and discipline, up to and including expulsion. An employee who permits or engages in harassment may be subject to disciplinary action up to and including dismissal. Any student who feels that they are being harassed should immediately contact the Principal, if the Principal or designee does not promptly remedy a situation involving harassment, a complaint can be filed in accordance with administrative regulations.

SLOCOE recognizes that the County Office of Education has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. The County Office of Education shall investigate and seek to resolve complaints at the local level. The County Office of Education shall follow uniform complaint procedures when

addressing complaints alleging unlawful discrimination or failure to comply with state or federal law for all relevant programs and civil rights protections.

## **GENERAL INFORMATION**

Policy 1350 for Uniform Complaint Procedures was developed by the SLOCOE Board under the direction of the California Department of Education (Title 5, California Code of Regulation, Sections 4600-4671) as a system for the filing, investigation, and resolution of complaints against the County Office of Education which allege violations of federal or state laws or regulations governing educational programs. These same uniform complaint procedures may be used to file complaints or to appeal County Office of Education decisions regarding such complaints which allege that the County Office of Education has violated the laws and regulations that specifically come under Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (ADA), or Title IX of the Education amendments of 1972 or Title VI of the Civil Rights Act of 1964.

The Uniform Complaint Procedures may be used for complaints involving the following educational programs, and complaints alleging violations of the following nondiscrimination protections:

1. Adult basic education, Education Code sections 8500 through 8538 and 52500 through 52616.24
2. Consolidated categorical aid programs, Education Code sections 64000(a)
3. Migrant education, Education Code sections 54440 through 54445
4. Vocational education, Education Code sections 52300 through 52480
5. Child care and development programs, Education Code sections 8200 through 8493
6. Child nutrition programs, Education Code sections 49490 through 49560
7. Special education program, Education Code sections 56000 through 56885 and 59000 through 59300
8. Title II, Part B, Teacher Quality
9. Safe and Drug Free Schools Program, Improving America's Schools Act, Title IV
10. Allegations of unlawful discrimination on the basis of sex, ethnic group identification, race, national origin [Title 5, C.C.R. section 4900(a)] ethnicity, religion, age (40 and above), gender, color, sexual orientation, physical or mental disability (including AIDS), medical condition (cancer related), marital status, ancestry, or political belief or affiliation by a local agency that is funded directly or receives any state financial assistance. Likewise, allegations of unlawful discrimination on the basis of sex (under Title IX, and including sexual harassment) by a local agency which is funded directly or receives any federal financial assistance.

SLOCOE designates the compliance officers listed on the front page to receive and investigate complaints.

## **FORMAL COMPLAINT PROCEDURES**

Any individual, public agency, or organization may file a written complaint using the Uniform Complaint Procedure, alleging a matter which, if true, would constitute a violation by the County Office of Education, federal or state laws or regulations governing the programs identified in General Information. The County Office of Education prohibits retaliatory behavior against any complainant or any participant in the complaint process. Information related to all complaints shall be confidential.

A complaint may not pursue civil law remedies until 60 days after filing an appeal to the California Department of Education. Civil law remedies include but are not limited to injunctions, restraining orders, or other remedies or orders that may also be available to complainant. However, an exhaustion of the administrative complaint process is not required before civil law remedies may be pursued.

The complaint will be processed using the Uniform Complaint Procedure in the following manner: 1.) The written complaint should be submitted to the designated compliance officer. 2.) The written complaint will be referred to the appropriate County Office of Education staff within five days. 3.) Within five (5) days of receipt, the appropriate County Office of Education staff will acknowledge the receipt of the complaint to the complainant and will review the complaint to determine whether it meets the criteria for filing under the procedures. The designated County Office of Education official will determine whether the complaint has been filed within six months of the alleged violation that is the basis of the complaint. Unlawful discrimination complaints shall be initiated not later than six (6) months from the date the alleged discrimination occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination. (5 CCR 4630)



## **RESOLUTION OF THE COMPLAINT**

Each complaint shall be investigated by the appropriate County Office of Education official and shall be concluded by the County Office of Education within sixty days of the initial receipt of the written complaint unless an extension of the timelines has been agreed to in writing by the complainant. The County Office of Education shall provide an opportunity for the complainant and/or the complainant's representative and County Office of Education representatives to present information that is relevant to the complaint.

## **APPEALS, CIVIL LAW REMEDIES & ASSISTANCE**

1. Appeals of the decisions regarding discrimination or complaints filed under Section 504, the ADA, and Title IX should be sent within five days after receiving the County Office of Education decision to County Superintendent of Schools 3500 Education Drive, San Luis Obispo, CA 93405. A hearing may be requested.
2. Appeals of decisions regarding programs listed in General Information in this document should be sent within 15 days after receiving the County Office of Education decision to: State of California, Department of Education, State Superintendent of Public Instruction, P.O. Box 944272, Sacramento, CA 94244-2720.

## **TIMELINE FOR UNIFORM COMPLAINT PROCEDURES\***

Within the first 60 days after the complaint is filed with the County Office of Education, the County Office of Education will investigate and produce a written report and inform the complainant of the right to appeal to the California Department of Education (CDE). A hearing may be requested. Within 15 days after the complainant receives the County Office of Education report, the complainant may appeal to the CDE. Within 60 days after the CDE receives the appeal, the CDE will mediate between the District and the complainant, investigate further, submit a report to the District, and/or schedule a hearing to review the complaint. If the complainant or District makes an appeal to the CDE within 35 days after the CDE response, the Office of the Superintendent or the State Office of Administrative Hearings will respond to the complainant and the District within 15 days. Additional appeals may be made to the U.S. Department of Education, Office of Civil Rights, Department of Fair Employment and Housing, and the Equal Employment Opportunity Commission. Adopted April 18, 2000/Revised March 10, 2005 \*(Timelines do not apply to sexual harassment complaints)

## **SEXUAL HARASSMENT**

SLOCOE is committed to maintaining a learning environment that is free of harassment. SLOCOE prohibits the unlawful sexual harassment of any student by any employee, student, or other person at school or at any school-related activity. The Superintendent or designee shall ensure that students receive age-appropriate information related to sexual harassment. Students shall be assured that they need not endure any form of sexual behavior or communication, including harassment because of sexual orientation. They shall further be assured that they need not endure, for any reason, any harassment which impairs the educational environment or a student's emotional well-being at school.

Any student who engages in the sexual harassment of anyone at school or at a school-related activity shall be subject to disciplinary action. For students in grades K-3, this disciplinary action shall depend on the maturity of the students and the circumstances involved. For students in grades 4 - 12, the disciplinary action may include suspension and/or expulsion.

Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse. Students shall be informed that they should immediately contact a staff member if they feel that are being harassed. Within 24 hours, staff shall report complaints of sexual harassment to the principal or designee. Staff shall similarly report any such incidents they may observe, even if the harassed student has not complained.

The principal or designee shall immediately investigate any report of the sexual harassment of a student. Upon verifying that sexual harassment occurred, he/she shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment, and prevent any further instances of the harassment. In addition, the student may file a formal complaint with the Superintendent/designee in accordance with the District's Uniform Complaint Procedures.

The County Office of Education prohibits retaliatory behavior against any complainant or any participant in the complaint process. Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

## **REPORTING HARASSMENT OR DISCRIMINATION**

The procedure for complaints regarding all issues of harassment, discrimination or abuse should be reported to a counselor or an administrator. To file a complaint about issues of discrimination and sexual harassment, please use the contacts found on the front page.

*Anonymous complaints may be reported through the “We Tip” number – 1-800-782-7463*

## **WILLIAMS COMPLAINTS NOTICE**

Parents, Guardians, Pupils, and Teachers:

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

1. There should be sufficient textbooks and instructional materials. Each student, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home to complete required homework assignments.
2. School Facilities must be clean, safe and maintained in good repair.
3. There should be no teacher vacancies or misassignments as defined in Education Code 35186 (h) (1) and (2).

*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. *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 to hold.

If you do not think these requirements are being met, you can obtain a Uniform Complaint Form at the following location: School Office or on the SLOCOE Website; <https://www.slocoe.org/wp-content/uploads/2015/07/Uniform-Complaint-Procedures-Form.pdf>

## **School Employee Code of Conduct with Students**

The County Board of Education and County Superintendent of Schools expect all employees to exercise good judgment and maintain professional standards and ethical boundaries when interacting with students. Below are the Professional Standards that apply specifically to employee interactions with pupils.

### **Staff Conduct with Students**

The County Board of Education and County Superintendent of Schools expect all employees to exercise good judgment and maintain professional standards and ethical boundaries when interacting with students both on and off school property, and at either sanctioned or unsanctioned events and activities. Inappropriate employee conduct shall include, but not be limited to,

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, electronic, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting County Office of Education or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace or at a school-sponsored activity
9. Dishonesty with students, parents/guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records

10. Divulging confidential information about students, County Office of Education employees, or County Office of Education operations to persons not authorized to receive the information
11. Using County Office of Education equipment or other County Education resources for the employee's own commercial purposes or for political activities
12. Using County Office of Education equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity
13. Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voicemail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of County Office of Education technological resources at any time without the employee's consent.
14. Causing damage to or engaging in theft of property belonging to students, staff, or the County Office of Education
15. Wearing inappropriate attire

For purposes of this policy, the term "electronic relationship" includes engaging with students through any electronic means including but not limited to, telephone conversations, voice mail messages, text messages, e-mails, instant messages, and communication through internet social networking sites or other online means.

An employee who observes or has evidence of inappropriate conduct between another employee and a student shall immediately report such conduct to the site administrator or County Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the County Office of Education's child abuse reporting procedures as detailed in AR 5141.4 – Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

Any employee who is found to have engaged in inappropriate conduct with a student in violation of law or this policy shall be subject to disciplinary action, up to and including dismissal.

The County Office of Education prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the County Office of Education's complaint process shall be subject to discipline.

## **Rules of Conduct for Professional Educators**

### **Principle I. Commitment to the Student**

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

In fulfillment of the obligation to the student, the educator:

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

8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

**PESTICIDE USE** Pursuant to §17612 SLOCOE is providing parents the name of all pesticide products expected to be applied at school facilities this school year. This information can be found at: <https://www.slocoe.org/wp-content/uploads/2018/03/Integrated-Pest-Management-Plan-for-2018.pdf> The information provided includes identification includes the name and active ingredients. Staff members and parents/guardians may register with the Operations Department if they wish to receive notification of pesticide applications at a particular school or facility. Please request a “Request for Individual Pesticide Application Notification” form from the Operations Office. Further information is available from the California Department of Pesticide Regulation, Post Office Box 4015, Sacramento, CA 95812-4015/ [www.cdpr.ca.gov](http://www.cdpr.ca.gov)

#### **MANAGEMENT PLAN FOR ASBESTOS-CONTAINING MATERIAL**

The COE has available, upon request, a complete and updated management plan for asbestos- containing material. (Code of Federal Regulations: 40CFR 763.93)

#### **AHERA RE-INSPECTION NOTIFICATION**

In compliance with the U.S. Environmental Protection Agency (EPA) Asbestos Hazard Emergency Response Act (AHERA), qualified COE personnel have performed inspections of its school buildings for asbestos-containing building materials. The inspection findings and asbestos management plans have been on file in Operations Office.

#### **FURTHER INFORMATION**

Additional information regarding SLOCOE schools, programs, policies, and procedures is available to any interested person upon request to the County Office of Education or by accessing our website at: [www.slocoe.org](http://www.slocoe.org). (FERPA, 34CFR §99.7(b))