SAN LUIS OBISPO COUNTY
OFFICE OF EDUCATION
LEADERSHIP ▪ COMMUNITY ▪ SERVICE
JAMES J. BRESCIA, ED. D., SUPERINTENDENT

2026-2027
San Luis Obispo County Office of Education
Annual Notification of Official Information to Parents, Guardians & Students

James J. Brescia, Ed. D.
County Superintendent of Schools
3350 Education Drive
San Luis Obispo, CA 93405
(805) 543-7732

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

TABLE OF CONTENTS

ENROLLMENT **3**
ATTENDANCE **6**
INSTRUCTION **9**
GRADUATION REQUIREMENTS **12**
SPECIAL EDUCATION **14**
STUDENT **16**
EDUCATIONAL EQUITY & IMMIGRATION RIGHTS (AB 495) **19**
STUDENT RECORDS **20**
DISCIPLINE **22**
TECHNOLOGY **27**
HEALTH AND MEDICAL INFORMATION **29**
DISCRIMINATION & HARASSMENT **35**
UNIFORM COMPLAINT PROCEDURES **38**
OTHER COMPLAINTS **41**
ADDITIONAL NOTICES **42**
ATTACHMENTS **45**

California Education Code ("Ed 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.

ENROLLMENT

ATTENDANCE OPTIONS

SLOCOE offers a variety of educational programs to support local school districts and families. Loma Vista Community School, Court School, and Special Education do not have residency requirements, but work collaboratively with local districts and/or probation or law enforcement with regard to enrollment. Parents/guardians may contact their student's school or district of residence for more information about the available statutory and local attendance options, including information regarding application procedures for alternative attendance areas or programs and District application form(s) for requesting a change of attendance, and for information regarding the appeals process, if any, when a change of attendance is denied. Ed. Code § 48980(g).

SPECIFIC SCHOOL REQUEST

Parents/guardians have the right to request a specific school and to receive a response. Such a request does not obligate the school to grant the request. Ed. Code § 51101(a)(6).

INTERDISTRICT TRANSFERS AND PROCEDURES

The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. Districts of residence may not deny a transfer of a student whose parent is active duty military where the district of proposed enrollment approves the application, or for students who are the victim of an act of bullying unless the requested school is at maximum capacity. The law on interdistrict transfers also provides for the following: If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision. Ed. Code §46600 et seq.

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. Ed. Code § 48204(a)(5); Family Code §§ 6550, 6552.

ATTENDANCE BASED ON PARENT/GUARDIAN'S PLACE OF EMPLOYMENT

A pupil complies with the residency requirements for school attendance in a school district, if the pupil's parent or guardian resides outside the boundaries of that school district but is employed and lives with the pupil at the place of his/her employment within the boundaries of the school district for a minimum of 3 days during the school week. Ed. Code § 48204(a).

A pupil may also be deemed a pupil having complied with the residency requirements for school attendance in a school district if at least one parent/guardian is physically employed within the boundaries of that district for a minimum of 10 hours during the school week. Ed. Code § 48204(b).

STUDENTS OF ACTIVE MILITARY PARENT/GUARDIAN (AB 1412 & ED. CODE § 48204.3)

1. **Residency Compliance & Enrollment**
   A child complies with the residency requirements for school attendance in a school district if the student's parent or guardian is transferred, or is pending transfer, to a military installation within the state while on active military duty pursuant to an official military order.

   This residency protection explicitly applies to all students, including those who are eligible for services, accommodations, or plans pursuant to the federal Individuals with Disabilities Education Act (IDEA), Section 504 of the federal Rehabilitation Act of 1973, or the federal Americans with Disabilities Act (ADA). The parent or guardian

must provide proof of residence in the school district within 10 days after the published arrival date provided on official documentation.

2. **Continuity of Special Education & Records Exchange**
   Effective January 1, 2026, upon notification that an enrolling military-connected student receives or may be eligible to receive services or accommodations under an Individualized Education Program (IEP) or a Section 504 Plan, SLOCOE will promptly coordinate with the student's parent/guardian and the previous out-of-state or in-state school to ensure the timely exchange of records and to prevent any delays in service delivery.

   - **Timeline for Services:** Within 30 calendar days of arrival, SLOCOE must either immediately adopt and implement the student's previously existing IEP or develop, adopt, and implement a new IEP consistent with federal and state law.

   - **Acceptance of Unofficial Records:** SLOCOE will not delay special education services or placement while waiting for official records to arrive from a prior out-of-state school. In accordance with the Interstate Compact on Educational Opportunity for Military Children, SLOCOE will use unofficial records provided by a parent or guardian as the basis for designing and immediately providing comparable services while official validation is pending.

3. **Interdistrict Transfers & Transportation Assistance**
   A school district of residence must allow a child of an active duty military family to transfer to a school district of proposed enrollment if the school district of proposed enrollment approves the interdistrict transfer application. The school district that accepts the transferring student must provide transportation assistance if the student is eligible for free or reduced-price meals, and otherwise may provide transportation assistance to transferring students of active duty military families, if requested by the parent or guardian.

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

RESIDENCY RETENTION WHEN A PARENT/GUARDIAN IS DETAINED OR DEPORTED
Students retain residency in a school district, regardless of the students' current residency, when both of the following requirements are met: a) the student's parent or guardian has departed California against his or her will, and the student can provide official documentation evidencing the departure; and b) the student moved outside of California as a result of his or her parent or guardian leaving the state against his or her will, and the student lived in California immediately before moving outside the state. The student must provide evidence of enrollment in a California public school immediately before moving outside the state.

Deported parents may designate another adult to attend school meetings and to serve as an emergency contact. No charges or fees of any kind may be required for admission or attendance in these circumstances.

This law applies to parents who are: (1) in the custody of a government agency and are transferred to another state; (2) subject to a lawful removal order and who were removed or were permitted to leave California voluntarily before being removed; and (3) subject to any additional circumstances consistent with these purposes, as determined by the school district.

NOTICE OF ALTERNATIVE SCHOOLS
California state law authorizes all school districts to provide for alternative schools. Ed. Code § 58500 defines an alternative school as a school or separate class group within a school which is operated in a manner designed to:

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility and joy.
2. Recognize that the best learning takes place when the student learns because of this desire to learn.

3. Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may result wholly or in part from a presentation by his teachers or choices of learning projects.
4. Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. The opportunity shall be a continuous, permanent process.
5. Maximize the opportunity for students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent/guardian, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this school district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. Contact the school for more information. Ed. Code §§ 58500; 58501.

FOSTER CHILDREN
Foster children must be allowed to continue their education at their school of origin. When a student's foster student status is terminated by the juvenile court during the school year, former foster students in grades K-8, must be allowed to finish the school year in his/her school of origin. Former foster students in high school must be allowed to continue attending their schools of origin through graduation.

OPEN CAMPUS
SLOCOE schools are closed campus schools.

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 48204.7, 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.

PERSISTENTLY DANGEROUS SCHOOLS
Students attending a persistently dangerous public elementary or secondary school, as determined by the State, or a student who becomes a victim of a violent criminal offense while on school grounds, must be allowed to attend a safe public school within the district, including a public charter school.

TEMPORARY DISABILITY
If, due to a temporary disability, your child is placed in a hospital or other residential facility, excluding a state hospital, which is located outside of SLOCOE district boundaries, your child shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. If this situation should arise, you should notify both the SLOCOE and the district where the hospital is located so that individualized instruction, if possible, can be provided. The district has five working days to notify the parent if individualized instruction shall be made available. If the determination is positive, individualized instruction shall commence within five days.

TEMPORARY DISABILITY/INDIVIDUALIZED INSTRUCTION
A child with a temporary disability has the right to receive individual instruction if attendance at school is impossible or inadvisable and to be informed of your obligation to notify the District of your child's presence in a qualifying hospital. Individual instruction may be provided at your child's home, in a hospital or other residential health facility.

LANGUAGE ACQUISITION PROGRAMS
SLOCOE is required to provide a Structured English Immersion (SEI) program option. If you choose this option your child will be placed in a classroom that uses mostly English for instruction. All programs include English Language Development

(ELD) and teaching strategies differentiated for each student's level of English language proficiency. These strategies are used to help each student reach proficiency in speaking, reading and writing English, and succeed academically in all core subjects.

REQUESTING A LANGUAGE ACQUISITION PROGRAM

Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible, and provides instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards (EC Section 306[c]). Parents/Guardians may choose a language acquisition program that best suits their child. Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC Section 310[a])

DESCRIPTION OF PROGRAM OPTIONS AND GOALS FOR ENGLISH LEARNERS

A description of language acquisition programs is listed below. Please contact the district administrator at the number below if you would like to discuss another program option that best suits your child.

1. Mainstream Classroom: Students are enrolled in a mainstream classroom in which all classroom instruction is provided in English, but with regular integrated and designated ELD and Title 1 or paraprofessional support, as necessary. Students have full access to grade level academic subject matter content.
2. Structured English Immersion (SEI) Program: A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for pupils who are learning English. At minimum, students are offered ELD and access to grade level academic subject matter content.
3. Other Instructional Setting SLOCOE Special Education Program (IEP): Students in a special education/ special day class setting are taught primarily in English. Some assistance may be provided in the primary language. Students are taught ELD and other core subjects by authorized teachers using district-adopted textbooks and supplemental materials. Instruction is based on ELD and grade-level content standards.

Parents may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan. Public meeting agendas are posted prior to each meeting. If interested in a program not listed above, please contact the Assistant Superintendent of Student Programs and Services at (805) 782-7321 to ask about alternative options.

Parents of English learners have a right to decline or opt their children out of the school district's language acquisition program or opt out of particular English learner service(s) within a language acquisition program. (20 U.S.C Section 6318[c][A][vii]) However, LEAs remain obligated to provide the student meaningful instruction (5 CCR Section 11302) until the student is reclassified, inform the parent when progress is not made, and offer the parent programs and services to consider at that time.

ATTENDANCE

Children cannot learn if they are not in school. 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.

Subject to any applicable limitation, condition, or other requirement specified in law, a student's absence shall be excused for any of the following reasons:

1. Personal illness, including absence for the benefit of the student's mental or behavioral health. (Education Code 48205)
2. Quarantine under the direction of a county or city health officer. (Education Code 48205)
3. Medical, dental, optometrical, or chiropractic service or appointment. (Education Code 48205)
4. Attendance at funeral services for a member of the student's immediate family. (Education Code 48205)
   Such absence shall be limited to five days to allow for attendance at funeral services for, or to grieve the death of, an immediate family member. (Education Code 48205) An additional three days are allowable to seek grief support

services, access services from victim services organization or agency, or to participate in safety planning, related to the death of an immediate family member. (Education Code 48205)

5. Jury duty in the manner provided for by law. (Education Code 48205)
6. Illness or medical appointment of a child to whom the student is the custodial parent. (Education Code 48205)
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)
    a. Appearance in court
    b. Attendance at a funeral service
    c. Observance of a religious holiday or ceremony
    d. Attendance at religious retreats for no more than one full school day per semester
    e. Attendance at an employment conference
    f. Attendance at an educational conference on the legislative or judicial process offered by a nonprofit
    g. organization
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302. (Education Code 48205)
9. To spend time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment or is on leave from or has immediately returned from deployment. (Education Code 48205) Such absence shall be granted for a period of time to be determined at the discretion of the County Superintendent or designee. (Education Code 48205)
10. Attendance at the student's naturalization ceremony to become a United States citizen. (Education Code 48205)
11. Participation in a cultural ceremony or event which relates to the habits, practices, beliefs, and traditions of a certain group of people. (Education Code 48205)
12. Participation in religious exercises or to receive moral and religious instruction at the student's place of worship or other suitable place away from school. (Education Code 46014) Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day and is not excused from school for this purpose on more than four days per school month. (Education Code 46014)
13. Work in the entertainment or allied industry. (Education Code 48225.5) Work for a student who holds a work permit authorizing work in the entertainment or allied industries for a period of not more than five consecutive days. For this purpose, student absence shall be excused for a maximum of up to five absences per school year. (Education Code 48225.5)
14. Participation with a nonprofit performing arts organization in a performance for a public school audience. (Education Code 48225.5) A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school. (Education Code 48225.5)
15. Middle school or high school student engagement in a civic or political event. For an absence to be excused, notification to the school must be made ahead of the absence. (Education Code 48205)
16. Participation in military entrance processing. (Education Code 48205)
17. Other reasons authorized at the discretion of the principal or designee based on the student's specific circumstances. (Education Code 48205, 48260)

For the purpose of the absences described above, immediate family means the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household. (Education Code 48205)

No student may have his or her grade reduced or lose academic credit for any absence or absences excused pursuant to Ed. Code section 48205 if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

ABSENCE FOR RELIGIOUS PURPOSES

With your written permission, your child may be excused to attend religious services away from school. However, your child will be required to complete a certain number of instructional minutes for that day. Such absences are limited to four days per school month.

ABSENCE BASED ON JUSTIFIABLE PERSONAL REASONS

To excuse your child from school for justifiable personal reasons upon written notice and approval by the principal or designated representative. Personal reasons may include attendance at a religious retreat, not to exceed four hours per semester, and the observance of a religious holiday or ceremony.

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. Ed. Code § 48980(c).

DEFINITION OF A TRUANT
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. Ed. Code. § 48260(a).

SUBSEQUENT REPORT OF TRUANCY
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. Ed. Code § 48261.

DEFINITION OF A HABITUAL TRUANT
A pupil is deemed a habitual truant when the pupil 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. Ed. Code § 48262.

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. 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. Ed. Code § 48263.

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)
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:

1. That the pupil is truant.
2. That the parent or guardian is obligated to compel the attendance of the pupil at school.
3. That parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution.
4. That alternative educational programs that are available in the district.
5. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
6. That the pupil may be subject to prosecution.
7. That the pupil may be subject to suspension, restriction, or delay of the pupil's driving privilege.

8. That it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.
   (Ed. Code § 48260.5)

INSTRUCTION

MINIMUM DAYS AND PROFESSIONAL DEVELOPMENT

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 at https://www.slocoe.org/calendars-and-room-reservations/

SCHOOL ACCOUNTABILITY REPORT CARD (SARC)

The School Accountability Report Card is available in hard copy upon request, and is available on the Internet at https://www.slocoe.org/resources/parent-and-public-resources/school-accountability-report-cards/. It contains information about the COE and schools regarding the quality of programs and progress toward achieving stated goals. Ed. Code §§ 33126, 35256, 35258.

CAREER COUNSELING

Parents/guardians will be notified at least once, in advance of career counseling and course selection commencing with 7th grade course selection so that you may participate in the counseling sessions and decisions. Ed. Code § 221.5.

EXCUSED FROM INSTRUCTION DUE TO RELIGIOUS OR MORAL BELIEF

A parent/guardian can request, in writing, that their student be excused from any part of a school's instruction in health which conflicts with your religious training and beliefs. Ed. Code § 51240.

INSTRUCTIONAL MATERIALS

Primary and supplemental curriculum and instructional materials may be accessed and reviewed in accordance with law and District policies (See BP and AR 6161.1 and BP 6161.11). Requests from families to opt their students out of using specific instructional materials will also be considered in accordance with law and District policy. Please contact the site administrator at your student's school site if you are interested in obtaining further information.

FORMER JUVENILE COURT SCHOOL STUDENT GRADUATION REQUIREMENTS

School districts and county offices must exempt former juvenile court school students, who have transferred into a school district from a juvenile court school after completion of their second year of high school, from local graduation requirements that exceed state requirements and accept coursework satisfactorily completed while attending the juvenile court school, even if the student did not complete the entire course, and grant full or partial credit for courses earned while in juvenile court school. Former juvenile court school students may file complaints of non-compliance with these requirements under the District's Uniform Complaint Procedures.

When deciding whether to decline the diploma, the county office of education must advise the student, or if a minor, his/her educational rights holder, whether the student is likely to do all the following upon his/her release from a juvenile detention facility:

1. Enroll in a school operated by a LEA or charter school;
2. Benefit from continued instruction; and
3. Graduate from high school. Ed. Code § 48645.7(c)

Complaints of non-compliance may be filed with the District/County Office of Education/LEA under their Uniform Complaint Procedures. A complainant not satisfied with the District/County Office of Education/LEA's decision may appeal to the California Department of Education (CDE) and receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

GRADUATION AND COURSEWORK FOR CHILDREN OF MILITARY FAMILIES

Within 30 calendar days of the transfer of a child living in the household of an active duty military service member who may qualify for exemptions from local graduation requirements, the receiving school district must notify the student and his/her parent or guardian of the availability of the following exemptions and whether the student qualifies:

1. For students transferring any time after the completion of the student's second year of high school, exemption from local graduation requirements that exceed statewide coursework requirements, unless the school district makes a finding that the student is reasonably able to complete the school district's required coursework for graduation in time to graduate from high school by the end of the student's fourth year of high school. (Ed. Code § 51225.1 (a)):

2. For students deemed reasonably able to complete the school district's graduation requirements within the student's fifth year of high school, the school district must do all of the following (Ed. Code § 51225.1 (b)):
    a. Inform the student of the option to remain in school for a fifth year to complete the school district's graduation requirements;
    b. Inform the student, and the student's educational rights holder, about how remaining in high school for a fifth year to complete graduation requirements will affect the student's ability to gain admission to college;
    c. Provide information to the student about transfer opportunities available through California Community Colleges; and
    d. Upon agreement of an adult student or a minor student's educational rights holder, permit the student to stay in school for a fifth year to complete the school district's graduation requirements. (Ed. Code § 51225.1 (b).)
3. Students eligible for the exemption from local graduation requirements under this section have the following additional rights:
    a. To be notified by the school district regarding how the waiver of graduation requirements will affect the student's ability to gain admission to college and to receive information about transfer opportunities available through California Community Colleges. The student's educational rights holder must also receive this notice. (Ed. Code § 51225.1 (f));
    b. Students eligible for the exemption may not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses for which s/he is otherwise eligible, including courses necessary to attend college, regardless of whether those courses are required under statewide graduation requirements. (Ed. Code § 51225.1 (g));
    c. Students previously denied the exemption from local graduation requirements must be exempted upon request if they later qualify for the exemption. (Ed. Code § 51225.1 (h)); once exempted, the exemption may not be revoked. (Ed. Code § 51225.1 (i));
    d. The exemption will continue to apply after: (1) a student transfers to another school or school district; or (2) a student no longer meets the "child of military family" definition. (Ed. Code § 51225.1 (j)); and
    e. Students may not be required to transfer schools in order to qualify for an exemption under this section. (Ed. Code § 51225.1 (k));-Transfer requests may not be made on a student's behalf solely to qualify the student for an exemption under this section. (Ed. Code § 51225.1 (l)).

Students exempted from local graduation requirements who complete statewide coursework requirements before the end of their fourth year of high school may not be required or asked to graduate before the end of their fourth year of high school, if otherwise entitled to remain in attendance. (Ed. Code § 51225.1 (e).)

If the school district fails to provide timely notice of these rights, the student will be eligible for the local graduation requirements exemption even after the student no longer lives in the household of an active duty military service member, if the student otherwise qualifies for the exemption. (Ed. Code § 51225.1 (d)(4).)

Coursework Acceptance Requirements

1. School districts and county offices of education must accept coursework satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school, even if the student did not complete the entire course and must issue full or partial credit for the coursework completed. For students living in active duty military households, "public schools" include schools operated by the United States Department of Defense. (Ed. Code § 51225.2 (b));

2. Students may not be required to retake a course satisfactorily completed elsewhere. (Ed. Code § 51225.2 (b));

3. If the student did not complete the entire course taken elsewhere, the student may not be required to retake the entire course, unless the school district or county office of education, in consultation with the student's educational rights holder, finds that the student is reasonably able to complete the entire course in time to graduate from high school. Students must be allowed to enroll in the same or equivalent course in order to continue and complete the entire course. (Ed. Code § 51225.2 (d)); and

4. Students may not be prevented from retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Ed. Code § 51225.2 (e))

Complaints of non-compliance with graduation and coursework acceptance requirements for students living in military households may be filed with the District under the District's Uniform Complaint Procedures. A complainant not satisfied with the District's decision may appeal to the California Department of Education (CDE) and receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

COMMUNICATIONS 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. Parents/guardians shall be notified when a teacher has determined that your child is in danger of failing a course. Ed. Code § 49067.

TEACHER QUALIFICATIONS

A provision of Federal Title I requires all districts to notify parents and guardians 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)) To request information contact Thomas Alvarez, Director of Human Resources at talvarez@slocoe.org or 805-782-7233.

COLLEGE ADMISSIONS REQUIREMENTS/CAREER TECHNICAL EDUCATION

Parents of students enrolled in grades 9-12 have a right to receive annual notice of the following college admissions requirement and career technical education information:

College Admissions Requirements

University of California:

There are three paths to eligibility for freshmen:

1. Eligibility in the Statewide Context - Students must complete specific coursework and college admissions tests and earn the required GPA and test scores.
2. Eligibility in the Local Context (ELC) - Students must rank in the top 4 percent of their graduating class at a participating California high school.
3. Eligibility by Examination Alone - Students must achieve specified high scores on their college admissions tests.

The following website link provide more information regarding University of California admission requirements: http://admission.universityofcalifornia.edu/

California State University:

Most applicants who are admitted meet the standards in each of the following areas:

1. Eligibility in the Statewide Context - Students must complete specific coursework and college admissions tests and earn the required GPA and test scores.
2. Eligibility in the Local Context (ELC) - Students must rank in the top 4 percent of their graduating class at a participating California high school.
3. Eligibility by Examination Alone - Students must achieve specified high scores on their college admissions tests.

The following website link provides more information regarding the California State University admission requirements: https://www.calstate.edu/attend/campuses

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

For more information, visit the California Department of Education's website at http://www.cde.ca.gov/ci/ct/

GUIDANCE COUNSELING
Students may meet with guidance counselors at their school to discuss college admission requirements and/or to enroll in career technical education courses.

GRADUATION REQUIREMENTS

Subject Area	Loma Vista Community School Credit Requirement	California Diploma Minimum*
English 9	10	10
English 10	10	10
English 11	10	10
English 12	-	-
Mathematics	10	10
Algebra	10	10
World History	10	10
U.S. History	10	10
Economics	5	5
Government / Political Science	5	5
Physical Science	10	10
Life Science	10	10
Physical Education	20	20
Fine Arts / Foreign Language	10	10
Other Electives	70	-
Total Credits**	200	130

*** California Diploma Minimum:** Students who meet certain conditions may be eligible to earn a high school diploma under the minimum state requirements. This diploma is equivalent to all other high school diplomas; however, it does not meet the entrance requirements for the UC/CSU University system. See next page for 4-year college entrance requirements.

4-YEAR CALIFORNIA COLLEGE ENTRANCE REQUIREMENTS

University of California (UC) Admission Requirements		
G.P.A. of 3.0 or above in A-G Coursework		
S.A.T. I or A.C.T. (S.A.T. II Required for some majors.)		
A-G Admissions Requirements		
A.	History and Social Science	2 Years
B.	English	4 Years
C.	Math (4 Years Rec.)	3 Years
D.	Lab Science (3 Years Rec.) - 1 Biological and 1 Physical Lab Science	2 Years
E.	Foreign Language (3 Years Rec.)	2 years
F.	Visual & Performing Arts	1 Year
G.	College Prep Electives	1 Year

California State University (CSU) Admission Requirements		
G.P.A. - Eligibility Index Information		
S.A.T. I or A.C.T.		
A-G Admissions Requirements		
A.	History and Social Science	2 Years
B.	English	4 Years
C.	Math (4 Years Rec.)	3 Years
D.	Lab Science (3 Years Rec.) - 1 Biological and 1 Physical Lab Science	2 Years
E.	Foreign Language (3 Years Rec.)	2 years
F.	Visual & Performing Arts	1 Year
G.	College Prep Electives	1 Year

UC/CSU Entrance Examinations *(To be taken no later than December of senior year)*

S.A.T. I or A.C.T. (Plus Writing) Register for A.C.T. Register for S.A.T.
S.A.T. Subject Tests (2 tests may be required) for specific majors – Check with College
Students taking S.A.T. II in Mathematics should choose Level 2
Note: UC/CSU A-G Requirements must be completed with C or better to earn A-G Credit.

COURSES THAT MEET UC/CSU ENTRANCE REQUIREMENTS

Students must earn a grade of "C" or better in all A-G coursework.

A -- History / Social Studies
- World History
- U.S. History
- Government

B -- English
- English 9, English 10, English 11, English 12

C -- Mathematics
- Algebra 1
- Algebra 2
- Geometry
- Precalculus

D -- Laboratory Science
- Biology
- Chemistry
- Physical Science
- Physics
- The Living Earth
- Chemistry in the Earth System
- Earth and Space Science
- Physics in the Universe

E -- Language Other than English
- French 1, 2, 3
- German 1, 2
- Latin 1, 2
- Spanish 1, 2, 2

F -- Visual and Performing Arts
- Visual Arts

G -- Elective
- Economics

CAREER TECHNICAL EDUCATION
Career Technical Education courses to serve as an alternative to the performing arts or foreign language courses currently required for high school graduation. The COE provides the following courses: Introduction to Food Safety and Sanitation, Basic Culinary Techniques, Advanced Culinary Principles, Introduction to Residential and Commercial Construction, Intermediate Residential and Commercial Construction, Personal Development and Career Planning.

DUAL ENROLLMENT
Dual Enrollment Courses are either Cuesta Teacher-led or SLOCOE Teacher-Led and allow students to earn credits from a single course that apply both to their high school and college transcripts. The COE in collaboration with the Community College provides the following courses: PDS 175: Values & Ethics, PDS 176: Attitude in the Workplace, PDS 179: Time Management CCS 125: College Learning Strategies, CCS 225: College Success, CCS 254: Major and Career Exploration.

SPECIAL EDUCATION
A student shall be referred for possible special educational eligibility, only after the resources of the general education program have been considered and modified in an attempt to meet the student's needs. If a student is referred to special education, parents will receive a notification of Procedural Safeguards and an explanation of the proposed assessments. If consented to, following the completion of the assessments, a written report will be compiled. The results of the assessment will be discussed at an Individual Education Program (IEP) meeting. At the IEP meeting, the team will determine if the student meets eligibility for special education. If the student meets eligibility, a plan will be developed, which will be reviewed at least annually. The District provides special education services, as described in Ed. Code (56000-56001). The District offers a continuum of special education services and placements through the District's learning centers, special day classes and other support services. Students with exceptional needs have a right to a free appropriate public education.

Parents have the right to be informed of County programs for students with exceptional needs, including your right to have your child placed in an "appropriate" program, and to be consulted about the assessment and placement of your child. Students with exceptional needs have a right to a free appropriate public education.

ADVANCED PLACEMENT EXAMINATION FEES
A school district may help pay for all or part of the costs of one or more advanced placement examinations that are charged to economically disadvantaged pupils. Ed. Code § 522421.

STANDARDS OF PROFICIENCY IN BASIC SKILLS
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 Ed. Code §49063(K). Parents may request to meet to review instructional materials and to discuss the curriculum.

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 Ed. Code § 48412. Notification to be made in time sufficient to enable interested pupils to meet examination registration requirements for fall tests 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/.

EXEMPTION FROM CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (CAASPP)

Each year, parents and guardians will be notified regarding their student's participation in the CAASPP assessment system. Parents and guardians wanting to excuse their children from any or all parts of the CAASPP must submit a written request. Such written requests must be submitted to the school on an annual basis.

CAL GRANT PROGRAM
EC 69432.9

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 (CSAC) electronically by a school or SLOCOE official. Upon implementation of transcript-informed accounts for students in grades 9-12 on the CaliforniaColleges.edu platform, any GPA data required for eligibility for financial aid programs will be submitted through the California College Guidance Initiative. A student, or the parent/guardian of a student under 18 years of age, may complete a form at the time of the initial enrollment and/or re-enrollment process to indicate that they do not wish for the school to electronically send CSAC the student's GPA. Until a student turns 18 years of age, only the parent/guardian may opt out the student. Once a student turns 18 years of age, only 51 the student may opt themselves out, and can opt in if the parent/guardian had previously decided to opt out the student. Notification regarding CSAC and the opportunity to opt out of being automatically deemed a Cal Grant applicant will be provided to all students and their parents/guardians by January 1 of the students' 11th grade year.

CALIFORNIA COLLEGE GUIDANCE INITIATIVE
EC 51229, 60900.5

The California College Guidance Initiative (CCGI) works to smooth the path to college for California students and unify the efforts of the institutions that serve them. Combining data-driven tools and infrastructure with capacity building and student-focused curricula, CCGI helps close the gaps between systems and ensure that all California students, especially those who have been underrepresented in higher education, can move seamlessly from K-12 to college and career. CCGI manages CaliforniaColleges.edu, which is the state's official college and career planning platform and is free to all California students in grades 6-12 and their families.

To facilitate this, data for all students enrolled in grades 6-12 public schools will:

1. Be shared with the CCGI.
2. Be used to provide students and families with direct access to online tools and resources.
3. Enable a student to transmit information shared with the CCGI to both of the following:
    a. Postsecondary educational institutions for purpose of admissions and academic placement.
    b. The Student Aid Commission for purposes of determining eligibility for, and increasing uptake of, student financial aid.

DISSECTION OF ANIMALS
Your child has the right to refrain from instruction involving the use of animals or animal parts. To substantiate your child's moral objection to dissecting, destroying or otherwise harming animals as part of an education project. Teachers of courses utilizing dead animals or animal parts will inform students of their right to object to participating in a particular project involving the harmful or destructive use of animals. Your written note attesting to your child's objection may, at the teacher's option, entitle your child to participation in an alternative education project or to be excused from the project altogether. Ed. Code § 32255.1

EDUCATIONAL RIGHTS OF HIGH MOBILITY HIGH SCHOOL STUDENTS WHEN CHANGING SCHOOLS AFTER THEIR SECOND YEAR OF HIGH SCHOOL

High school "high mobility" students, which include students in foster care, homeless, recent immigrants, migrant students, former juvenile court school pupils and students from military families, have the following rights when transferring to a new school after their second year of high school:

1. Have the option to be exempted from all coursework and other requirements that are more than statewide course requirements for graduation, unless the local educational agency (LEA) makes a finding that the student is reasonably able to complete the LEA's graduation requirements in time to graduate by the end of the fourth year of high school;
2. Have the option of attending a fifth year of high school in order to complete statewide graduation course requirements;
3. To consult with school staff and the student's educational rights holder regarding other options available to the student, such as: (1) a fifth year of high school; (2) transfer opportunities available through California Community Colleges; and (3) possible credit recovery.

The consultation must also include a discussion of how remaining for a fifth year of high school or accepting an exemption from the local graduation coursework requirements may potentially impact the student's vocational plans or ability to gain admission to college, and also take into consideration the student's academic record and any other information relevant to make an informed decision. Ed. Code § 51225.1, subd. (b)(1), (2), and (3) and subd. (f)(1)-(3)

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. The liaison must ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.

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 a shelter; abandoned building, in a 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;
- A house or apartment with more than one family because of economic hardship or loss;
- On the street;
- In temporary foster care or with an adult who is not your parent or guardian,
- In substandard housing;
- With friends or family because you are a runaway or unaccompanied youth; 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 are 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.

RIGHTS OF HOMELESS STUDENTS AND STUDENTS IN FOSTER CARE

The district's uniform complaint procedures cover complaints pertaining to the education of foster and homeless children, including, but not limited to, a school district's failure to:

1. When a school placement dispute arises, allow a foster or homeless child to remain in his/her school of origin;
2. Place a foster child or homeless student in the least restrictive educational programs and provide access to academic resources and services and extracurricular and enrichment activities available to all students and make educational and school placement decisions based on the best interests of the child;
3. Provide educational services for foster children and homeless students living in emergency shelters;
4. Designate a staff person as the educational liaison for foster children and homeless students. The educational liaison must ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children, and assist foster children when transferring from one school or one district to another by ensuring the proper transfer of credits, records and grades;
5. Compile and transfer the complete educational record, including full or partial credits earned and the current classes and grades, of a transferring foster child to the next educational placement;
6. Ensure the proper and timely transfer between schools of students in foster care;
7. Within two business days of receipt of a transfer request or notification of enrollment from the new local educational agency, transfer the foster student and deliver the foster student' s complete educational information and records to the next educational placement;
8. Ensure that no lowering of grades will occur as a result of a foster student's absence due to a change in placement by a court or placing agency or due to a verified court appearance or related court activity;
9. Notify foster and homeless students transferring after the completion of the 2nd year of high school, within 30 days of the transfer, that they may be exempt from local graduation requirements and that this exemption continues after the court's jurisdiction over a foster child ends or when a homeless student is no longer homeless;
10. Accept coursework satisfactorily completed by a foster child or homeless student, even if the student did not complete the entire course, and failing to issue full or partial credit for the coursework completed.
11. School districts may not require that a homeless student or a student in foster care retake a course if the student has satisfactorily completed the entire course in a public school, a juvenile court school or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the school district may not require that the student retake the portion already completed, unless the school district, in consultation with the holder of the student's educational rights, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the student must be enrolled in the same or equivalent course in order to continue and complete the entire course;
12. A student in foster care or a homeless student may not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California;
13. Exempt a homeless or student in foster care transferring between schools at any time after the completion of his/her second year of high school from all coursework and other requirements adopted by the district's governing board that are in addition to the statewide coursework requirements for graduation found in Education Code section 51225.3, unless the district makes a finding that the student is reasonably able to complete the district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school;
14. Within 30 calendar days of the school transfer, the school district must notify a student in foster care or a homeless student who may qualify for the exemption from local graduation requirements, the person holding the right to make educational decisions for the student, the foster student's social worker or probation officer, and, in the case of homeless students, the school district's liaison for homeless students, of the availability of the exemption from local graduation requirements and whether the student qualifies for the exemption;
15. If the school district determines that a student in foster care or a homeless student is reasonably able to complete the district's graduation requirements within the student's fifth year of high school, the district must do all of the following:

a. Inform the student of his/her option to remain in school for a fifth year to complete the school district's graduation requirements;
b. Inform the student, and the person holding the right to make educational decisions for the student, about how remaining in school for a fifth year to complete the school district's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution;
c. Provide information to the student about transfer opportunities available through the California Community Colleges;
d. Upon agreement with an adult student or upon agreement with the person holding the right to make educational decisions for a student under 18 years of age, permit the student to stay in school for a fifth year to complete the school district's graduation requirements;

16. If a student in foster care or a homeless student is exempted from local graduation requirements and completes the statewide graduation coursework requirements in Education Code section 51225.3 before the end of his/her fourth year of high school and that student would otherwise be entitled to remain in attendance at the school, the school district may not require or request that the student graduate before his/her fourth year of high school;
17. If a student in foster care or a homeless student is exempted from local graduation requirements, the school district must notify the student and the person holding the right to make educational decisions for the student of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and must provide information about transfer opportunities available through the California Community Colleges;
18. A student in foster care or a homeless student who is eligible for the exemption from local graduation requirements and who would otherwise be entitled to remain at the school, shall not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements;
19. If a student in foster care or a homeless student is not exempted from local graduation requirements or has previously declined the exemption, the school district must exempt the student at any time if s/he requests and qualifies for the exemption;
20. Once a student in foster care or a homeless student is exempted from local graduation requirements, the school district may not revoke the exemption;
21. If a student in foster care is exempted from local graduation requirements, the exemption must continue to apply after the termination of the court's jurisdiction over the student while s/he is enrolled in school or if the student transfers to another school or school district;
22. If a homeless student is exempted from local graduation requirements, the exemption must continue to apply after the student is no longer homeless while s/he is enrolled in school or if the student transfers to another school or school district; and
23. A school district may not require or request that a student in foster care or a homeless student transfer schools in order to be exempted from local graduation requirements. A complainant not satisfied with the district's decision may appeal to the CDE and receive a written decision from the CDE within 60 days.

PERSONAL BELIEFS SURVEYS/QUESTIONNAIRES

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

INSTRUCTIONAL MATERIALS

Parents have the right to request a meeting to review instructional materials and discuss the curriculum of your student's course.

EDUCATIONAL EQUITY & IMMIGRATION RIGHTS (AB 495)

All children in California have a right to equal access to a free public education, regardless of their or their parents' or guardians' immigration status or religious beliefs. SLOCOE is committed to providing a safe, welcoming, and secure learning environment free from discrimination, harassment, bullying, violence, and intimidation.

1. **Know Your Educational Rights**
   Pursuant to state law, parents and guardians are provided with resources developed by the California Attorney General regarding immigration enforcement protections at school sites:

   Immigration Enforcement Actions at California Schools: Guide for Students and Families
   Know Your Educational Rights – English
   Know Your Educational Rights – Spanish
   Know Your Educational Rights – Chinese
   Know Your Educational Rights – Korean
   Know Your Educational Rights – Vietnamese
   Know Your Educational Rights – Tagalog

2. **Protection of Student Information and Campus Safety**
   SLOCOE will not release student information or education records to third parties for immigration enforcement purposes unless the parent/guardian provides written consent, or as required by a valid judicial subpoena, judicial warrant, or court order. Staff are prohibited from collecting information or documents regarding the citizenship or immigration status of students or their family members unless explicitly required by state or federal law.

   Furthermore, civil immigration enforcement officers are prohibited from entering nonpublic areas of a school site (including school grounds and school-provided transportation) without a valid judicial warrant or court order. SLOCOE will notify a parent/guardian if an officer requests or gains access to a student for immigration enforcement purposes, unless a court order restricts such disclosure.

3. **Family Safety Planning & Emergency Contacts**
   To ensure the continuous care and safety of your child, parents and guardians are strongly encouraged to adhere to the following recommendations from the California Attorney General's *Promoting a Safe and Secure Learning Environment for All* guidelines:

   a. Regularly Update Emergency Contacts: Please immediately notify the school office of any changes and ensure that alternative and secondary emergency contacts are listed. If a parent or guardian is detained, deported, or otherwise unavailable, school staff will exhaust all provided emergency contact instructions before contacting any external child protective service agency as a last resort.
   b. Caregiver's Authorization Affidavit: Parents are encouraged to consider completing a Caregiver's Authorization Affidavit (pursuant to Family Code Section 6552) to grant a trusted adult the legal authority to make educational and medical decisions for their child in the event of an emergency or family separation.
   c. Family Preparedness: Families should establish a formal safety plan, learn crucial emergency phone numbers, and ensure that copies of important documents (such as birth certificates and passports) are securely maintained in an accessible location.

STUDENTS WHO ARE PARENTS OR PREGNANT

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.

LACTATION ACCOMMODATIONS FOR PARENTING STUDENTS

School districts must provide reasonable accommodations to lactating students on school campuses to express breast milk, breast-feed an infant child or address other needs related to breast-feeding. 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. A student may not incur an academic penalty as a result of her use of reasonable lactation accommodations and must be provided an opportunity to make up any school work missed due to such use.

A complaint of noncompliance with this provision may be filed under the District's Uniform Complaint Procedures. Complainants not satisfied with the District's decision may appeal to the CDE and receive a written decision within 60 days.

SCHOOL SAFETY PLAN
Each school has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office. Fire and emergency drills are held periodically at each school. 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. Ed. Code §§ 32286, 32288.

CALIFORNIA UNIVERSAL MEALS
A school district, county superintendent of schools, or charter school maintaining kindergarten or any of grades 1 to 12, inclusive, shall make available a nutritionally adequate breakfast and a nutritionally adequate lunch free of charge and with adequate time to eat, as determined by that school district, county superintendent of schools, or charter school during each school day to any pupil who requests a meal without consideration of the pupil's eligibility for a federally funded free or reduced-price meal. The meals made available under this paragraph shall be nutritionally adequate meals that qualify for federal reimbursement. Participating school districts, county superintendents of schools, and charter schools shall comply with federal regulations for the National School Lunch Program and School Breakfast Program, which includes established mealtimes and shall comply with state requirements for meals served.

SUN BUCKS
SUN Bucks, also known as Summer Electronic Benefits Transfer (EBT), is intended to help families in California buy food during the summer months when school is closed and works just like CalFresh. Children can get SUN Bucks if they qualify for free or reduced-price school meals through a school meal application or Universal Benefits Application, or if they get CalFresh, CalWORKs, and/or Medi-Cal (certified at or below 185% of the Federal Poverty Level [FPL]). Please visit the SUN Bucks website for additional information: https://www.cdss.ca.gov/sun-bucks

TRANSGENDER STUDENTS
Access to Programs and Facilities Based on Gender Identity. Pursuant to state law, students may access sex-segregated programs and facilities, including locker room and restroom facilities, consistent with their gender identity. Any student may request the use of private or unisex restroom facilities for increased privacy. The District endeavors to protect the privacy of all students.

STUDENT RECORDS

DISTRICT POLICY
See attached Superintendent Regulation-Student Records 5125.

REVIEW OF STUDENT RECORDS
School officials may be authorized to inspect student records if a legitimate educational interest exists. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibilities. A school official is a person employed by the District as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement unit personnel), a person serving on the governing board, a person or company with whom the District has contracted to perform a special task (such as attorney, auditor, consultant, or therapist), or a parent or student serving on an official committee (such as a disciplinary or grievance committee), or assisting another school official in performing his or her tasks.

EXPUNGING & CHALLENGING STUDENT RECORDS
See attached Superintendent Regulation-Student Records 5125 and Superintendent Regulation-Challenging Student Records 5125.3.

PARENTAL CONSENT TO RELEASE INFORMATION
Your student's right to privacy prohibits the release of confidential information of your student's records to individuals other than yourself, your child (if 16 or older or having completed the 10th grade), or certain authorized individuals without a court order or parental consent. Certain entities, such as military recruiters and institutions of higher education, are authorized under federal law to access student directory information unless the parents request in writing that the student's name, address, and telephone number not be released without prior written consent. Any request to withhold directory information must be received by the school within 10 days from this notice.

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. (Ed. Code §§ 49061(c), 49073; NCLB) SLOCOE has determined that the following individuals, officials, or organizations may receive directory information:

1. Certain school publications
2. Outside organizations including, but not limited to, companies that manufacture class rings or publish yearbooks
3. Military recruiters
4. Post-secondary educational institutions
5. Outside governmental agencies

HOMELESS STUDENT RELEASE OF DIRECTORY INFORMATION
Written consent of the parent or that of the student, if accorded parental rights, must be obtained before directory information pertaining to a homeless student may be released. However, SLOCOE may release limited directory information to verified nonprofits providing free eye exams or oral health assessments, unless the parent has explicitly opted out. If health problems are detected during these exams, the family must be notified via alternative communication methods (text/phone/in person) rather than standard mail when possible.

PERSONALLY IDENTIFIABLE INFORMATION
Parents or guardians must consent to disclosure of personally identifiable information contained in their student's records, except to the extent disclosure without consent is permitted by law (e.g. subpoena or court order).

TRANSFER OF SUSPENSIONS AND EXPULSIONS DISCIPLINARY RECORDS
The District will forward student records, including suspension and/or expulsion disciplinary records, to other schools that have requested the records and in which the student seeks or intends to enroll.

SOCIAL SECURITY NUMBER– Ed. Code § 49076.7
Prohibits school 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.

STUDENT RECORDS COMPLAINTS
To file a complaint with the United States Department of Health, Education, and Welfare concerning alleged failure by the district to comply with the requirements of the General Education Provisions Act. Also, to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.

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 Ed. Code § 48980, parents, guardians, and students have a right to review school rules regarding student discipline and to receive a copy of Governing Board Rules and Regulations 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.

School rules include:

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. Use phones appropriately (see Phone Policy);
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. Students are not allowed in the parking lot without staff permission; and
8. Once a student is on campus, they may not leave without being properly checked out through the office.

SUSPENSION FOR UNRULY OR DISRUPTIVE CONDUCT
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. Ed. Code § 48900.1

TOBACCO USE PROHIBITED
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 & GANG-RELATED APPAREL
See Superintendent's Policy 5132-Dress and Grooming

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. Ed. Code § 48906.

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. Ed. Code § 48904, Civ Code § 1714.1.

FAMILY ENGAGEMENT/ PARENT INVOLVEMENT
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. The SLOCOE Parent and Family Engagement Policy is attached.

STUDENT SEARCH
U.S. Supreme Court Case: New Jersey vs. T.L.O. (1985) 469 U.S. 325.

Notice of Student Mobile Device and Search Policies (Board Policy 5145.12)
The San Luis Obispo County Office of Education (COE) is committed to promoting a safe, focused learning environment. Please be advised of the following policies regarding student property and campus security:

- **Personal Property and Suspicion-Based Searches:** Students, their personal belongings (including backpacks, purses, and electronic devices), and vehicles parked on COE property may be searched only when there is a reasonable, individualized suspicion that the search will uncover evidence that the student is violating the law, COE policy, or school rules.
- **School Property Inspections:** All student lockers and desks are the property of the COE. COE staff may conduct general inspections of school-owned properties under student control (such as lockers and desks) on a regular, announced basis, with students standing by.

Contraband Detection 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. Trained dogs may conduct random, unannounced inspections of inanimate school properties (such as lockers, desks, and parked vehicles). Dogs are never used to sniff individual persons and are not permitted in occupied classrooms.

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.

CELL PHONES and other ELECTRONIC SIGNALING DEVICES
Mandatory Mobile Device Lockers (AB 3216): In accordance with the Phone-Free Schools Act, Loma Vista Community School requires all students to secure personal smartphones and non-essential belongings in assigned, individual storage lockers during the school day. Exceptions will be strictly honored for verified medical necessities or as mandated by a student's Individualized Education Program (IEP) or Section 504 plan. Students who do not comply will be provided academic instruction in an alternative secure environment on campus until compliance is reached.

GROUNDS FOR SUSPENSION AND/OR EXPULSION

Ed Code § 48900. Grounds for Suspension and Expulsion

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district 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 the designee of the principal.

(c)(1) 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.

(2) Pupils who voluntarily disclose their use of a controlled substance, alcohol, or an intoxicant of any kind in order to seek help through services or supports shall not be suspended solely for that disclosure.

(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) Stole or attempted to steal school property or private property.

(h)(1) 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 the use or possession by a pupil of the pupil's own prescription products.

(2) Pupils who voluntarily disclose their use of a tobacco product in order to seek help through services or supports shall not be suspended solely for that disclosure.

(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 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.

(3) Except as provided in Section 48910, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.

(4) Except as provided in Section 48910, commencing July 1, 2024, a pupil enrolled in any of grades 9 to 12, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.

(5)(A) A certificated or classified employee may refer a pupil to school administrators for appropriate and timely in-school interventions or supports from the list of other means of correction specified in subdivision (b) of Section 48900.5 for any of the acts enumerated in paragraph (1).

(B) A school administrator shall, within five business days, document the actions taken pursuant to subparagraph (A) and place that documentation in the pupil's record to be available for access, to the extent permissible under state and federal law, pursuant to Section 49069.7. The school administrator shall, by the end of the fifth business day, also inform the referring certificated or classified employee, verbally or in writing, what actions were taken and, if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.

(*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, 287, 288, or 289 of, or former Section 288a 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 purposes 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, that 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 the pupil's physical or mental health.
(C) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.
(D) Causing a reasonable pupil to experience substantial interference with the pupil's 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 schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
(i) A message, text, sound, video, or image.
(ii) A post on a social network internet website, including, but not limited to:
(I) Posting to or creating a burn page. "Burn page" means an internet website 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.
(iii)(I) An act of cyber sexual bullying.
(II) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
(III) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
(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, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil's exceptional needs.
(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a 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 a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
(1) While on school grounds.
(2) While going to or coming from school.
(3) During the lunch period whether on or off the campus.
(4) During, or while going to or coming from, a school-sponsored activity.
(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may 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 is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.
(w)(1) A suspension or expulsion shall not be imposed against a pupil based solely on the fact that they are truant, tardy, or otherwise absent from school activities.
(2) It is the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community

It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

MANDATORY SUSPENSION AND/OR 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.

(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 or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district 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 a pupil for any of those acts 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 the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of 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 of a school district 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 schoolsite attended by the pupil at the time of suspension.

(e) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district 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 of a school district shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that 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 $3^1/_2$ 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.

It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

TECHNOLOGY

The County Superintendent of Schools believes that effective use of technology is integral to the education and development of students. In order to promote digital citizenship, the County Superintendent of Schools recognizes that students must have access to the latest digital tools and receive instruction that allows students to positively engage with technology in ways that respect human rights and avoids Internet dangers. Technological resources provided to students, including technology based on artificial intelligence (AI), shall be aligned to county office of education (COE) goals, objectives, and academic standards. The use of technology shall augment the use of COE adopted instructional materials.

The County Superintendent of Schools intends that technological resources provided by the COE be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. Students shall be allowed to use such technology, including AI technology, in accordance with local policies, including, but not limited to, policies on academic honesty, data privacy, nondiscrimination, and copyright protections. All students using these resources shall receive instruction in the proper and appropriate use of technology. Such instruction shall incorporate students' responsibilities regarding academic honesty, honoring copyright provisions, assessing the reliability and accuracy of information, protecting personal data, and understanding the potential for biases and errors in artificially generated content.

COE technology includes, but is not limited to, computer hardware, software or software as a service provided or paid for by the COE, whether accessed on or off site or through COE-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), wireless computer networking technology (wi-fi); the

Internet; email; applications (apps), including AI apps; telephones, cellular or mobile telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Technological resources and online sites that will be used in the classroom or assigned to students shall be reviewed to ensure that they are appropriate for the intended purpose and the age of the students.

Students and parents/guardians shall be notified about authorized uses of COE technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this Superintendent policy and the COE's Acceptable Use Agreement. Before a student is authorized to use COE technology, the student and the student's parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the COE or any COE staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the COE and COE staff for any damages or costs incurred. A copy of the Acceptable Use Agreement is attached below.

The COE reserves the right to monitor student use of technology within the jurisdiction of the COE without advance notice or consent. Students shall be informed that the use of COE technology, as defined above, is not private and may be accessed by the COE for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in the use of COE technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, COE policy, or school rules.

Information pertaining directly to school safety or student safety from the social media activity of any COE student may be gathered and maintained in accordance with Education Code 49073.6.

Whenever a student is found to have violated Superintendent policy or the COE's Acceptable Use Agreement, the student's user privileges may be canceled or limited or there may be increased supervision of the student's use of the COE's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

With input from students and appropriate staff, procedures to enhance the safety and security of students using COE technology shall regularly be reviewed and updated to help ensure that the COE adapts to changing technologies and circumstances.

INTERNET SAFETY

All COE computers with Internet access shall have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 7131; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet shall be implemented, to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The COE's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy COE equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The current guidance regarding cybersecurity, data privacy, and digital media awareness shall regularly be reviewed and recommended practices may be incorporated into the COE's processes and procedures related to the protection of the COE's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and monitoring suspicious and/or threatening digital media content.

Age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services shall be provided to COE students. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

HEALTH AND MEDICAL INFORMATION

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.

PHYSICAL EXAM & CONTAGIOUS DISEASE

To exempt your child from any physical examination you must provide written notice to the District. However, where there is good reason to believe that your child is suffering from a recognized contagious or infectious disease, your child will be sent home and will not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist.

ORAL HEALTH ASSESSMENT

A record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31st of the pupil's first school year.

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

Unless exempt, 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 7th 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.

HUMAN PAPILLOMAVIRUS (HPV) IMMUNIZATION ADVICE (AB 144)

Pursuant to California Education Code section 48980.4, parents and guardians are advised to follow the current immunization guidelines established by the California Department of Public Health (CDPH) regarding full immunization against the human papillomavirus (HPV) before a student's admission or advancement to the eighth grade.

CDPH Recommended Age for Vaccination
The CDPH strongly recommends that children receive the HPV vaccine at **ages 11 to 12 years**. The vaccine series can be started as early as age 9.

Scientific Rationale for Vaccination at Recommended Ages
The scientific rationale provided by the CDPH for administering the vaccine at ages 11 to 12 includes the following:

- **Robust Immune Response:** Research demonstrates that preteens produce a significantly higher and more robust count of cancer-fighting antibodies in response to the HPV vaccine than older adolescents and young adults.
- **Early Prevention:** HPV is a highly common virus that is easily transmitted. For the vaccine to be fully effective, the series must be completed *prior* to any potential exposure to the virus.
- **Proven Safety and Efficacy:** The HPV vaccine has undergone rigorous scientific testing. Clinical evidence proves that completing the vaccine series can prevent over 90 percent of cancers caused by HPV later in life. The long-term health benefits of protecting your child against these preventable cancers far outweigh any potential mild, temporary risks.

For more detailed information, parents and guardians may access the official CDPH guidance document: *HPV and HPV Vaccination: What Every Parent Should Know.*

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.

Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016, will be exempt from the immunization requirement until they complete the "grade span" they were in as of January 1, 2016. Grade spans are: (1) birth through preschool, (2) Kindergarten through 6th grade, and (3) 7th through 12th grade. Students entering the district for the first time or advancing to 7th grade after July 1, 2016 will no longer be exempt from immunizations based on their religious or personal beliefs.

Students who have a medical exemption issued before December 31, 2020 will be allowed continued enrollment until they enroll in the next grade span. As of January 1, 2021, the District will only accept medical exemptions that are submitted on the California Department of Public Health's standardized, statewide medical exemption certification form. (Health and Safety Code §§120370(a)(2) and 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.

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.

Parents will be given notice to consent to immunizations of their student whenever the immunization of students is permitted by the District.

MEDICATION ADMINISTRATION
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, surgeon, or physician assistant 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 authorization on a special form available from the COE. (EC 49423)

CONTINUING MEDICATION REGIMEN
The parent or legal guardian of any public school pupil on a continuing medication regimen for a non episodic condition, shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

ANAPHYLAXIS TREATMENT
School districts may provide epinephrine delivery systems 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.

The district may allow your child to carry and self-administer auto-injectable epinephrine and/or inhaled asthma medication if the following conditions are met. A physician or surgeon's statement confirming that your child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedules for administration must also accompany the request. In the case of auto-injectable epinephrine, a physician assistant may also provide this written statement. The parent, foster-parent or guardian must also: (1) consent in writing to the self-administration, (2) provide a release for the school nurse or other designated school personnel allowing them to consult with the student's physician and (3) agree to release the district and school personnel from civil liability in the event of an adverse reaction to the medication. These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. Students may be subject to disciplinary action pursuant to Ed. Code § 48900 for using auto-injectable epinephrine or inhaled asthma medication in a non-prescribed manner.

ANTI-SEIZURE MEDICATION
Parents of a student diagnosed with seizures, a seizure disorder or epilepsy who has been prescribed an emergency anti-seizure medication may request that their student's school have one or more of its employees receive voluntary training in the administration of the medication in the event that the student suffers a seizure when a school nurse is not available. Upon receipt of the parent's request, the local education agency must notify parent that his or her child may qualify for an individualized education program or a Section 504 plan.

Parents must provide a seizure action plan pursuant to Ed. Code § 49468.3 before an emergency anti-seizure medication or therapy treatment may be administered.

SYNTHETIC DRUGS
SLOCOE is required to provide parents notice of the dangers associated with using synthetic drugs that are not prescribed by a physician, such as fentanyl, as well as the possibility that dangerous synthetic drugs can be found in counterfeit pills. Ed. Code § 48985.5.

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

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

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

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

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

Additional information regarding fentanyl from the CDPH's Substance and Addiction Prevention Branch can be found here: https://www.cdph.ca.gov/Programs/CCDPHP/sapb/Pages/Fentanyl.aspx?gclid=CjwKCAjwlJimBhAsEiwA1hrp5qv344HMapv0xRus9jfqlLGf6Byb4dMmm_Kr_t0S4GCQ8bzXm6IBxBoClxkQAvD_BwE&utm_campaign=dc_ope__mc_en&utm_content=na&utm_medium=paidsearch&utm_source=dc_gs&utm_term=na_na.

EMERGENCY TREATMENT FOR OPIOID OVERDOSE
School districts, county offices of education and charter schools may provide emergency naloxone hydrochloride or another opioid antagonist to school nurses or trained personnel who have volunteered. School nurses or trained personnel may use naloxone hydrochloride or another opioid antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. Ed. Code § 49414.3(a).

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. Ed. Code § 49452.5.

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. Ed. Code § 49455, 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. Ed. Code § 35183.5.

CONFIDENTIAL MEDICAL SERVICES
School authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent/guardian. School districts are permitted to grant such excuses, but are not required to do so. SLOCOE does grant such excuses. Ed. Code § 46010.1

MEDICAL & HOSPITAL INSURANCE FOR STUDENTS
SLOCOE's insurance provider, the Self Insured School of California (SISC) covers SLOCOE students under its Student Accident Insurance coverage. The Student Accident Insurance plan covers all regularly enrolled students while they are involved in the following SLOCOE activities:

1. Attending school on SLOCOE premises during the regular school year and summer sessions for preschool through grade 12; or
2. Traveling to or from school or school-sponsored activities in SLOCOE-owned or operated transportation; or
3. Being regularly enrolled in and attending preschool or extended day programs on the school premises and operated exclusively by SLOCOE for its students; or
4. Practicing for or participating in SLOCOE school time and interscholastic athletics, except tackle football; or
5. Participating in Board-approved, school-sponsored clubs, including travel to and from such activities if such travel is on school-owned or operated transportation, or if such travel is under direct school supervision; or
6. Participating in required school-sponsored and school-supervised activities.

Student Accident Insurance Coverage is secondary to any other insurance provided for students by their parents or guardians, with the exception of Medi-Cal and Tricare. Supplemental insurance coverage for student insurance is also available. If you are interested in purchasing additional coverage, please review the attached and contact SISC at (661) 636-4710. Information regarding Medi-Cal or Covered California can be obtained at 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.

ADMINISTRATION OF OTHER EMERGENCY MEDICATIONS
The district follows all applicable laws in these situations. Please contact Holly Lynch, Credentialed School Nurse, hlynch@slocoe.org for more information.

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
All school districts, charter schools, and county offices of education that receive Tobacco Use Prevention Education (TUPE) funding shall 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 products include, but are 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 you be excused from all or part of any sexual health education, and HIV prevention education or assessments related to that education. You may withdraw this request at any time. If a school receives a written request from the parent or guardian excusing a student from this instruction, the student may not be subject to disciplinary action, academic penalty or other

sanction and an alternative educational activity must be made available to the student. This notice does not apply to human reproductive organs which may appear in physiology, biology, zoology, general science, personal hygiene, or health textbooks, adopted pursuant to law.

Parents also have the right to inspect the written and audiovisual educational materials to be used for this instruction, and to request copies of Education Code sections 51930-51939. This notice does not apply to human reproductive organs which may appear in physiology, biology, zoology, general science, personal hygiene, or health textbooks, adopted pursuant to law.

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 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.

STUDENT SURVEYS, TESTS, AND QUESTIONNAIRES REGARDING SEXUAL ATTITUDES AND PRACTICES
Anonymous, voluntary, and confidential research and evaluation tools may be used to measure pupils' health behavior and risks, including tests, questionnaires and surveys containing age-appropriate questions about the student's attitudes concerning, or practices related to sex, may be administered to students in grades 7-12. Parents and guardians will be notified in writing that such a test, questionnaire or survey is to be administered and given an opportunity to review the test, questionnaire or survey and be informed that in order to excuse their child, they must state their request in writing. If a school receives a written request from the parent or guardian excusing a student from this activity, the student may not be subject to disciplinary action, academic penalty or other sanction and an alternative educational activity must be made available to the student.

CONSENT FOR THE CALIFORNIA HEALTHY KIDS SURVEY
In the spring, your child may be asked to be part of the California Healthy Kids Survey (CHKS) sponsored by the California Department of Education (CDE). The survey was developed for the CDE by WestEd, a public, non-profit educational institution. This is a very important survey that will help promote better health and well-being among our youth, improve the school learning environment and combat problems such as drug abuse and violence. Students do not have to answer any questions they do not want to answer, and may stop taking the survey at any time. No names are recorded or attached to the survey forms or data. The results will be made available for analysis only under strict confidentiality controls. If you have any questions about this survey, or about your rights, call the district at 805-543-7732. *Your child does not have to take the survey. If you do not want your child to complete the survey, you must notify your school.*

The survey gathers information on developmental supports provided to youth; school connectedness and barriers to learning; school safety; health-related concerns such as physical activity and nutritional habits; alcohol, tobacco and other drug use; risk of depression and suicide; and protected class identifiers such as sexual orientation and gender identity. You may examine the questionnaire in the school office or at the district's website slocoe.org

The results from this survey are compiled into district- and county-level CHKS Reports. To view a copy of your district's report, go to https://calschls.org/reports-data/search-lea-reports/ and in the district name.

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.

DISCRIMINATION & HARASSMENT

NON-DISCRIMINATION/HARASSMENT

SLOCOE is committed to providing a safe school environment that allows all students equal access to opportunities in academic and other educational support programs, services, and activities. Unlawful discrimination against a student in any COE school, program, or activity, including discriminatory harassment, intimidation, and bullying, is prohibited. Any form of retaliation against an individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination is also prohibited.

Unlawful discrimination may result from physical, verbal, nonverbal, or written conduct against a student based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or the student's association with a person or group with one or more of these actual or perceived characteristics. Unlawful discrimination also occurs when the prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

ANTISEMITISM PREVENTION

EC 244, 2623, 280, 33800 et seq., 48980, 51500, 51501, 60151.

The policy of the State of California is to afford all persons in public schools, regardless of their disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, equal rights and opportunities in the educational institutions of the state. To ensure that classrooms are safe, welcoming, and inclusive learning environments for students of all faiths and backgrounds, including Jewish and Israeli students, antisemitic discrimination may be classified as discrimination on the basis of religion, national origin, ethnicity, or some combination of these factors. Therefore, schools are to treat antisemitism with the same seriousness as other forms of hate, and are required to establish a clear and transparent mechanism for students to report hate incidents and acts of antisemitism.

The following information highlights the protections, requirements, and responsibilities prescribed in Assembly Bill 715 of the 2025-2026 Regular Session to counter antisemitism in schools.

Instructional Materials

The County Board, County Superintendent, or SLOCOE may not adopt or approve:

1. The use of any textbook, instructional material, supplemental instructional material, professional development material, and curriculum for classroom instruction if the use would subject a student to unlawful discrimination as specified in EC 220.
2. The use of any professional development materials or services that would promote, endorse, or otherwise support actions or the use of any textbook, instructional material, supplemental instructional material, or curriculum that would subject a student to unlawful discrimination as specified in EC 220.

If the SLOCOE knows or has reason to know that such materials or services were used or an action occurred that would violate EC 220, SLOCOE will investigate and remediate the action, which may include, but is not limited to, the implementation of restorative justice practices. Regardless, a complaint may be filed by any member of the public under SLOCOE's Uniform Complaint Procedures, or it may be directly filed with the State Superintendent of Public Instruction (SPPI), as described below. Complaints may be filed anonymously if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

Additionally, SLOCOE will not adopt any textbooks or other instructional materials that contain any matter reflecting adversely upon persons on the basis of race or ethnicity, gender, religion, disability, nationality, or sexual orientation, or because of a characteristic listed in EC 220, or that violates EC 243, 244, 51500, or 60044. However, SLOCOE does not prohibit the continued use of an appropriately adopted textbook, instructional material, or curriculum on the basis that it contains inclusive and diverse perspectives, including those in compliance with EC 51204.5, 51933, 51934, and 60040.

Non-discrimination policies also apply to all acts of the governing board and the county superintendent of schools in enacting the SLOCOE's policies and procedures. (Education Code 234.1)

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

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

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in any COE school, program, or activity, or the provision or receipt of educational benefits or services, such as prohibiting a student from enrolling in a class or course on the basis of the student's sex.

When, as permitted by law, the COE maintains sex-segregated facilities, such as restrooms and locker rooms, or offers sex-segregated programs and activities, such as physical education classes, students may choose to access facilities and participate in such programs and activities consistent with their gender identity. In addition, students may choose to participate in accordance with their gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. Each student's gender identity shall be the gender asserted by the student. Transgender and gender-nonconforming students shall be afforded the same rights, benefits, and protections as all COE students.

Complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying or retaliation may be filed in accordance with the COE's uniform complaint procedures (UCP) pursuant to BP 1312.3 - Uniform Complaint Procedures. For complaints of sexual harassment, it is the responsibility of the COE's Title IX Coordinator to determine whether the complaint should be addressed through UCP or, if the alleged conduct meets the federal definition of sexual harassment pursuant to 34 CFR 106.30, the complaint procedures established in 34 CFR 106.44-106.45. Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action shall be taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, or bullying, or retaliation in violation of law or COE policy or procedures shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4.

ANTIDISCRIMINATION MEASURES

The County Board hereby incorporates by reference the policies, procedures, and measures implemented by the COE to prevent or address unlawful discrimination in COE schools, programs, and activities, including, but not limited to, the following:

1. Designation of a coordinator/compliance officer to handle complaints alleging unlawful discrimination
2. Publicizing of the COE's nondiscrimination policies and complaint procedures
3. Posting of the COE's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the COEs web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
4. Posting of the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the COE's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
5. Posting of information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status as required pursuant to Education Code 221.61, and a link to the Title IX information included on the California Department of Education's (CDE) web site, in a prominent location on the COE's web site in a manner that is easily accessible to parents/guardians and students (Education Code 221.6, 221.61, 234.6)
6. Posting of a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and

to their families. Such resources shall be posted in a prominent location on the COE's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)

7. Provision of training and information about the COE's nondiscrimination policies and complaint procedures, including information related to state and federal laws pertaining to the rights of transgender and gender-nonconforming students, to students, parents/guardians, COE employees, and others as applicable
8. Establishment of a complaint process that ensures a prompt and fair resolution of complaints
9. Provision of annual notification required by law
10. Maintenance of student records in accordance with law

When a former student presents government-issued documentation of a name and/or gender change, the student's records shall be updated accordingly. (Education Code 49062.5)

SEXUAL HARASSMENT

SLOCOE is committed to maintaining a safe school environment that is free from harassment and discrimination. Sexual harassment targeted at any student in a COE educational program, school, or school-sponsored or school-related activity is prohibited.

Retaliatory behavior or action against any person who reports, files a complaint, or testifies about sexual harassment or who otherwise supports a complainant in alleging sexual harassment is also prohibited.

Students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, are strongly encouraged to immediately contact their teacher, the principal or program administrator, the COE's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator so that steps may be taken to investigate and address the allegation in accordance with law and related COE regulations.

Once notified of a complaint or allegation of sexual harassment, the Title IX Coordinator shall ensure that it is addressed through the COE's Title IX complaint procedures or uniform complaint procedures (UCP), as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of the Title IX procedure concurrently meets the requirements of UCP.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion pursuant to Education Code 48900.2, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

DISCRIMINATION (FEDERAL)

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. Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 prohibit discrimination on the basis of race, color, national origin, sex (sex discrimination includes sexual harassment and discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions), age, disability, marital, parental or family status in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. Any questions or concerns concerning noncompliance can be directed to your school principal. For complaints of discrimination based on sex, please contact the District's Title IX Coordinator listed below.

Title IX Coordinator
Katherine Aaron-Assistant Superintendent

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

DISCRIMINATION (STATE)
Discrimination, harassment, intimidation and bullying are prohibited in any program which receives state financial assistance on the basis of the following actual or perceived characteristics: gender (which includes sex and a person's gender identity, gender expression and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), sex (sex discrimination includes sexual harassment and discrimination against a student based on pregnancy, child birth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions, or denial of lactation accommodations for lactating students),age, race (includes ancestry, color, ethnicity, ethnic group identification, and ethnic background), national origin, nationality, immigration status, religion (includes all aspects of religious belief, observance and practice and includes agnosticism and atheism), mental or physical disability, genetic information, sexual orientation (includes heterosexuality, homosexuality, and bisexuality), or because a person is perceived to have one or more of the above characteristics or because a person associates with a person or group with one or more of these actual or perceived characteristics. Complaints may be filed with the County Office's Uniform Complaint Officer listed below.

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

A copy of the District's anti-discrimination and bullying policy(ies) may be obtained from your school or the district office.

ANONYMOUS 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

DISABILITY-BASED DISCRIMINATION
Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act prohibit discrimination against qualified disabled persons in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. If you wish further details in this regard, or wish to file a complaint, please contact the County Office of Education's Uniform Complaint Officer.

UNIFORM COMPLAINT PROCEDURES

GENERAL INFORMATION
The District maintains a uniform complaint procedure for investigating complaints regarding:

1. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, physical or mental disability, medical condition, or genetic information, and any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, based on the person's association with a person or group with one or more of these actual or perceived characteristics.
2. Violations of the laws and regulations governing consolidated categorical aid programs, Adult Education, Migrant Education, Career/Technical Education, Regional Occupational Centers and Programs, Child Development, Special Education, Nutrition services, school safety planning and Local Control Accountability Plans.
3. The imposition of pupil fees for participation in educational activities.
4. Noncompliance with laws pertaining to homeless and students in foster care.
5. The failure to accommodate lactating students.

6. Failure to comply with physical education instructional minute requirements for elementary schools serving grades 1-8.
7. Failure to exempt qualified former juvenile court school students from local graduation requirements and grant such students credit earned while in juvenile court schools.
8. Failure to notify juvenile court students and their educational rights holders of rights related to graduation, graduation deferment and continued education options, and community college transfer opportunities.
9. Failure to comply with graduation and coursework completion requirements for the children of military families.
10. Deficiencies related to preschool health and safety issues for a California state preschool program pursuant to section 8235.5.

Discrimination includes, but is not limited to, the County Board's refusal to approve the use or prohibit the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library, on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. Additionally, discrimination includes, but is not limited to the County Board's adoption or approval of use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library if the use would subject a student to unlawful discrimination pursuant to Education Code 220.

DISCRIMINATORY INSTRUCTIONAL OR PROFESSIONAL DEVELOPMENT MATERIALS
Complaints alleging that the County Board, County Superintendent, or SLOCOE adopted or approved professional development materials, professional development services, instructional materials, or curricula that subject students to unlawful discrimination, including antisemitism, on the basis of religion, race, nationality, or ethnicity pursuant to Education Code sections 220 and 244. Antisemitic discrimination shall be treated with the same seriousness as other forms of hate, and complaints may be filed anonymously if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

The District has designated Thomas Alvarez, Chief Human Resources Officer, 3350 Education Drive, San Luis Obispo, CA 93405, (805) 782-7233, as the Compliance Officer to receive and investigate uniform complaints that fall within these categories and ensure District compliance with law. For more information concerning the filing of uniform complaints, copies of the Board Policies and Administrative Regulations pertaining to these complaint procedures are available free of charge upon request at the school or District offices.

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 the complainant. However, an exhaustion of the administrative complaint process is not required before civil law remedies may be pursued.

A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI).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.
If SLOCOE finds merit in a complaint regarding discriminatory materials or curricula, appropriate corrective and remedial action shall be taken, which may include the implementation of proactive restorative justice practices focused on repairing harm, fostering empathy, and healing relationships

APPEALS, CIVIL LAW REMEDIES & ASSISTANCE
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 the County Superintendent of Schools 3500 Education Drive, San Luis Obispo, CA 93405. A hearing may be requested.

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)

DIRECT APPEALS FOR FAILURE TO ISSUE A TIMELY REPORT
Pursuant to Education Code section 262.3(a)(2), a complainant may appeal directly to the State Superintendent of Public Instruction (SPI) if SLOCOE fails to issue a final written investigation report within the mandatory 60-calendar-day UCP timeline. When filing a direct appeal due to a timeline failure, the complainant must identify the basis for the direct filing and provide evidence supporting immediate intervention by the SPI.

LOCAL CONTROL ACCOUNTABILITY PLAN NONCOMPLIANCE
School districts, charter schools and county offices of education are required to adopt and annually update their LCAPs. LCAP non-compliance complaints may be filed under the District's Uniform Complaint Procedures and may be filed anonymously. If a complainant is not satisfied with the District's decision, the complainant may appeal to the California Department of Education and receive a written decision within 60 days.

UCP - FORMER JUVENILE COURT SCHOOL STUDENT GRADUATION REQUIREMENTS
School districts and county offices must exempt former juvenile court school students, who have transferred into a school district from a juvenile court school after completion of their second year of high school, from local graduation requirements that exceed state requirements and accept coursework satisfactorily completed while attending the juvenile court school, even if the student did not complete the entire course, and grant full or partial credit for courses earned while in juvenile court school. Former juvenile court school students may file complaints of non-compliance with these requirements under the District's Uniform Complaint Procedures.

When deciding whether to decline the diploma, the county office of education must advise the student, or if a minor, his/her educational rights holder, whether the student is likely to do all the following upon his/her release from a juvenile detention facility:

1. Enroll in a school operated by a LEA or charter school;
2. Benefit from continued instruction; and
3. Graduate from high school. (Ed. Code § 48645.7(c).)

Complaints of non-compliance may be filed with the District/County Office of Education/LEA under their Uniform Complaint Procedures. A complainant not satisfied with the District/County Office of Education/LEA's decision may appeal to the California Department of Education (CDE) and receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

Upon qualifying for a diploma, county offices of education must notify juvenile court students, their educational rights holders, and their social workers or probation officers of the following:

1. The student's right to a diploma without having to complete coursework or other requirements that are in addition to statewide graduation requirements (Ed. Code § 48645.5(d));
2. How taking coursework and other requirements adopted by the governing board of the county office of education or continuing education upon release from the juvenile detention facility will affect the student's ability to gain admission to a postsecondary educational institution (Ed. Code § 48645.7(a)(1)(B));
3. Information about transfer opportunities available through the California Community Colleges (Ed. Code § 48645.7(a)(1)(C));
4. The student's or, if a minor, the education rights holder's option to allow the pupil to defer or decline the diploma in order to take additional coursework if the county office of education makes a finding that the student could benefit from the additional coursework and graduation requirements adopted by the county office of education. (Ed. Code § 48645.7(b)).

UCP – COURSE PERIODS WITHOUT EDUCATIONAL CONTENT
School districts may not assign students in grades 9-12 to course periods without educational content for more than one week in any semester without written parental consent and related documentation. "Course periods without educational content" are defined to include course periods where: (1) a student is released early from school; (2) the student is assigned to a service, instructional work experience or to a course to assist a certificated employee, but is not expected to complete curricular assignments; or (3) where the student is not assigned to any course during the class period.

School districts are also prohibited, without written parental consent and related documentation, from enrolling 9-12th graders in classes they have previously completed and received a grade in that is satisfactory to receive a high school diploma and to attend a California public institution of postsecondary education. Non-compliance complaints may be filed under the District's Uniform Complaint Procedures. A complainant not satisfied with the District's decision may appeal to the CDE and receive a written decision from the CDE within 60 days.

UCP – PHYSICAL EDUCATION INSTRUCTIONAL MINUTES
Students in elementary schools maintaining grades 1-6 and 1-8 are required to receive, at minimum, 200 minutes of physical education instruction each 10 school days, exclusive of recesses and lunch periods. Complaints regarding a school district's failure to comply with these physical education instructional minute requirements may be filed under the District's Uniform Complaint Procedures. Complainants not satisfied with the District's decision may appeal to the CDE and receive a written decision from the CDE within 60 days.

OTHER COMPLAINTS

STATE PRESCHOOL HEALTH AND SAFETY COMPLAINTS
Complaints regarding state preschool health and safety issues in school districts exempt from licensing are now processed exclusively via the procedures set forth in the California Code of Regulations, title 5, sections 4690 through 4694, and are no longer processed through the District's Uniform Complaint Procedures. Complaints must be filed with the preschool program administrator, or his/her designee, and may be filed anonymously.

SPECIAL EDUCATION PROGRAM COMPLAINTS
Complaints regarding special education programs are no longer covered by the District's Uniform Complaint Procedures. Please refer to the Notice of Procedural Safeguards, Special Education Rights of Parents and Children under the IDEA and the California Education Code, which is available from your child's school or may be accessed here:

https://www.cde.ca.gov/sp/se/qa/pseng.asp, for more information about filing a complaint. Complaints alleging that a student was discriminated against due to his or her disability still fall under the Uniform Complaint Procedures.

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

WILLIAMS COMPLAINTS
Complaints pertaining to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancies or misassignments, may be filed anonymously with the school Principal or his or designee. Pursuant to Ed. Code § 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 Ed. Code § 35186 (h) (1) and (2).

Complaint procedures have been established to identify and resolve complaints regarding these issues.

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/2024/01/UCP-brochure-and-child-care.pdf

SCHOOL SAFETY NONCOMPLIANCE
Complaints may be filed with the California Department of Education under the District's Uniform Complaint Procedures.

ADDITIONAL NOTICES

PESTICIDE USE
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: School District Integrated Pest Management Plan. The information provided includes identification including the name and active ingredients. Please contact Nelson Payton at the District Office at 805-782-7253 if you wish to receive written notification at least 72 hours prior to the application of an individual pesticide at your school. Each school will maintain a list of parents or guardians who want to be notified before individual pesticide applications are made. Prior to the application of any pesticide, the District will post a warning sign at the area to be treated at least 24 hours prior to the pesticide application and such sign will remain posted for at least 72 hours after the application. In the event of an emergency condition, advance notification and prior signposting may not be feasible, but a warning sign will be posted immediately upon application of the pesticide. For additional information regarding pesticides and pesticide use, please visit the Department of Pesticide Regulation's website at www.cdpr.ca.gov. Further information is available from the California Department of Pesticide Regulation, Post Office Box 4015, Sacramento, CA 95812-4015. You may also view a copy of a school's integrated pest management plan at the school site office.

MANAGEMENT PLAN FOR ASBESTOS-CONTAINING MATERIAL
The COE has available, upon request, a complete and updated management plan for asbestos- containing material. You may request to review the complete updated management plan for asbestos containing material in school buildings. Staff, students, and parents/guardians shall be informed at least once each school year about any inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities, that are planned or in progress. (Code of Federal Regulations: 40CFR 763.93)

AHERA RE-INSPECTION NOTIFICATION (Optional)
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.

SCHOOL EMPLOYEE CODE OF CONDUCT INTERACTIONS 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

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

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:
    a. Exclude any student from participation in any program
    b. Deny benefits to any student
    c. 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.

Notification to Teachers of Student Disciplinary Action. To be informed that the District will notify your child's teacher(s), in confidence, if your child has caused or attempted to cause serious bodily injury to another person or has engaged in other behaviors that constitute grounds for suspension or expulsion. The information provided to the teacher(s) will be based on any written records that the District maintains or receives from a law enforcement agency regarding your child.

MEGAN'S LAW

Information about registered sex offenders in California can be found on the California Department of Justice's website, https://www.meganslaw.ca.gov/. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

FIREARM SAFETY AND SAFE STORAGE OF FIREARMS INFORMATION

Information about firearm safety and safe storage of firearms can be found in the Firearms Safety Memorandum attached.

FINGERPRINTING

To receive information about SLOCOE's fingerprinting program for kindergarten or newly enrolled students please contact SLOCOE's 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. (FERPA, 34CFR §99.7(b))

ATTACHMENTS

- Superintendent Regulation-Student Records 5125
- Superintendent Regulation-Challenging Student Records 5125.3
- Superintendent Policy-Dress and Grooming 5132
- Board Policy and Exhibit-Uniform Complaint Procedures 1312.3
- Superintendent Policy and Exhibits-Sexual Harassment 5145.7
- Foster Student Rights
- SLOCOE Parent and Family Engagement Policy
- Firearm Safety Memorandum
- Acceptable Use Agreement

County Office Regulation 5125: Student Records

Status: ADOPTED

Original Adopted Date: 12/04/2020 **| Last Revised Date:** 02/18/2026 **| Last Reviewed Date:** 02/18/2026

Definitions

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

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

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

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

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

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

County Office of Education (COE) officials and employees are officials or employees, including teachers, whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

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

Legitimate educational interest is an interest held by any COE official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require access to information contained in student records.

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

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

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

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

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

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family

4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)

5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name

6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty

7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

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

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

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

1. Directory information

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

3. Records of the law enforcement unit of the COE, as specified in 34 CFR 99.8

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

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

Persons Granted Absolute Access

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

1. Parents/guardians of students younger than 18 years of age, including the parent who is not the student's custodial parent (Education Code 49069.7; Family Code 3025)

   However, the district shall not disclose student records to a party, including a parent/guardian, who is legally prohibited from accessing records and information of a student pursuant to a restraining order. (Family Code 6323.5)
2. An adult student, or a student under 18 years of age who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)

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

Access for Limited Purpose/Legitimate Educational Interest

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

1. Parents/guardians of a student 18 years of age or older who is a dependent child as defined in 26 USC 152 (Education Code 49076; 34 CFR 99.31)

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

3. COE officials and employees, consistent with the definition provided in "Definitions," above (Education Code 49076; 34 CFR 99.31)

4. Members of a school attendance review board (SARB) appointed pursuant to Education Code 48321 who are authorized representatives of the COE and any volunteer aide 18year of age or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)

5. Officials and employees of other districts, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

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

6. The Student Aid Commission, to provide the grade point average (GPA) of all COE students in grade 12 and, when required, verification of high school graduation or its equivalent of all students who graduated in the prior academic year, for use in the Cal Grant postsecondary financial aid program.

   However, such information shall not be submitted when students opt out or are permitted by the rules of the Student Aid Commission to provide test scores in lieu of the GPA. (Education Code 69432.9, 69432.92)

   No later than January 1 each year, the Superintendent or designee shall notify each student in grade 11, and the student's parents/guardians if the student is under 18 years of age, that the student's GPA will be forwarded to the Student Aid Commission by October 1, unless the student opts out within a period of time specified in the notice, which shall not be less than 30 days. (Education Code 69432.9)

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

7. The California College Guidance Initiative (CCGI) in accordance with a data sharing agreement pursuant to Education Code 60900, to provide data for use when planning for and applying to California public colleges and universities. (Education Code 60900, 60900.5)

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

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

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

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

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

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

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

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

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

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

15. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

    Such individuals shall have access to the student's current or most recent records of grades, transcripts, attendance, discipline, online communication on platforms established by the COE for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the COE. (Education Code 49069.3)

16. A student 14 years of age or older who is an unaccompanied minor experiencing homelessness as defined in 42 USC 11434a (Education Code 49076)

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

18. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232g)

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

    When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in Item #13 above. (Education Code 49076)

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

    In such cases, the Superintendent or designee shall provide information about the identity and location of the

student as it relates to the transfer of that student's records to another district in California or any other state or to a California private school. (Education Code 49076.5)

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

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act (FERPA). (Education Code 49076; 20 USC 1232g; 34 CFR 99.1-99.8))

Additionally, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49061, 49075)

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

Discretionary Access

At the discretion of the Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in connection with an emergency if the knowledge of the information is necessary to protect the health or safety of the student or other persons. (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

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

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

2. Accrediting associations in order to carry out their accrediting functions (Education Code 49076; 34 CFR 99.31)

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

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

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

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

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

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

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

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

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

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

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or FERPA. (Education Code 49076; 20 USC 1232g; 34 CFR 99.1-99.8)

Persons Generally Denied Access

A request for student records by an officer or employee of an agency conducting immigration enforcement shall be denied except in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

De-identification of Records

When authorized by law for any program audit, educational research, or other purpose, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

Process for Providing Access to Records

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians and adult students shall be notified of the location of student records if not centrally located. (Education Code 49069.7; 5 CCR 433)

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

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that COE officials and employees obtain access to only those student records in which they have legitimate educational interests. (Education Code 49076; 5 CCR 431; 34 CFR 99.31)

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

Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069.7; 5 CCR431)

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before the COE discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The COE's consent form shall specify the records that may be disclosed, state

the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian or adult student, the COE shall provide a copy of the records disclosed. (34 CFR 99.30)

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

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069.7)

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

Access Log

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

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

Additionally the custodian of records shall make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

The log need not include requests for access to records by: (Education Code 49064)

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining COE-approved directory information
4. Parties who have received written consent by a parent/guardian and have provided it to the COE, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. COE officials and employees who have a legitimate educational interest

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, custodian of records, and certain state or federal officials specified in Education Code 49064. (Education Code 49064; 5 CCR 432)

Duplication of Student Records

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

Changes to Student Records

Only a parent/guardian having legal custody of a student or a student who is 18 years of age or is attending an institution of postsecondary education may challenge the content of a record or offer a written response to a record. (Education Code 49061)

No addition or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (Education Code 49070; 5 CCR 437)

Any request to change a student's legal name in the student's mandatory permanent student record shall be accompanied with appropriate documentation.

Any challenge to the content of a student's record shall be filed in accordance with Education Code 49070 and the process specified in Administrative Regulation 5125.3 - Challenging Student Records.

Retention and Destruction of Student Records

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

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

1. Legal name of student
2. Date and place of birth and method of verifying birth date
3. Sex of student
4. Name and address of parent/guardian of minor student
    a. Address of minor student if different from the above
    b. Annual verification of parent/guardian's name and address and student's residence
5. Entrance and departure dates of each school year and for any summer session or other extra session
6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation
7. Verification of or exemption from required immunizations
8. Date of high school graduation or equivalent

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

1. Expulsion orders and the causes therefor
2. A log identifying persons or organizations who request or receive information from the student record
3. Health information, including verification or waiver of the health screening for school entry
4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge
5. Language training records
6. Progress slips/notices required by Education Code 49066 and 49067
7. Parent/Guardian restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or prohibition of student participation in specific programs
10. Results of standardized tests administered within the past three years
11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

Permitted student records may be destroyed six months after the student completes or withdraws from the

educational program and their usefulness ceases, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine discipline data
4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

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

Transfer of Student Records

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

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

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

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

Additionally, when a student in foster care is enrolling in a COE school, the COE's liaison for foster youth shall contact, within two business days of the student's request for enrollment, the school last attended by the student to obtain all academic and other records. (Education Code 48853.5)

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

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

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

Notification of Parents/Guardians

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the COE speak a single primary language other than English, then the COE shall provide these notices in that language. Otherwise, the COE shall provide these notices in the student's home language insofar as practicable. The COE shall effectively notify parents/guardians or eligible students with exceptional needs. (Education Code 48985, 49063; 5 CCR 431; 34 CFR 99.7)

The notice shall include: (Education Code 49063, 60900.5; 34 CFR 99.7, 99.34)

1. The types of student records kept by the COE and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. COE criteria for defining COE officials and employees and for determining legitimate educational interest
5. COE policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school
12. The sharing with CCGI of specified district data and data collected by the California Department of Education for the purposes of college admissions, academic placement, and eligibility for student financial aid (Education Code 60900)
13. Any other rights and requirements set forth in Education Code 49060-49085, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the COE to comply with 20 USC 1232g
14. A statement that 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 the student's enrollment

    Additionally, the annual parent/guardian notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will only be released in accordance with Board Policy/Administrative Regulation 1445 - Response to Immigration Enforcement.

Student Records from Social Media

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety
2. Provide a student with access to any information that the COE obtained from the student's social media activity and an opportunity to correct or delete such information
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the COE, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in Item #3 above.

Additionally, the notification shall include, but is not limited to, an explanation of the process by which a student or the student's parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parent/guardian notification required pursuant to Education Code 48980.

5. If the COE contracts with a third party to gather information on a student from social media, ensure that the contract:

    a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the COE, the student, or the student's parent/guardian

    b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the COE notifies the third party that the student has turned 18 years of age or is no longer enrolled in the COE, whichever occurs first

Updating Name and/or Gender of Former Students

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the COE shall update the former student's records to include the updated legal name and/or gender. Upon request by the former student, the COE shall reissue any documents conferred upon the former student, including, but not limited to a transcript, a high school diploma, a high school equivalency certificate, or other similar documents . (Education Code 49062.5)

If the former student's name or gender is changed, and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request.
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name and/or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and Administrative Regulation 5125.3 - Challenging Student Records. (Education Code 49062.5)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 16020-16027	Individual student records
5 CCR 16020-16027	Destruction of records of school districts
Bus. and Prof. Code 22580-22582	Privacy rights for California minors in the digital world
Bus. and Prof. Code 22584-22585	Student Online Personal Information Protection Act
Bus. and Prof. Code 22586-22587	Early Learning Personal Information Protection Act
Code of Civil Procedure 1985.3	Subpoena duces tecum
Ed. Code 17604	Delegation of powers to agents

State	Description
Ed. Code 220.3	Prohibition of requiring employee or contractor to disclose information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 234.7	Student protections relating to immigration and citizenship status
Ed. Code 33328.5	Statewide AI Task Force
Ed. Code 35266	Reporting of cyberattacks
Ed. Code 48201	Transfer student's record for acts that resulted in suspension or expulsion
Ed. Code 48853.5	Foster youth; placement, immunizations
Ed. Code 48902	Notification of law enforcement of specified violations
Ed. Code 48904-48904.3	Withholding grades, diplomas, or transcripts
Ed. Code 48918	Rules governing expulsion procedures
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 48985	Notices to parents/guardians in language other than English
Ed. Code 49060-49079	Student records
Ed. Code 49091.14	Parent/guardian review of curriculum
Ed. Code 51745	Independent study
Ed. Code 56041.5	Rights of students with disabilities
Ed. Code 56050	Surrogate parents
Ed. Code 56055	Foster parents
Ed. Code 60900-60901	California Longitudinal Pupil Achievement Data System
Ed. Code 69432.9	Cal Grant program; notification of grade point average
Ed. Code 69475	Conditional repeal of Cal Grant program
Fam. Code 3025	Access to records by noncustodial parents
Fam. Code 6323.5	Ex parte orders
Fam. Code 6552	Caregiver's authorization affidavit
Gov. Code 7920.000-7930.215	California Public Records Act
H&S Code 120440	Immunizations; disclosure of information
Pen. Code 245	Assault with deadly weapon
W&I Code 16010	Health and education records of a minor
W&I Code 681	Truancy petitions
W&I Code 701	Juvenile court law

Federal	Description
15 USC 6501-6506	Children's Online Privacy Protection Act
16 CFR Part 312	Children's Online Privacy Protection Rule
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1232h	Protection of Pupil Rights Amendment
26 USC 152	Definition of dependent child
34 CFR 300.501	Opportunity to examine records for parents/guardians of student with disability
34 CFR 99.1-99.8	Family Educational Rights and Privacy Act
42 USC 11434a	McKinney-Vento Homeless Assistance Act; definitions

Management Resources	Description
CA Office of the Attorney General Publication	Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's TK-12 Schools in Responding to Requests for Access and Information for Immigration Enforcement Purposes, December 2025
CSBA Publication	Understanding Artificial Intelligence in K-12 Education: What Governance Teams Should Know, September 2023
CSBA Publication	Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017
Federal Register	Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008, Vol. 73, No. 237, pages 74806-74855
U.S. Department of Education Publication	Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, Oct 2007
U.S. Department of Education Publication	A Parent Guide to the Family Educational Rights and Privacy Act (FERPA), July 2021
U.S. Department of Education Publication	An Eligible Student Guide to the Family Educational Rights and Privacy Act (FERPA), March 2023
U.S. Department of Education Publication	School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA), February 2019
U.S. Department of Education Publication	IDEA and FERPA Crosswalk: A side-by-side comparison of the privacy provisions under Parts B and C of the IDEA and FERPA, August 2022
U.S. Department of Education Publication	Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008
Website	California IT in Education, Student Data Privacy
Website	California Department of Education, Resources to Include Immigrant Families
Website	California Department of Education, LEA Immigration Enforcement Policy Submission
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Protecting Student Privacy
Website	CSBA
Website	California Office of the Attorney General
Website	California Department of Education

Cross References	Description
0410	Nondiscrimination In County Office Programs And Activities
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1340	Access To County Office Records
1445	Response To Immigration Enforcement
3250	Transportation Fees
3250	Transportation Fees
3260	Fees And Charges
3260	Fees And Charges

Cross References	Description
3290	Gifts, Grants And Bequests
3290	Gifts, Grants And Bequests
3312	Contracts
3515	Campus Security
3515	Campus Security
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3555	Nutrition Program Compliance
3555	Nutrition Program Compliance
3580	County Office of Education Records
3580	County Office of Education Records
4040	Acceptable Use Of Technology
4040-E(1)	Acceptable Use Of Technology
4112.6	Personnel Files
4117.7	Employment Status Reports
4158	Employee Security
5000	Concepts And Roles
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5021	Noncustodial Parents
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5112.1	Exemptions From Attendance
5112.1	Exemptions From Attendance
5112.2	Exclusions From Attendance
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1-E(1)	Release Of Directory Information
5125.3	Challenging Student Records
5126	Awards For Achievement
5126	Awards For Achievement
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.2	Bullying
5131.2	Bullying
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5131.9	Academic Honesty

Cross References	Description
5141.21	Administering Medication And Monitoring Health Conditions
5141.21	Administering Medication And Monitoring Health Conditions
5141.31	Immunizations
5141.31	Immunizations
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E(2)	Parent/Guardian Notifications
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.7-E(1)	Sexual Harassment
5146	Married/Pregnant/Parenting Students
6143	Courses Of Study
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6159.2	Nonpublic, Nonsectarian School And Agency Services For Special Education
6162.5	Student Assessment
6163.4	Student Use Of Technology
6163.4-E(2)	Student Use Of Technology
6173	Education For Homeless Children
6173	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6175	Migrant Education Program
6175	Migrant Education Program
9011	Disclosure Of Confidential/Privileged Information
9012	Board Member Electronic Communications
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

County Office Regulation 5125.3: Challenging Student Records

Status: ADOPTED

Original Adopted Date: 08/19/2021 **| Last Reviewed Date:** 08/19/2021

At the beginning of each school year or, for a student enrolled after the beginning of the school year, at the time of enrollment, parents/guardians shall be notified of the availability of the following procedures for challenging the contents of student records. Any student who is 18 years of age or attends a postsecondary institution shall have the sole right to challenge the contents of his/her records in accordance with the following procedures. (Education Code 49061, 49063)

Procedures for Challenging Records

The custodial parent/guardian of any student may submit to the County Superintendent or designee a written request to correct or remove from his/her child's records any information concerning the child which he/she alleges to be any of the following: (Education Code 49070; 34 CFR 99.20)

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

Within 30 days of receiving a request to correct or remove any information from a record, the County Superintendent or designee shall meet with the parent/guardian and the county office employee who recorded that information, if he/she is presently employed by the county office. (Education Code 49070)

If the challenge involves a student's grade, the teacher who gave the grade shall be given an opportunity to state, orally and/or in writing, the reasons for which the grade was given. Insofar as practicable, the teacher shall be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, a student's grade as determined by the teacher shall be final. (Education Code 49066)

Resolution of Challenge/Appeals

After considering all relevant information, the County Superintendent or designee shall sustain or deny the parent/guardian's allegations. (Education Code 49070)

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

If the County Superintendent or designee denies the allegations, the parent/guardian may, within 30 days, appeal the decision in writing to the County Board of Education. Within 30 days of receiving the written appeal, the Board shall meet in closed session with the parent/guardian and the county office employee who recorded the information, if he/she is presently employed by the county office. The Board shall then decide whether to sustain or deny the allegations. The decision of the Board shall be final. (Education Code 49070)

If the Board sustains any or all of the allegations, the County Superintendent or designee shall immediately order the correction or removal and destruction of the pertinent information from the student's records and shall inform the parent/guardian in writing that the information has been corrected or destroyed. (Education Code 49070)

If the parent/guardian does not file an appeal, or if the appeal is denied by the Board of Education, the parent/guardian shall be informed of his/her right to submit a written objection to the information. Any statement submitted by the parent/guardian shall be maintained with the contested part of the record for as long as the record is maintained and shall be disclosed whenever the related part of the record is disclosed. (Education Code 49070; 34 CFR 99.21)

Hearing Panel

The County Superintendent or designee and/or the County Board of Education may appoint a hearing panel to assist in making determinations regarding a challenge to student records or an appeal, as applicable, provided that the parent/guardian gives written consent to releasing relevant student record information to the panel members. Such a hearing panel shall consist of the following persons: (Education Code 49071)

1. A chairperson who is a principal of a public school other than the school at which the record is on file
2. A certificated employee appointed by the county office's certificated employee council or, if no such council exists, by a parent/guardian
3. A parent/guardian appointed by the County Superintendent or designee or the County Board of Education, whoever convenes the panel

If possible, the members of the hearing panel shall not be acquainted with the student, his/her parent/guardian, or the employee who recorded the information, except when the parent/guardian appoints the certificated employee pursuant to item #2 above. (Education Code 49071)

The panel shall be provided with verbatim copies of the information that is the subject of the controversy. The panel shall, in closed session, hear the parent/guardian's objections to the student record and, if the employee is presently employed by the county office, the employee's testimony. The proceedings of the hearing shall not be disclosed or discussed by panel members except in their official capacities. The panel shall submit, to the County Superintendent or designee or the County Board of Education as applicable, its written findings setting forth the facts and decisions of the panel. (Education Code 49071)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal References	Description
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
34 CFR 99.20-99.22	Procedures for amending educational records

State References	Description
Ed. Code 49063	Notification of parents of their rights
Ed. Code 49066	Grades; change of grade; physical education grade
Ed. Code 49071	Hearing panel

Superintendent Policy 5132: Dress And Grooming

Status: ADOPTED

Original Adopted Date: 08/26/2021 **| Last Reviewed Date:** 08/26/2021

The County Superintendent believes that appropriate dress and grooming contribute to a productive learning environment. The County Superintendent expects students to wear clothing that is suitable for the school activities in which they participate. Students shall not wear clothing that presents a health or safety hazard or causes a substantial disruption to the educational program.

County office and school rules pertaining to student attire shall be included in student handbooks, may be posted in school offices and classrooms, and may be periodically reviewed with all students as necessary.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance.

In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Education Code 212.1)

The principal or designee is authorized to enforce this policy and shall inform any student who does not reasonably conform to the dress code. The dress code shall not be enforced in a manner that discriminates against a particular viewpoint or results in a disproportionate application of the dress code based on students' gender, sexual orientation, race, ethnicity, household income, or body type or size.

School administrators, teachers, and other staff shall be notified of appropriate and equitable enforcement of the dress code.

When practical, students shall not be directed to correct a dress code violation during instructional time or in front of other students.

Repeated violations or refusal to comply with the county office's dress code may result in disciplinary action.

Gang-Related Apparel

The principal, staff, and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a proposed dress code shall be presented to the County Superintendent, which shall approve the plan upon determining that it is necessary to protect the health and safety of the school environment. The dress code policy may be included in the school's comprehensive safety plan. (Education Code 35183)

When determining specific items of clothing that may be defined as gang apparel, the school shall ensure that the determination is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics.

Uniforms

The County Superintendent may approve a school-initiated dress code requiring students at the school to wear a school uniform whenever the County Superintendent determines that such a dress code will promote student achievement, a positive school climate, and/or student safety.

The County Superintendent or designee shall establish procedures whereby parents/guardians may choose to have their children exempted from the school uniform policy. Students shall not be penalized academically, otherwise discriminated against, or denied attendance to school if their parents/guardians so decide. (Education Code 35183)

The County Superintendent or designee shall ensure that resources are identified to assist economically disadvantaged students in obtaining uniforms. (Education Code 35183)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Management Resources References	Description
Court Decision	Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503
Court Decision	Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993) 827 F.Supp. 1459
Court Decision	Jacobs v. Clark County School District, (2008) 26 F. 3d 419
Court Decision	Hazelwood School District v. Kuhlmeier, (1988) 108 S. Ct. 562
Court Decision	Hartzell v. Connell, (1984) 35 Cal. 3d 899
Court Decision	Harper v. Poway Unified School District, (2006) 445 App. 3d 166
Court Decision	Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

State References	Description
Ed. Code 212.1	Nondiscrimination based on race or ethnicity
Ed. Code 35183	School dress code; uniforms
Ed. Code 35183.5	Sun-protective clothing
Ed. Code 49066	Grades; effect of physical education class apparel

Cross References	Description
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/Y26fDBolDFplushrnetpiVoxA==
6173	Education For Homeless Children - https://simbli.eboardsolutions.com/SU/WuJkq4kKt1d19G7OR2Wzxw==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/JCvp4gzoplus6BIPVNpBNYcdA==
6173.1	Education For Foster Youth - https://simbli.eboardsolutions.com/SU/HMopqTr3GMSy04KHplusGkqvA==

County Board Policy 1312.3: Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 12/08/2016 **| Last Revised Date:** 10/02/2025 **| Last Reviewed Date:** 10/02/2025

The County Board of Education recognizes that the county office of education (COE) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing its educational programs. The County Board encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the County Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670

Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52616.18)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Child care and development programs (Education Code 8200- 8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content. (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in COE programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on one, or combination of two or more, protected characteristics, which include, but may not be limited to, a person's actual or perceived race or ethnicity; ; ancestry; color; ethnic group identification; nationality; national origin; immigration status; ; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status; any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, based on the person's association with a person or group with one or more of these actual or perceived characteristics (Education Code 200, 210.1, 210.2, 212, 212.1, 220, 221.51, 230, 260; Government Code 11135, 12926; 5 CCR 4610; 20 USC 1681-1688, 42 USC 2000d-2000d-7)

    However, the UCP shall not be used to investigate and resolve employment discrimination complaints. (5 CCR 4611)
11. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, students formerly in a juvenile court school, students who are migratory, and newcomer students . (Education Code 48645.7, 48850, 48853, 48853.5, 48915.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 12303, 52059.5, 64000; 20 USC 6301 et seq.)
13. Instructional Materials and Curriculum: Diversity (Education Code 243)

    A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the COE, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243, 244

14. Local control and accountability plan (Education Code 52075)

15. Migrant education (Education Code 54440-54445)

16. Physical education instructional minutes (Education Code 51210, 51222, 51223)

17. Student fees (Education Code 49010-49013)

18. Reasonable accommodations to a lactating student (Education Code 222)

19. Regional occupational centers and programs (Education Code 52300-52334.7)

20. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)

21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)

22. State preschool programs (Education Code 8200-8488, 33315)

23. State preschool health and safety issues in license-exempt programs (Education Code 8212)

24. School or athletic team names, mascots, or nicknames pursuant to Education Code 221.3

25. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation is subject to this policy.

26. Any other state or federal educational program the SPI or designee deems appropriate

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

All complainants shall be protected from retaliation, and the confidentiality of the parties shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination, the identity of the complainant, and/or the subject of the complaint, if different from the complainant, shall remain confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, a non-UCP allegation shall be referred to the appropriate staff or agency and the UCP-related allegation(s) shall be investigated, if appropriate, through the COE's UCP.

Training shall be provided to staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and any accompanying administrative regulation or exhibit.

Records of all UCP complaints and the investigations of those complaints are to be maintained in accordance with applicable law and County Superintendent of School policies and procedures.

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to the Department of Social Services. (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity, was subjected to sexual harassment, as defined in -34 CFR 106.30

   Such a complaint shall be addressed through the federal Title IX complaint procedures as specified in Exhibit (1)5145.71 - Title IX Sexual Harassment Complaint Procedures.

4. Any complaint alleging employment discrimination or harassment shall be referred to the County Superintendent or for investigation using COE procedures, including the right to file the complaint with the California Civil Rights Department.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure, or refusal to implement a due process hearing order to which the COE is subject, or a physical safety concern that interferes with the COE's provision of FAPE shall be submitted to the California Department of Education (CDE) (5 CCR 3200-3205)

6. Any complaint alleging noncompliance of the COE's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with County Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

7. Any complaint alleging discrimination based on race, color, national origin, sex, age, or disability in the COE's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with County Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15582)

8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and mis-assignments shall be investigated and resolved in accordance with County Board Policy 1312.4 - Williams Uniform Complaint Procedures and applicable administrative regulations (Education Code 35186).

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
2 CCR 11023	Harassment and discrimination prevention and correction
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 18100-18203	School libraries
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 33315	Uniform complaint procedures
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48645.7	Juvenile court schools

State	Description
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48900.5	Suspension; other means of correction
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49010-49014	Student fees
Ed. Code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51210	Courses of study grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools
Ed. Code 51225.1-51225.25	Foster youth, homeless children, former juvenile court school students, newcomer students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52617	Adult schools
Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 60010	Instructional materials; definition
Ed. Code 60040-60052	Requirements for instructional materials
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes, harassment

Federal	Description
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy; adoption of grievance procedures
34 CFR 110.25	Notice of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

Management Resources	Description
CA Office of the Attorney General Publication	Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024
California Department of Education Publication	Uniform Complaint Procedure 2020-21 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
Court Decision	Olmstead v. L.C. ex rel. Zimring (1999) 527 U.S. 581
Court Decision	John T. D. v. River Delta Joint Unified School District (2021) WL 5176356
Court Decision	Tennessee v. Cardona (2024) 737 F.Supp.3d 510
CSBA Publication	Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024
CSBA Publication	Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024
CSBA Publication	Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896

Management Resources	Description
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025
Website	California Civil Rights Department
Website	CSBA District and County Office of Education Legal Services
Website	Student Privacy Policy Office
Website	U.S. Department of Justice
Website	U.S. Department of Education, Office for Civil Rights
Website	U.S. Department of Agriculture
Website	CSBA
Website	California Department of Social Services
Website	California Department of Fair Employment and Housing
Website	California Department of Education

Cross References	Description
0410	Nondiscrimination In County Office Programs And Activities
0420.41	Oversight Of County Charter Schools
0420.41-E(1)	Oversight Of County Charter Schools
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
5131.2	Bullying
5131.2	Bullying
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.7-E(1)	Sexual Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures
5145.71-E(2)	Title IX Sexual Harassment Complaint Procedures
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
9012	Board Member Electronic Communications
9124	Attorney
9321	Closed Session
9321-E(1)	Closed Session

Cross References	Description
9321-E(2)	Closed Session

Exhibit 1312.3-E(1): Uniform Complaint Procedures **Status:** ADOPTED

Original Adopted Date: 12/14/2023 **| Last Revised Date:** 10/02/2025 **| Last Reviewed Date:** 10/02/2025

Except as may otherwise be specifically provided in other county office of education (COE) policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying County Board of Education policy.

Compliance Officers

The COE designates the individual, position, or unit identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying.

Chief Human Resources Officer
San Luis Obispo County Office of Education
3350 Education Drive, San Luis Obispo, CA 93405
805-543-7732

The COE designates the individual, position, or unit identified below, and in Exhibit 5145.7 - Sexual Harassment, who is responsible for handling complaints regarding sexual harassment.

Assistant Superintendent of Student Programs & Services
San Luis Obispo County Office of Education
3350 Education Drive, San Luis Obispo, CA 93405
805-543-7732

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

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

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

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, they shall be implemented and remain in place until it is determined that they are no longer necessary or until the COE issues its final written decision, whichever occurs first.

Notifications

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

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

The notice shall include, but not be limited to, all of the following:

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

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

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

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

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

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

7. A statement that the COE will post a standardized notice of the educational and graduation requirements of foster youth, students experiencing homelessness, children of military families, former juvenile court school students now enrolled in the COE, students who are migratory, and newcomer students as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

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

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

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

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

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 and 34 CFR 106.8 shall be posted on the COE and school websites, published in handbooks, or catalogs, and may be provided through COE-supported social media, if available.

All students and parents/guardians, including students and parents/guardians with limited English proficiency, shall have access to the relevant information provided in the COE's policy, regulation, forms, and notices concerning the UCP.

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

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of

complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, COE staff shall assist in the filing of the complaint. (5 CCR 4600)

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

1. A complaint alleging COE violation of applicable state or federal law or regulations governing the programs specified in the accompanying County Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)

2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance -(Education Code 49013, 52075).

   A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the site administrator of the school or with the County Superintendent or designee-Education Code 49013).

3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred (5 CCR 4630).

   For complaints related to the LCAP, the date of the alleged violation is the date when the Superintendent of Public Instruction (SPI) approves the LCAP that was adopted by the County Board. (5 CCR 4630)

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

5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. (5 CCR 4630)

   The time for filing may be extended for up to 90 days by the County Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as

appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

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

Mediation

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

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

If the mediation process does not resolve the complaint within the parameters of law, the compliance officer shall proceed with an investigation of the complaint.

The use of mediation shall not extend the COE's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the COE shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the COE shall then continue with subsequent steps specified in this exhibit.

Investigation of Complaint

The compliance officer shall begin an investigation into the complaint within 10 business days of receiving the complaint.

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

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any

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

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

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

Timeline for Investigation Report

OPTION 1: COEs that do not allow complainants to appeal to the County Board

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

END OF OPTION 1

OPTON 2: COEs that allow complainants to appeal to the County Board

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the COE's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below.

If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the County Board if the complaint is within the subject matter jurisdiction of the County Board, and with the County Superintendent for all other complaints.

If the County Board decides not to hear the complaint, compliance officer's decision shall be final.

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

END OF OPTION 2

Investigation Report

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

1. The findings of fact based on the evidence gathered

2. A conclusion providing a clear determination for each allegation as to whether the COE is in compliance with the relevant law

3. Corrective action(s) whenever the COE finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600

4. Notice of the complainant's right to appeal the COE's investigation report to CDE, except when the COE has used the UCP to address a complaint not specified in 5 CCR 4610

5. Procedures to be followed for initiating an appeal to CDE

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

In consultation with legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint.

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

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

1. The complainant may pursue available civil law remedies outside of the COE's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE (Education Code 262.3)

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law (Education Code 262.3)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination

Corrective Actions

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

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

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

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

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

7. Disciplinary action, such as suspension or expulsion, as permitted by law

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

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

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

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

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

Appeals to the California Department of Education

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

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

1. The COE failed to follow its complaint procedures

2. Relative to the allegations of the complaint, the COE's investigation report lacks material findings of fact necessary to reach a conclusion of law

3. The material findings of fact in the COE's investigation report are not supported by substantial evidence

4. The legal conclusion in the COE's investigation report is inconsistent with the law

5. In a case in which the COE found noncompliance, the corrective actions fail to provide a proper remedy

Upon notification by CDE that the COE's investigation report has been appealed, the County Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint

2. A copy of the COE's investigation report

3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator

4. A report of any action taken to resolve the complaint

5. A copy of the COE's UCP

6. Other relevant information requested by CDE

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

Health and Safety Complaints in License-Exempt Preschool Programs

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the COE notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the County Superintendent or designee may download and post a notice available from CDE's website. (Education Code 8212; 5 CCR 4691)

The COE's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the County Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the County Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or County Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the County Superintendent or designee. (Education Code 8212; 5 CCR 4692)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the COE's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the County Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the COE's decision to the SPI in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

Summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, shall be reported to the County Board at a regularly scheduled County Board meeting. (5 CCR 4693)

Policy Reference Disclaimer:

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
2 CCR 11023	Harassment and discrimination prevention and correction
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4680-4687	Williams uniform complaint procedures
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Ed. Code 18100-18203	School libraries
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 33315	Uniform complaint procedures
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48645.7	Juvenile court schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48900.5	Suspension; other means of correction
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49010-49014	Student fees
Ed. Code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Interstate Compact on Educational Opportunity for Military Children
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51210	Courses of study grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education, elementary schools

Ed. Code 51225.1-51225.25	Foster youth, homeless children, former juvenile court school students, newcomer students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements
Ed. Code 52300-52462	Career technical education
Ed. Code 52500-52617	Adult schools
Ed. Code 54400-54425	Compensatory education programs
Ed. Code 54440-54445	Migrant education
Ed. Code 54460-54529	Compensatory education programs
Ed. Code 59000-59300	Special schools and centers
Ed. Code 60010	Instructional materials; definition
Ed. Code 60040-60052	Requirements for instructional materials
Ed. Code 64000-64001	Consolidated application process; school plan for student achievement
Ed. Code 65000-65001	School site councils
Ed. Code 8200-8498	Child care and development programs
Ed. Code 8500-8538	Adult basic education
Gov. Code 11135	Prohibition of discrimination
Gov. Code 12900-12996	Fair Employment and Housing Act
H&S Code 1596.792	California Child Day Care Act; general provisions and definitions
H&S Code 1596.7925	California Child Day Care Act; health and safety regulations
Pen. Code 422.55	Definition of hate crime
Pen. Code 422.6	Crimes, harassment

Federal	**Description**
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974

20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
20 USC 6801-7014	Title III language instruction for limited English proficient and immigrant students
28 CFR 35.107	Nondiscrimination on basis of disability; complaints
29 USC 794	Rehabilitation Act of 1973, Section 504
34 CFR 100.3	Prohibition of discrimination on basis of race, color or national origin
34 CFR 104.7	Section 504; designation of responsible employee and adoption of grievances procedures
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 106.30	Discrimination on the basis of sex in education programs and activities; definitions
34 CFR 106.44	Recipient's response to sexual harassment
34 CFR 106.45	Grievance process for formal complaints of sexual harassment
34 CFR 106.8	Designation of coordinator; dissemination of policy; adoption of grievance procedures
34 CFR 110.25	Notice of nondiscrimination on the basis of age
34 CFR 99.1-99.67	Family Educational Rights and Privacy Act
42 USC 11431-11435	McKinney-Vento Homeless Assistance Act
42 USC 12101-12213	Americans with Disabilities Act
42 USC 2000d-2000d-7	Title VI and Title VII Civil Rights Act of 1964, as amended
42 USC 2000h-2-2000h-6	Title IX of the Civil Rights Act of 1964
42 USC 6101-6107	Age Discrimination Act of 1975

Management Resources	**Description**
CA Office of the Attorney General Publication	Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, January 2024
California Department of Education Publication	Uniform Complaint Procedure 2020-21 Program Instrument
California Department of Education Publication	Sample UCP Board Policies and Procedures
Court Decision	Olmstead v. L.C. ex rel. Zimring (1999) 527 U.S. 581
Court Decision	John T. D. v. River Delta Joint Unified School District (2021)

	WL 5176356
Court Decision	Tennessee v. Cardona (2024) 737 F.Supp.3d 510
CSBA Publication	Reference: State Roles, Responsibilities, and Process for Instructional Materials Adoption, February 2024
CSBA Publication	Fact Sheet: Instructional Materials Adoption: Local governing board responsibilities, February 2024
CSBA Publication	Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, February 2024
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. DOE, Office for Civil Rights Publication	Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014
U.S. DOJ Publication	Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025
Website	California Civil Rights Department
Website	CSBA District and County Office of Education Legal Services
Website	Student Privacy Policy Office
Website	U.S. Department of Justice
Website	U.S. Department of Education, Office for Civil Rights
Website	U.S. Department of Agriculture
Website	CSBA
Website	California Department of Social Services
Website	California Department of Fair Employment and Housing
Website	California Department of Education

Cross References

Code	Description
0410	Nondiscrimination In County Office Programs And Activities
0420.41	Oversight Of County Charter Schools
0420.41-E(1)	Oversight Of County Charter Schools
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan

1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
5131.2	Bullying
5131.2	Bullying
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.7-E(1)	Sexual Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures
5145.71-E(2)	Title IX Sexual Harassment Complaint Procedures
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
9012	Board Member Electronic Communications
9124	Attorney
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

Superintendent Policy 5145.7: Sexual Harassment

Status: ADOPTED

Original Adopted Date: 08/18/2021 **| Last Revised Date:** 08/27/2025 **| Last Reviewed Date:** 08/27/2025

The county office of education (COE) does not discriminate on the basis of sex in any of its programs or activities and complies with Title IX of the Education Amendments of 1972 and its implementing regulations.

The COE is committed to maintaining a welcoming, safe and supportive school environment that is free from discrimination and harassment. Sexual harassment, as defined in the accompanying exhibit, targeted at any student, is prohibited.

Additionally, retaliatory behavior or action against any person who reports, files a complaint, testifies about, assists with, or otherwise supports a complaint in alleging sexual harassment, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy is prohibited. (Education Code 220.1, 221.8; 34 CFR 106.71)

Students who feel that they are being or have experienced sexual harassment, on COE grounds or at a COE-sponsored or COE-related activity, or off-campus when the conduct has a continuing effect on campus, are strongly encouraged to immediately contact their teacher, the principal or program administrator, the COE's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sexual harassment, by or against a student in a COE education program or activity shall report the incident to the Title IX Coordinator within one workday.

Once notified, the Title IX Coordinator shall ensure that the complaint alleging sexual harassment is addressed through Exhibit (1) 5145.71 - Title IX Sexual Harassment Complaint Procedures or County Board Policy/Exhibit (1) 1312.3 - Uniform Complaint Procedures, as applicable. Additionally, the Title IX Coordinator shall ensure that any implementation of Exhibit (1) 5145.71 - Title IX Sexual Harassment Complaint Procedures concurrently meets the requirements of County Board Policy/Exhibit (1) 1312.3 - Uniform Complaint Procedures

The Title IX Coordinator shall offer and coordinate supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Students and parents/guardians shall be informed of this policy in the manner specified in the accompanying exhibit.

All COE staff shall be trained regarding this policy, and that employees required to receive training related to their duties under Title IX receive training as specified in 34 CFR 106.45. (Government Code 12950.1; 2 CCR 11023, 11024; 34 CFR 106.45)

Instruction/Information

All COE students shall receive age-appropriate information on sexual harassment. Such instruction and information shall include:

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

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

3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained

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

5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or harassment, shall be investigated and action shall be taken to respond to the harassment,

prevent recurrence, and address any continuing effect on students

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

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

8. A clear message that, when needed, the COE will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

Disciplinary Actions

Upon completion of an investigation of a sexual harassment , any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion pursuant to Education Code 48900.2, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Record-Keeping

Records shall be maintained in accordance with law, including in accordance with Exhibit (1) 5145.71 – Title IX Sexual Harassment Complaint Procedures, and COE policies and regulations, of all reported cases of sexual harassment to enable the COE to monitor, address, and prevent repetitive harassing behavior in COE schools.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Civ. Code 51.9	Liability for sexual harassment; business, service and professional relationships
Ed. Code 200-262.1	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 220.1	Prohibition of retaliation related to educational equity
Ed. Code 220.3	No requirement to disclose information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.3	Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.5	Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 35292.5	School restrooms; all-gender restrooms
Ed. Code 48900	Grounds for suspension or expulsion; definition of bullying
Ed. Code 48900	Grounds for suspension and expulsion
Ed. Code 48900.2	Additional grounds for suspension or expulsion; sexual harassment
Ed. Code 48904	Liability of parent/guardian for willful student misconduct
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49060-49079	Student records

State	Description
Gov. Code 12950.1	Sexual harassment training

Federal	Description
20 USC 1092	Definition of sexual assault
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 99.1-99.67	Family Educational Rights and Privacy
34 USC 12291	Definition of dating violence, domestic violence, and stalking
42 USC 1983	Civil action for deprivation of rights
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended

Management Resources	Description
Court Decision	Tennessee v. Cardona (2024) 737 F.Supp.3d 510
Court Decision	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Court Decision	Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. DOJ Publication	Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025
Website	U.S. Department of Education, Office for Civil Rights
Website	CSBA
Website	California Department of Education

Cross References	Description
0410	Nondiscrimination In County Office Programs And Activities
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
5131.2	Bullying
5131.2	Bullying
5141.52	Suicide Prevention

Cross References	Description
5141.52	Suicide Prevention
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures
5145.71-E(2)	Title IX Sexual Harassment Complaint Procedures
6163.4	Student Use Of Technology
6163.4-E(2)	Student Use Of Technology

Exhibit 5145.7-E(1): Sexual Harassment

Status: ADOPTED

Original Adopted Date: 08/27/2025 **| Last Reviewed Date:** 08/27/2025

Definitions

Sexual harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of one, or a combination of two or more protected characteristics, which include, but may not be limited to, sex; gender; gender identity; gender expression; sexual orientation; sex stereotypes; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status. (Education Code 200, 210.2, 220, 221.51, 230, 260; Government Code 11135; 20 USC 1681-1688)

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

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress

2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student

3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment

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

Any prohibited conduct that occurs off campus or outside of COE-related or COE-sponsored programs or activities will be regarded as sexual harassment in violation of COE policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a COE school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

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

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

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

Title IX Coordinator/Compliance Officer

The County Superintendent of Schools designates the following individual as the responsible employee to coordinate the COE's efforts to comply with Title IX. The individual shall also serve as the Compliance Officer specified in Exhibit(1) 1312.3 - Uniform Complaint Procedures and Administrative Regulation 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle student complaints alleging unlawful discrimination, as permitted by law. The Title IX Coordinator may be contacted at:

Katherine Aaron, Assistant Superintendent, Student Programs and Services
San Luis Obispo County Office of Education
3350 Education Drive, San Luis Obispo, CA 93405
805-543-7732
kaaron@slocoe.org

Notifications

Students and parents/guardians shall be notified that the COE does not discriminate on the basis of sex as required by Title IX and that inquiries about the application of Title IX to the COE may be referred to the COE's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The COE shall notify students and parents/guardians of the name or title, office address, email address, and telephone number of the COE's Title IX Coordinator. (34 CFR 106.8)

A copy of the COE's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

2. Be displayed in a prominent location in the main administrative building or other area where notices of COE rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

3. Be summarized on a poster which is prominently and conspicuously displayed in each bathroom and locker room at each school

   The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)

4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the COE's website in a manner that is easily accessible to parents/guardians and students (Education Code 234.6; 34 CFR 106.8)

5. Be provided as part of any orientation program conducted for new and continuing students at the time the student is enrolled or at the beginning of each quarter, semester, or summer session (Education Code 231.5)

6. Appear in any publication that sets forth the program/school's or COE's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

Reports and Complaints

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

If the Title IX Coordinator determines a complaint of sexual harassment involves off-campus conduct and the conduct may create or contribute to the creation of a hostile school environment, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the student or parent/guardian shall be informed of the right to file a formal written complaint in accordance with applicable COE complaint procedures.

All complaints alleging sexual harassment against students in the school setting shall be investigated and resolved in accordance with law and COE procedures. The allegations shall be reviewed to determine the applicable procedure

for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with Exhibit(1) 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to County Board Policy and Exhibit(1) 1312.3 - Uniform Complaint Procedures.

If sexual harassment is found following an investigation, prompt action shall be taken to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 432	Student records
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Civ. Code 51.9	Liability for sexual harassment; business, service and professional relationships
Ed. Code 200-262.1	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 220.1	Prohibition of retaliation related to educational equity
Ed. Code 220.3	No requirement to disclose information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.3	Prohibition of disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 220.5	Prohibition of policies requiring disclosure of information related to student's sexual orientation, gender identity, or gender expression
Ed. Code 35292.5	School restrooms; all-gender restrooms
Ed. Code 48900	Grounds for suspension or expulsion; definition of bullying
Ed. Code 48900	Grounds for suspension and expulsion
Ed. Code 48900.2	Additional grounds for suspension or expulsion; sexual harassment
Ed. Code 48904	Liability of parent/guardian for willful student misconduct
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49060-49079	Student records
Gov. Code 12950.1	Sexual harassment training

Federal	Description
20 USC 1092	Definition of sexual assault
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 99.1-99.67	Family Educational Rights and Privacy
34 USC 12291	Definition of dating violence, domestic violence, and stalking
42 USC 1983	Civil action for deprivation of rights
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended

Management Resources	Description
Court Decision	Tennessee v. Cardona (2024) 737 F.Supp.3d 510
Court Decision	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Management Resources	Description
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Court Decision	Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, April 29, 2024, Vol. 89, No. 83, pages 33474-33896
U.S. DOJ Publication	Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025
Website	U.S. Department of Education, Office for Civil Rights
Website	CSBA
Website	California Department of Education

Cross References	Description
0410	Nondiscrimination In County Office Programs And Activities
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
5131.2	Bullying
5131.2	Bullying
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.71	Title IX Sexual Harassment Complaint Procedures
5145.71-E(1)	Title IX Sexual Harassment Complaint Procedures
5145.71-E(2)	Title IX Sexual Harassment Complaint Procedures
6163.4	Student Use Of Technology
6163.4-E(2)	Student Use Of Technology

Exhibit 5145.71-E(1): Title IX Sexual Harassment Complaint Procedures

Status: ADOPTED

Original Adopted Date: 10/27/2021 | **Last Revised Date:** 08/27/2025 | **Last Reviewed Date:** 08/27/2025

The complaint procedures described in this exhibit shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student, while in an education program or activity in which a county office of education (COE) school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

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

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

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

For a complaint governed by Title IX based on conduct that occurred, in whole or in part, between August 1, 2024 and January 9, 2025, or prior to August 14, 2020, legal counsel shall be consulted to determine which procedures to use.

All other complaints alleging sexual harassment brought by or on behalf of students shall be investigated and resolved in accordance with County Board Policy/Exhibit(1) 1312.3 - Uniform Complaint Procedures

All requirements and timelines for County Board Policy/Exhibit(1) 1312.3 - Uniform Complaint Procedures shall concurrently be met while implementing the Title IX procedure.

Basic Requirements

When implementing Title IX grievance procedures, the COE shall: (34 CFR 106.45)

1. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent and by following a grievance process in accordance with 34 CFR 106.45 before the imposition of any disciplinary sanctions or other actions that are not supportive measures, as defined in 34 CFR 106.30, against a respondent

   Remedies following a determination of responsibility for sexual harassment shall be designed to restore or preserve equal access to the COE's education program or activity, and shall be provided in accordance with "Remedies," below.

2. Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provide that credibility determination may not be based on a person's status as complainant, respondent, or witness

3. Ensure that the Title IX Coordinator, investigator, decisionmaker, or any person that facilitates an informal resolution process, does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such individuals receive training in accordance with 34 CFR 106.45

4. Presume that the respondent is not responsible for the conduct until a determination regarding responsibility is made at the conclusion of the grievance process

5. Include reasonably prompt timeframes for the conclusion of the grievance process, including reasonably prompt timeframes for filing and resolving appeals, and informal resolution processes if appropriate and offered by the COE

   The COE's procedures shall also include a process that allows for the temporary delay of the grievance procedures or the limited extension of timeframes for good cause with written notice to the complainant and

the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

6. Describe the range of, or list, the possible disciplinary sanctions and remedies that the COE may implement following any determination of responsibility

7. State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard, and apply the same standard of evidence to formal complaints against students and employees and to all formal complaints of sexual harassment

8. Include the procedures and permissible bases for the complainant and respondent to appeal

9. Describe the range of supportive measures available to complainants and respondents

10. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege

Additionally, the COE shall not disclose the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act statute or regulations, as required by law, or to carry out the purposes of Title IX, including the conduct of any investigation, hearing, or judicial proceeding arising under Title IX. (34 CFR 106.30, 106.71)

Reporting Allegations/Filing a Formal Complaint

A student who is the alleged victim of sexual harassment or the student's parent/guardian may submit a report of sexual harassment to the COE's Title IX Coordinator using the contact information listed in Exhibit(1) 5145.7 - Sexual Harassment, or to any other available school employee, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint. (34 CFR 106.44)

A formal complaint, shall include the complainant's physical or digital signature, or another indication that the complainant is the person filing the complaint, and be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the COE. (34 CFR 106.30)

If the COE has actual knowledge of sexual harassment or allegations of sexual harassment but the alleged victim does not file a formal complaint, the Title IX Coordinator may file a formal complaint and, in situations when an imminent safety threat exists, a formal complaint shall be filed. In such cases, the alleged victim shall be provided notices as required by the Title IX regulations at specific points in the complaint process.

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or even if no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and designed to restore or preserve equal access to the COE's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the COE's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The COE shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the COE's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal from School

If a student is the respondent, the COE may remove the student from the COE's education program or activity on an emergency basis, provided that the COE conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the health or safety of any student, or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. Any such removal may not constitute discipline for student record purposes. Additionally, this authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a COE employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Dismissal of Complaint

A formal complaint shall be dismissed if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30. Additionally, a formal complaint shall be dismissed if the alleged conduct did not occur in the COE's education program or activity or did not occur against a person in the United States. In addition, a formal complaint may be dismissed if the complainant notifies the COE in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the COE, or sufficient circumstances prevent the COE from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, written notice of the dismissal and the reasons for the dismissal shall simultaneously be sent to the parties, and the parties shall be informed of their right to appeal the dismissal in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to County Board Policy 1312.3 - Uniform Complaint Procedures as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the COE may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. (34 CFR 106.45)

The COE shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint, including that the COE shall not require such waiver as a condition of enrollment or employment or continuing enrollment or employment. (34 CFR 106.45)

As part of an informal resolution, the parties may agree upon discipline such as suspension or expulsion without the need for an investigation.

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

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; the right to withdraw from the informal process and resume the formal complaint process at any time prior to agreeing to a resolution; and any consequences resulting from the informal resolution process, including that records will be maintained or could be shared.

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

3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

Written Notice

If a formal complaint is filed, the known parties shall be provided written notice of the following: (34 CFR 106.45)

1. The COE's complaint process, including any informal resolution process

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

   If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, notice of the additional allegations shall be provided to the parties.

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

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

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

The above notice may also include the name of the investigator, facilitator of an informal process, and decisionmaker and inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Consolidation of Complaints

When the allegations of sexual harassment arise out of the same facts or circumstances, the COE may consolidate formal complaints of sexual harassment against more than one respondent; by more than one complainant against one or more respondents; or by one party against another party. (34 CFR 106.45)

Investigation Procedures

During the investigation process, the COE's designated investigator shall: (34 CFR 106.45)

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

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

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

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

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

6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint including evidence that the COE does not intend to rely on in reaching a determination regarding responsibility and inculpatory and exculpatory evidence whether obtained from a party or other source so that each party can meaningfully respond to the evidence prior to conclusion of the investigation

7. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as

part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

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

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

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

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

Written Decision

A COE employee shall be designated as the decisionmaker to determine responsibility for the alleged conduct. This employee shall not serve as the Title IX Coordinator or a person involved in the investigation. (34 CFR 106.45)

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

The decisionmaker shall issue, and simultaneously provide to both parties, a written decision as to the scope of the respondent's responsibility for the alleged conduct, if any. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

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

In making this determination, the decisionmaker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

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

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

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

3. Findings of fact supporting the determination

4. Conclusions regarding the application of the COE's code of conduct or policies to the facts

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

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

Appeals

Either party may appeal the written decision or dismissal of a formal complaint or any allegation in the complaint, if

the party believes that a procedural irregularity affected the outcome, new evidence is available that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decisionmaker(s) affected the outcome. If an appeal is filed, the COE shall: (34 CFR 106.45)

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

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

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

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

5. Provide the written decision simultaneously to both parties

An appeal shall be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

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

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

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

Corrective/Disciplinary Actions

The COE may impose disciplinary sanctions or other actions after the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44, 106.45)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. (Education Code 48900.2, 48915)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law

2. Conference with parent/guardian

3. Educating the student regarding the impact of the student's conduct on others

4. Positive behavior support

5. Referral of the student to a student success team

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

An employee found to have committed sexual harassment or retaliation shall be subject to disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

Record-Keeping

The COE shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom

2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the COE's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances

3. All materials used to train the Title IX Coordinator, investigator(s), decisionmaker(s), and any person who facilitates an informal resolution process

   The COE shall make such training materials publicly available on its web site, or if the COE does not maintain a web site, available upon request by members of the public.

For complaints containing allegations of childhood sexual assault, the County Superintendent of Schools or designee shall also indefinitely maintain the following: (Code of Civil Procedure 340.1):

1. A record of the allegation(s)

2. A record of the investigation procedures followed

3. A record of the written determination

4. A record of the corrective action implemented, if any

5. A record of any appeals and the outcome of the same

6. All training materials addressing the prohibition and investigation of childhood sexual assault

Additionally, the County Superintendent of Schools or designee shall indefinitely maintain a record of insurance which evidences the COE's coverage for acts of sexual assault.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Civ. Code 51.9	Liability for sexual harassment; business, service and professional relationships
Ed. Code 200-262.1	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 48900	Grounds for suspension and/or expulsion
Ed. Code 48900.2	Additional grounds for suspension or expulsion; sexual harassment

State	Description
Ed. Code 48985	Notices to parents in language other than English
Gov. Code 12950.1	Sexual harassment training

Federal	Description
20 USC 1092	Definition of sexual assault
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 99.1-99.67	Family Educational Rights and Privacy
34 USC 12291	Definition of dating violence, domestic violence, and stalking
42 USC 1983	Civil action for deprivation of rights
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended

Management Resources	Description
Court Decision	Tennessee v. Cardona (2024) 737 F.Supp.3d 510
Court Decision	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Court Decision	Flores v. Morgan Hill Unified School District (2003) 324 F.3d 1130
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579
U.S. DOJ Publication	Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025
U.S. DOJ, FBI Publication	National Incident-Based Reporting System
Website	U.S. Department of Justice, Federal Bureau of Investigation
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Office for Civil Rights
Website	CSBA
Website	California Department of Education

Cross References	Description
0410	Nondiscrimination In County Office Programs And Activities
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
3550	Food Service/Child Nutrition Program

Cross References	Description
3550	Food Service/Child Nutrition Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.7-E(1)	Sexual Harassment

Exhibit 5145.71-E(2): Title IX Sexual Harassment Complaint Procedures

Status: ADOPTED

Original Adopted Date: 08/27/2025 | **Last Reviewed Date:** 08/27/2025

NOTICE OF TITLE IX SEXUAL HARASSMENT POLICY

The county office of education (COE) shall not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law (20 USC 1681-1688; 34 CFR Part 106) and extends to admission and employment. The COE also prohibits retaliation against any student for filing a complaint or exercising any right granted under Title IX.

The COE shall take prompt and equitable action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the COE's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The following employee serves as the COE's Title IX Coordinator and is responsible for addressing concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment:

Katherine Aaron, Assistant Superintendent, Student Programs and Services
San Luis Obispo County Office of Education
3350 Education Drive, San Luis Obispo, CA 93405
805-543-7732
kaaron@slocoe.org

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During COE business hours, reports may also be made in person. Upon receiving an allegation of sexual harassment, the Title IX Coordinator shall promptly notify the parties, in writing, of the applicable COE complaint procedure.

To view an electronic copy of the COE's policies and administrative regulations on sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see the COE's website at www.slocoe.org

To inspect or obtain a copy of the COE's sex discrimination and sexual harassment policies and administrative regulations, please contact: kaaron@slocoe.org; 805-543-7732

Materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person(s) who facilitates an informal resolution process, are also publicly available on the COE's website or at the COE office upon request.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4900-4965	Nondiscrimination in elementary and secondary education programs
Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Civ. Code 51.9	Liability for sexual harassment; business, service and professional relationships
Ed. Code 200-262.1	Educational equity; prohibition of discrimination on the basis of sex
Ed. Code 48900	Grounds for suspension and/or expulsion
Ed. Code 48900.2	Additional grounds for suspension or expulsion; sexual harassment
Ed. Code 48985	Notices to parents in language other than English
Gov. Code 12950.1	Sexual harassment training

Federal	Description
20 USC 1092	Definition of sexual assault
20 USC 1221	Application of laws
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1681-1688	Title IX of the Education Amendments of 1972; discrimination based on sex
34 CFR 106.1-106.82	Nondiscrimination on the basis of sex in education programs
34 CFR 99.1-99.67	Family Educational Rights and Privacy
34 USC 12291	Definition of dating violence, domestic violence, and stalking
42 USC 1983	Civil action for deprivation of rights
42 USC 2000d-2000d-7	Title VI, Civil Rights Act of 1964
42 USC 2000e-2000e-17	Title VII, Civil Rights Act of 1964, as amended

Management Resources	Description
Court Decision	Tennessee v. Cardona (2024) 737 F.Supp.3d 510
Court Decision	Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736
Court Decision	Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473
Court Decision	Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274
Court Decision	Flores v. Morgan Hill Unified School District (2003) 324 F.3d 1130
Court Decision	Donovan v. Poway Unified School District (2008) 167 Cal.App.4th 567
Court Decision	Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447
Court Decision	Davis v. Monroe County Board of Education, (1999) 526 U.S. 629
Federal Register	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, May 19, 2020, Vol. 85, No. 97, pages 30026-30579
U.S. DOJ Publication	Dear Colleague Letter: Enforcement of Title IX under the provisions of the 2020 Title IX Rule, February 4, 2025
U.S. DOJ, FBI Publication	National Incident-Based Reporting System
Website	U.S. Department of Justice, Federal Bureau of Investigation
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education, Office for Civil Rights
Website	CSBA
Website	California Department of Education

Cross References	Description
0410	Nondiscrimination In County Office Programs And Activities
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals

Cross References	Description
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sexual Harassment
5145.7	Sexual Harassment
5145.7-E(1)	Sexual Harassment

6. SCHOOL DISCIPLINE RIGHTS

- You cannot be suspended for more than 5 school days in a row or for more than 20 days in a school year.
- You have a right to be told why you are being suspended and the right to provide your version of events and evidence before you are suspended, unless there is an emergency. If the behavior for which you are being suspended could subject you to criminal charges, you should consult with your education rights holder or attorney before providing an oral or written statement to the school or police.
- Your attorney and social worker must be invited to a meeting before your suspension can be extended beyond 5 days and a suspension can only be extended if you are being considered for expulsion.
- You have a right to a formal hearing, and to be represented by an attorney at that hearing, before you are expelled.
- If you are facing a possible expulsion, your attorney and social worker must be notified. If you are in special education, your attorney and social worker must be invited to a meeting to decide whether your behavior was related to your disability.

7. RIGHT TO YOUR SCHOOL RECORDS

- You have the right to access your school records if you are 16 years or older or have finished 10th grade.
- Your social worker/probation officer and education rights holder can access your school records as well.

NON-EDUCATION RIGHTS

As a foster youth, you also have other rights that are not related to school, such as the right to see a doctor or to have private storage space. For more information, please see the **Foster Youth Bill of Rights (www.fosteryouthhelp.ca.gov/rights2.html)**

*EDUCATION RIGHTS HOLDERS

Every foster youth under age 18 must have an education rights holder, who is required to make education decisions in the youth's best interest. Foster youth who are 18 or older have the right to make their own education decisions. Your education rights holder may be your parent or legal guardian, your caregiver, or another person chosen by the court. Your education rights holder cannot be your social worker or probation officer, your attorney, or group home or school staff members. It is important to know who your education rights holder is. If you need information about who your education rights holder is, you can contact your social worker or attorney.

If you believe your education rights have been violated,

you can file a complaint. The school has 60 days to investigate and give you a written response. For information about how to file a complaint, please visit **cde.ca.gov/re/cp/uc**, or call the California Dept. of Education Coordinated School Health and Safety Office at (916) 319-0914.

For more information about your education rights, please see the **Foster Youth Education Toolkit (www.kids-alliance.org/edtoolkit)** or the **California Youth Education Task Force (www.cfyetf.org)**. You also can contact your school district's Foster Youth Educational Liaison or your county's Foster Youth Services Coordinating Program (FYSC) at **cde.ca.gov/ls/pf/fy**.

YOUR FOSTER YOUTH EDUCATIONAL LIAISON IS:

_____

AND CAN BE REACHED AT:

_____

DEPARTMENT OF EDUCATION · STATE OF CALIFORNIA

PRE K-12 AND BEYOND CALIFORNIA FOSTER YOUTH EDUCATION TASK FORCE

ALLIANCE for CHILDREN'S RIGHTS

SLOCOE Parent and Family Engagement Policy

San Luis Obispo County Office of Education

Board Approval: 12/15/2022

1.0 The local governing board shall establish and implement a policy on parent and family engagement. (California *Education Code* [*EC*] sections [§§] 11500-11504, 51101[b]; 20 United States Code [U.S.C.] § 6318[a][1], 6318[a][2])

1.1 San Luis Obispo County Office of Education (SLOCOE) has developed a written Title I parent and family engagement policy with input from parents and family members of participating children. Input is gathered through surveys, site meetings, and site parent advisory committees.

The LEA has distributed the policy to parents and family members of children served under Title I, Part A. The policy is distributed to families through the annual notification, all-call messages, and posted on the LEA's website. (20 U.S.C. § 6318[a][2])

To involve parents and family members in the Title I program at SLOCOE, the following practices have been established:

a) SLOCOE incorporates the parent and family engagement policy into the SLOCOE level plan. (20 U.S.C. § 6312, 6318[a][2])

SLOCOE includes a goal about improving family engagement in the Local Control and Accountability Plan (LCAP). This goal includes actions, services, and expenditures addressing family engagement, including meaningful participation and opportunities to provide input on decisions. Actions and strategies are also included in the LCAP Federal Addendum.

b) SLOCOE involves parents and family members in the joint development of the local educational agency planning efforts and in the process of school review and improvement. (20 U.S.C. § 6318[a][2][A])

SLOCOE annually surveys parents and family members to gather feedback about what is working and areas of improvement around the LCAP, as well as school goals and actions. Stakeholder feedback is also gathered at school meetings, parent advisory committee meetings, School Site Council meetings, and through other means. The information gathered is used to revise the LEA's LCAP, the LCAP Federal Addendum, and the sites' School Plan for Student Achievement (SPSA).

c) SLOCOE provides coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the SLOCOE in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance. (20 U.S.C. § 6318[a][2][B])

LEA staff work collaboratively with site administrators to plan and implement parent and family engagement activities.

Activities for each site are described in the school's parent and family engagement policy, school-parent compact, and are included in the School Plan for Student Achievement.

d) SLOCOE coordinates and integrates Title I, Part A parent and family engagement strategies with parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs. (20 U.S.C. § 6318[a][2][C])

Parent and family engagement activities for all programs, including English Learners and Special Education are coordinated with those offered through Title I, Part A.

e) SLOCOE conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of the schools served under Title I, Part A. (20 U.S.C. § 6318[a][2][D])

The LEA annually gathers input and feedback from stakeholders through the LCAP survey, discussion forums, as well as site and LEA advisory committees to evaluate the effectiveness of the parent and family engagement policy.

SLOCOE identifies the following:

1. Barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). (20 U.S.C. § 6318[a][2][D][i])

   The LEA annually gathers input and feedback from stakeholders through the LCAP survey, discussion forums, as well as site and LEA advisory committees to evaluate the effectiveness of the parent and family engagement policy. Barriers are identified through this process and actions are put in to address the needs of families, such as holding meetings at different sites, providing child care, and ensuring information is provided in a language and format easily understood by families. Barriers identified were the need for child care, a later start time for working parents, and the difficulty for working parents to even attend school or LEA meetings.

2. The needs of parents and family members so that they may assist with the learning of their children, including engaging with school personnel and teachers. (20 U.S.C. § 6318[a][2][D][ii])

Utilizing the Family Engagement Framework: A Tool for California Districts as a resource, workshops are offered, and information is provided, to families to support them with strategies to engage with the school. Strategies include questions to ask during parent conferences, how to contact their child's teacher, and assistance with completing school forms.

3. Strategies to support successful school and family interactions. (20 U.S.C. § 6318[a][2][D][iii])

   Each school develops a site parent and family engagement policy and school-parent compact designed to meet the needs of their families. The compact describes how families and school staff share the responsibility for improving student achievement and how the school and families will collaborate to assist students achieve the state academic standards.

f) SLOCOE uses the findings of such evaluation in subparagraph (e) to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policy. (20 U.S.C. § 6318[a][2][E]

The results of the evaluation are used to design evidence-based strategies to improve family engagement, and revise the parent and family engagement policy, as needed.

g) SLOCOE involves parents in activities of schools served under Title I, Part A to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy. (20 U.S.C. § 6318[a][2][F])

Each school designates family members to serve on advisory committees. These committees review the results of the annual evaluation and input from stakeholders and using this information to develop, revise, and review the parent and family engagement policy.

1.2 The SLOCOE policy on parent and family engagement for all schools (including Title I and non-Title I) in the LEA shall be consistent with the goals and purposes listed below. (*EC* §§ 11502, 11504, 11506)

a) Engage parents positively in their children's education by helping parents to develop skills to use at home that support their children's academic efforts at school and their children's development as responsible future members of our society. (*EC* § 11502[a])

All schools develop site parent and family engagement plans and school-parent compacts to address the needs of parents at their school. Each school offers

parent and family engagement activities to assist families with supporting learning at home. Information and resources are shared with families at parent-teacher conferences as well as on the website and materials sent home.

b) Inform parents and family members that they can directly affect the success of their children's learning, by providing parents with techniques and strategies that they may utilize to improve their children's academic success and to assist their children in learning at home. (*EC* § 11502[b])

Information and resources are provided to parents on strategies to assist their children's learning at home through parent meetings.

c) Build consistent and effective communication between the home and the school so that parents may know when and how to assist their children in support of classroom learning activities. (*EC* § 11502[c])

Information about the effectiveness of communication at each site is contained in the annual LCAP survey and used to improve services annually. In addition, school sites utilize all call messages to facilitate home-school communication.

d) Train teachers and administrators to communicate effectively with parents. (*EC* § 11502[d])

Utilizing the Family Engagement Framework: A Tool for California Districts, the Site Principals provide resources, information, workshops, and training to teachers on evidence-based strategies for effectively communicating with families.

e) Integrate parent involvement programs into the school's master plan for academic accountability. (*EC* § 11502[e])

Each site annually develops a School Plan for Student Achievement which include goals, actions, strategies, and expenditures for family engagement in addition to goals to improve academic achievement and the learning environment.

1.3 The LEA receiving more than $500,000 in Title I, Part A funds reserves at least one percent of its allocation to carry out parent and family engagement activities. (20 U.S.C. § 6318[a][3][A])

The LEA reserves at least one percent of the Title I, Part A allocation to support LEA-wide family engagement activities. Family engagement activities are included in the LEA's LCAP and the LCAP Federal Addendum. LEA level staff are also in place to support family engagement.

1.4 Parents and family members of children receiving Title I, Part A services are involved in the decisions regarding how funds reserved are allotted for parental involvement activities. (20 U.S.C. § 6318[a][3][B])

Each school designates family members to serve on advisory committees These committees review input gathered from stakeholders about family engagement activities. This information is used to annually update the LCAP and the LCAP Federal Addendum, including the actions and services for family engagement.

1.5 Not less than 90 percent of the funds reserved are distributed to schools served with priority given to high-need schools. (20 U.S.C. § 6318[a][3][C])
SLOCOE distributes at least 90 percent of the Title I, Part A funds to schools based on a funding formula.

1.6 Funds reserved by SLOCOE are used to carry out activities and strategies consistent with the LEA's parent and family engagement policy, including not less than one of the following: (20 U.S.C. § 6318[a][3][D])

a) Supporting schools and nonprofit organizations in providing professional development for LEA and school personnel regarding parent and family engagement strategies. (20 U.S.C. § 6318[a][3][D][i])

b) Supporting programs that reach parents and family members at home, in the community, and at school. (20 U.S.C. § 6318[a][3][D][ii])

c) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members. (20 U.S.C. § 6318[a][3][D][iii])

d) Collaborating, or providing sub-grants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement. (20 U.S.C. § 6318[a][3][D][iv])

e) Engaging in any other activities and strategies that SLOCOE determines are appropriate and consistent with the parent and family engagement policy. (20 U.S.C. § 6318[a][3][D][v])

Funds reserved by the LEA for family engagement activities are used to support the activities and strategies addressed in this policy.

SAN LUIS OBISPO COUNTY
OFFICE OF EDUCATION
LEADERSHIP ▪ COMMUNITY ▪ SERVICE
JAMES J. BRESCIA, ED. D., SUPERINTENDENT

Firearms Safety Memorandum

To: Parents and Guardians of Students in the **San Luis Obispo County Office of Education**

From: James J. Brescia, Ed.D.

Subject: California Law Regarding Safe Storage of Firearms

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

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.[1]
    - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a

[1] See California Penal Code sections 25100 through 25125 and 25200 through 25220.

location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.[2]

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.[3]

- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.[4]

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

---

[2] *See* California Penal Code section 25100(c).
[3] *See* California Civil Code Section 29805.
[4] *See* California Civil Code Section 1714.3.

SAN LUIS OBISPO COUNTY
OFFICE OF EDUCATION
LEADERSHIP ▪ COMMUNITY ▪ SERVICE
JAMES J. BRESCIA, ED. D., SUPERINTENDENT

STUDENT PROGRAMS & SERVICES

ACCEPTABLE USE AGREEMENT AND RELEASE OF COUNTY OFFICE OF EDUCATION FROM LIABILITY (STUDENTS)

The County Office of Education (COE) authorizes students to use technology as defined in Superintendent Policy 6163.4 - Student Use Of Technology. The use of COE technology is a privilege permitted at the COE's discretion and is subject to the conditions and restrictions set forth in applicable Superintendent/Board policies, administrative regulations, and this Agreement. The COE reserves the right to suspend access at any time, without notice, for any reason.

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

The COE makes no guarantee that the functions or services provided by or through the COE will be without defect. In addition, the COE is not responsible for financial obligations arising from unauthorized use, or misuse, of the system.

Each student who is authorized to use COE technology and the student's parent/guardian shall sign this Agreement, which indicates that the student has read and understands the Agreement and Superintendent Policy 6163.4 - Student Use of Technology.

Student Obligations and Responsibilities

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

Students shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, students shall not attempt to access any data, documents, emails, or programs in the COE's system for which they do not have authorization.

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

1. Access, post, display, create, or otherwise use material that is discriminatory, libelous, defamatory, obscene, sexually explicit, or disruptive

2. Bully, harass, intimidate, or threaten other students, staff, or other individuals ("cyberbullying")

3. Disclose, use, or disseminate personal identification information (such as name, address, email, telephone number, Social Security number, or other personal information) of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

4. Share confidential information or personally identifiable information with an open artificial intelligence (AI) system of themselves, another student, staff member, or other person

5. Adjust the privacy settings on any technology tool or AI app unless directed to do so by a teacher or staff member

6. Violate the direction of teachers or other staff members, age restrictions, or the intended use of the technology

7. Infringe on copyright, license, trademark, patent, or other intellectual property rights

8. Intentionally disrupt or harm COE technology or other COE operations (such as destroying COE equipment, placing a virus on COE computers, adding or removing a computer program without permission from a teacher or other COE personnel, changing settings on shared computers)

9. Install unauthorized software

10. "Hack" into the system to manipulate data of the COE or other users

11. Engage in or promote any practice that is unethical or violates any law or Superintendent/Board policy, administrative regulation, or COE practice

Privacy

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

The COE reserves the right to monitor and record all use of COE technology, including, but not limited to, access to the Internet or social media, Internet searches, browsing history, use of AI, communications sent or received from COE technology, or other uses. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of COE technology (such as web searches and emails) cannot be erased or deleted.

All passwords created for or used on any COE technology are the sole property of the COE. The creation or use of a password by a student on COE technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If a student uses a personally owned device to access COE technology, the student shall abide by all applicable Superintendent/Board policies, administrative regulations, and this Acceptable Use Agreement. Any such use of a personally owned device may subject the contents of the device and

any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting

If a student becomes aware of any security problem (including, but not limited to a cyberattack, phishing, or any compromise of the confidentiality of any login or account information) or misuse of COE technology, the student shall immediately report such information to the teacher or other COE personnel.

Consequences for Violation

Violations of the law, Superintendent/Board policy, or this Agreement may result in revocation of a student's access to COE technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, Superintendent/Board policy, or this Agreement may be reported to law enforcement agencies as appropriate.

Student Acknowledgment

I have received, read, understand, and agree to abide by this Agreement and other applicable laws and COE policies and regulations governing the use of COE technology. I understand that there is no expectation of privacy when using COE technology. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name: _____ Grade: _____
(Please print)

School: _____

Signature: _____ Date: _____

Parent or Legal Guardian Acknowledgment

If the student is under 18 years of age, a parent/guardian must also read and sign the agreement.

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

Name: _____ Date: _____
(Please print)

Signature: _____