



**2019–2020**

## **Annual Notification to Parents and Guardians**

**Los Gatos-Saratoga** of your rights and responsibilities  
**UNION HIGH SCHOOL DISTRICT**

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### **Los Gatos High School**

20 High School Court  
Los Gatos, CA 95030  
Ph (408) 354.2730  
Fax (408) 354.3742

### **Saratoga High School**

20300 Herriman Drive  
Saratoga, CA 95070  
Ph (408) 867.3411  
Fax (408) 867.3577

### **District Office**

17421 Farley Road West  
Los Gatos, CA 95030  
Ph (408) 354.2520  
Fax (408) 354.4198

For further information,  
Please visit the District's  
web site [www.lgsuhdsd.org](http://www.lgsuhdsd.org)

Dear Parents and Guardians,

Welcome to the 2019-2020 school year in the Los Gatos – Saratoga Union High School District. The LGSUHSD Board of Trustees, teachers, staff, and administration look forward to partnering with you in creating the best possible learning environment for all students.

This annual notification is designed to make you and your student aware of the rights and responsibilities that frame our efforts to provide a safe, supportive and effective educational environment. Please take the time to review the information provided and refer to it throughout the year. This information is available both at school and district websites and, by request, in hard copy.

***Please acknowledge your review of this document as part of the “Student Data Update” process in Aeries. This acknowledgement is a required part of your student’s annual registration process, verifying that you have been notified of your rights.***

Please do not hesitate to contact the Superintendent/Board Assistant, Jane Marashian at [jmarashian@lgsuhdsd.org](mailto:jmarashian@lgsuhdsd.org) or (408) 354-5980 should you have any questions.

# Los Gatos–Saratoga Union High School District Calendar – 2019–2020

Staff Development Days . . . . .	August 12-13, 2019
Certificated Employee Work Day . . . . .	August 14, 2019
<b>Classes Begin . . . . .</b>	<b>August 15, 2019</b>
Labor Day Holiday . . . . .	September 2, 2019
End of 1st Grading Period (31 days) . . . . .	September 27, 2019
October Break . . . . .	October 7, 2019
Staff Development Day . . . . .	October 8, 2019
End of 2nd Grading Period (28 days) . . . . .	November 8, 2019
Veterans Day (Observed) . . . . .	November 11, 2019
Thanksgiving Holiday . . . . .	November 27-29, 2019
End of 3rd Grading Period (25 days) / End of 1st Semester (84 days) . . . . .	December 19, 2019
Certificated Employee Work Day . . . . .	December 20, 2019
December Recess . . . . .	Dec. 23, 2019 - Jan. 3, 2020
1st Day of 2nd Semester . . . . .	January 6, 2020
Martin Luther King Jr. Day (Observed) . . . . .	January 20, 2020
End of First Grading Period (29 days) . . . . .	February 14, 2020
Lincoln Day (Observed) . . . . .	February 17, 2020
February Recess . . . . .	February 17-21, 2020
Washington Day (Observed) . . . . .	February 21, 2020
Staff Development Day . . . . .	March 16, 2020
End of 2nd Grading Period (29 days) . . . . .	April 3, 2020
Spring Recess . . . . .	April 6-10, 2020
Memorial Day (Observed) . . . . .	May 25, 2020
End of 3rd Grading Period (38 days) / End of 2nd Semester (96 days) . . . . .	June 4, 2020
<b>Saratoga High School Graduation . . . . .</b>	<b>June 4, 2020</b>
<b>Los Gatos High School Graduation . . . . .</b>	<b>June 5, 2020</b>
Certificated Employee Work Day . . . . .	June 5, 2020

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

<p><i>BP . . . . District Board Policy</i></p> <p><i>AR . . . . Administrative Regulation</i></p> <p><i>EC . . . . Education Code</i></p> <p><i>HSC . . . . Health and Safety Code</i></p> <p><i>PC . . . . Penal Code</i></p> <p><i>WIC . . . . Welfare and Institutions Code</i></p> <p><i>CCR . . . . California Code of Regulations</i></p> <p><i>CC . . . . Civil Code</i></p> <p><i>FC . . . . Family Code</i></p> <p><i>GC . . . . Government Code</i></p> <p><i>VC . . . . Vehicle Code</i></p> <p><i>BPC . . . . Business and Professions Code</i></p>	<p><i>FAC . . . . . Food and Agriculture Code</i></p> <p><i>USC . . . . . United States Code</i></p> <p><i>CFR . . . . . Code of Federal Regulations</i></p> <p><i>ESEA . . . . . Elementary and Secondary Education Act [20 USC 7114(D)(7)]</i></p> <p><i>PPRA . . . . . Pupil Privacy Rights Amendment</i></p> <p><i>FERPA . . . . . Family Educational Rights and Privacy Act</i></p> <p><i>PPACA . . . . . Patient Protection and Affordable Care Act [PL 111-148]</i></p> <p><i>Title VI . . . . Title VI (or VII) of the Civil Rights Act of 1964 [42 USC 1981]</i></p> <p><i>Title IX . . . . Title IX of the Civil Rights Act of 1964 [20 USC 1681-1688]</i></p> <p><i>IDEA . . . . . Individuals with Disabilities Education Act</i></p> <p><i>§ 504 . . . . . Section 504 of the Rehabilitation Act of 1973 [29 USC 794(a)]</i></p> <p><i>EOA . . . . . Equal Opportunities Act [20 USC 1701]</i></p>
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## **MISSION**

The mission of the District is to optimize the learning of each student. As a community of learners committed to excellence, we promote lifelong learning, personal integrity, social responsibility and good physical and mental health. Members of our educational community will make meaningful, positive contributions to the world.

## **ATTENDANCE**

### **● Attendance Procedures**

Regular attendance in school is mandatory for the student to gain the maximum benefit from his/her education; therefore, all absences are subject to verification by school officials. It is the student's responsibility to see that his/her parent/guardian calls the school on the first day of absence to inform the attendance office of the reason for the absence. Students 18 years of age and older, who have signed the "Eighteen Year Old Student/Adult Rights and Responsibilities" notice, shall also inform the attendance office of reasons for their absences. Parents/Guardians have the right to be notified on a timely basis if their child is absent from school without permission. All days of absence shall be verified by telephone with the parent/guardian or by the adult student.

**Excused Absences:** A pupil shall be excused from school without grade reduction or loss of academic credit when the absence is:

- a. due to illness;
- b. due to quarantine under the direction of a county or city health officer;
- c. for the purpose of having medical, dental, optometrical, or chiropractic services rendered;
- d. for the purpose of attending funeral services of a member of his/her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California;
- e. for the purpose of jury duty in the manner provided for by law;

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

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

- f. due to the illness or medical appointment during the school hours of a student of whom the pupil is the custodial parent;
- g. for justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the Board of Trustees (a request for such absence shall be made in writing by the parent or guardian. School policy stipulates that such a request be made prior to the absence [EC 48205])
- h. For any student 16 years old or older, with a GPA of 2.5 or higher, for the purposes of serving as a member of a precinct board for an election pursuant to Sec. 12302 of the Elections Code.
- i. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- j. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- k. Participation in religious instruction or exercises in accordance with district policy.

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

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

"Immediate family," as used in this section refers

to mother, father, grandmother, grandfather, or a grandchild of the student or of the spouse of the student, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the student, or any relative living in the immediate household of the student.

**Unexcused Absences / Cuts:** Any student who is absent from school without the required parental or school approval for any part of a school day, or who leaves school without proper authorization, will have his/her absence classified as unexcused.

**Truancy and Tardiness:** Any student who is absent from school or from the same class period(s) without a valid excuse more than three days or who is tardy at the beginning of the school day in excess of 30 minutes on each of more than three days in one school year is a truant and shall be reported to the attendance supervisor.

### Disciplinary Actions Related to Attendance

#### 1. Absences

- a) A total of ten absences per semester in one class, excused or unexcused, may result in the student being dropped from the class with no credit. An extended illness, chronic illness, or injury verified by a doctor at the time of the absence will be considered on an individual basis by the assistant principals.
- b) The 18-year-old student, having obtained adult status, shall assume adult responsibilities for attendance at school using standards for attendance that would be common in any place of employment. From the date of the 18th birthday there shall be permitted no more than five absences from any one class in one semester. Additional absences will result in disciplinary action as specified in the Guidelines for Discipline [AR 5310] and/or approved by an administrator. The standard for tardies shall be the same as for minor students [BP/AR 5211].

#### 2. Truancy

- a) Upon a student's initial classification as a truant the school shall notify the parent or guardian [EC 48260.5]:
  - 1) that the pupil is truant;
  - 2) that the parent/guardian is obligated to compel the attendance of the student;
  - 3) that those who fail to meet this obligation may be guilty of an infraction;

- 4) that alternative educational programs are available in the District;
  - 5) that the parent has a right to meet with school personnel to discuss solutions to the truancy;
  - 6) that the pupil may be subject to prosecution under Section 48264;
  - 7) that the pupil may be subject to suspension, restriction or delay of the pupil's driving privilege pursuant to Section 13202.7 of the Vehicle Code; and
  - 8) that it is recommended that the parent or guardian accompany the pupil to school and attend classes with the pupil for one day.
- b) Any student reported as a truant and is again absent without parental or school approval one or more days shall again be reported.
  - c) A conscientious effort shall be made to hold one conference with a parent or guardian and the student.
  - d) Any student who has been reported as truant three or more times per year may be classified as an habitual truant and may be involuntarily transferred from that school and enroll in an alternative program. [EC 48432.5]
3. Absences due to suspension and required Saturday School
    - a) The teacher of any class from which a pupil is suspended may require the suspended pupil to complete any assignments and tests missed during the suspension. [EC 48913] Absences during a suspension may be made up on a day-for-day basis by required attendance at Saturday School.
    - b) Suspended students may be required to attend school each Saturday following their re-admittance until this obligation is completed.
    - c) Students who have been suspended will be provided make-up work at the discretion of the teacher.
  4. Falsification of attendance records: Any student who has been found to have falsified attendance records or who has made false telephone calls to the attendance office shall be subject to disciplinary action including possible suspension from school.

## General Absences

For children ages 6 to 18 years, daily school attendance is compulsory. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

Other attendance reports, such as truancy, still rely on excused and unexcused absences. There are legal consequences if your child misses too much school. You must send a note and/or phone the school within 72 hours to clear any excusable absences. Parents/Guardians have the right to be notified on a timely basis if their child is absent from school without permission. Unexcused absences result in a recorded truancy.

- A. Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
  1. Due to the pupil's illness.
  2. Due to quarantine under the direction of a county or city health officer.
  3. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
  4. For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  5. For the purpose of jury duty in the manner provided for by law.
  6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
  7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  9. For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately

returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.

10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

11. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

- B. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- C. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- D. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- E. "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil. [EC 48205, 48205.5, 48260]

### **Absence for Religious Exercises and Instruction**

Students may be excused, with written permission from a parent or guardian, to participate in religious exercises or receive moral and religious instruction away from school property. [EC 46014]

### **Attendance Automated Calling Machine**

An automated calling system and email system will be used by the school to notify parents of student absences.

### **Leaving School Grounds**

The governing board of the Los Gatos Union High School District, pursuant to Section 44808.5 of the Education Code, has decided to permit pupils enrolled at Los Gatos High School, and in 11th or 12th grade at Saratoga High School, to leave the school grounds during the lunch period. Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as

the pupil has left the school grounds pursuant to this section. [EC 44808.5]

### **Pupil-Free Staff Development Days and Minimum Days**

Scheduled pupil-free days are scheduled for August 13-14, 2019, and October 8, 2019, and March 18, 2020. Parents/Guardians of all students shall be furnished with notification as early as possible but not later than thirty (30) days before the scheduled minimum or pupil-free day. [EC 48980]

### **Attendance Options**

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Many districts, by agreement, also allow the transfer of students from or to other districts (inter-district transfer). Victims of bullying or violence are given preference in inter-district transfers. In some cases, the district must provide transportation. Students attending "persistently dangerous" schools can transfer and enroll in a safe school. Districts cannot prevent children of active military from changing districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [EC 46600, 48204, 48206.3, 48300, 48301, 48306, 48980, 49068, 51101; 20 USC 7912]

### **Interdistrict Attendance**

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

The Board desires to communicate with parents/guardians and students regarding the educational programs and services that are available in the district.

The Superintendent or designee may approve interdistrict attendance agreements with other districts on a case-by-case basis to meet individual student needs.

The interdistrict attendance agreement shall not exceed a term of five years and shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied.

To provide adequate services to students and

pursuant to Education Code 48200, a student is expected to be enrolled in the school that is within the district in which the parents/guardians reside.

Board Policy 5111 and Administrative Regulation 5111.1 provide enrollment for those students whose parents/guardians reside within the legal boundaries of the district. Any request for an Interdistrict Attendance Permit will be considered and determined by the Superintendent. Factors for consideration may include a demonstrated genuine hardship, exceptional or extraordinary circumstances, or verifiable planned move into the district. [BP 5117 November 2007; EC 46600-46610,48204, 48980, 52317]

### **Intradistrict Enrollment and Attendance**

In accordance with Board Policy 5116, residents of the Los Gatos-Saratoga Union District may be provided the opportunity to apply for enrollment on a space available basis. Parents have from January 30 - February 17, 2020 to submit applications for an Open Enrollment Option. You do not need to take part in open enrollment. The Superintendent or designee shall determine the capacity of each District school and through a lot selection process develop a waiting list. Approved applicants have 10 days to confirm enrollment. If there were a case of a violent criminal offense against a student, the parents or guardian would be offered the right to transfer to another District school. If a school were deemed persistently dangerous, all students would be offered the right to transfer. [BP/AR 5116.1 August 2010; EC 35160.5, 48301, 48306, 48308, 48314]

### **Other Intradistrict Enrollment**

To implement intradistrict open enrollment pursuant to Education Code 35160.5:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of these schools and open enrollment applications shall be available at all school offices.
2. Students of parents/guardians who submit applications to the district during the identified open enrollment period may be eligible for admission to their school of choice the following school year under the district's open enrollment policy.
3. Enrollment in a school of choice shall be determined by lot from the eligible applicant pool, and a waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year.
4. The Superintendent or designee shall inform applicants by mail as to whether their applications have been

approved, denied or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.

5. Approved applicants must confirm their enrollment within 10 school days.
6. Any complaints regarding the selection process shall be submitted to the Superintendent or designee.

### **Conditions of Intradistrict Enrollment**

1. Once enrolled, a student shall not be required to apply annually for readmission.
2. Parent/guardian is responsible for transportation, maintaining acceptable attendance, and other conditions of enrollment.
3. Attendance at the school of choice shall be in effect through graduation.

### **Notifications**

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: [EC 48980]

1. All options for meeting residency requirements for school attendance
2. Program options offered within local attendance areas
3. A description of any special program options available on both an interdistrict and intradistrict basis
4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied
5. A district application form for requesting a change of attendance
6. The explanation of attendance options under California law as provided by the California Department of Education

### **Enrollment under the No Child Left Behind Act**

Within a reasonable amount of time, not to exceed 14 school days, after a student becomes the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. The Superintendent or designee shall consider the student's needs and parent/guardian preferences in making the school assignment. If the parents/guardians choose to transfer their child, the transfer shall be completed as soon as practicable.

Within 10 school days after learning that a school

has been designated as “persistently dangerous,” the Superintendent or designee shall notify parents/guardians of the school’s designation. Within 20 school days after learning of the school’s designation, the Superintendent or designee shall notify parents/guardians of their option to transfer.

Parents/guardians who desire to transfer their child out of a “persistently dangerous” school shall provide written notification to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designee may establish a reasonable timeline, not to exceed 10 school days, for the submission of parent/guardian requests.

The Superintendent or designee shall notify parents/guardians of their school assignment within 10 school days of the date that submissions are due. The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian’s preference if the assignment is not feasible due to space constraints or other considerations. Upon assignment, the transfer shall be completed as soon as practicable. If parents/guardians decline the assigned school, the student may remain in his/her current school.

The transfer shall remain in effect as long as the student’s school of origin is identified as “persistently dangerous.” The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student’s ability to succeed if returned to the school of origin. [EC 0450; BP 5111.1, 5111.12, 5111.13; AR 5116.1 August 2010]

### ● Attendance Where Caregiver Resides

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

### ● Attendance in District in Which Parent or Guardian is Employed

The district may, but is not required to accept a transfer student whose parent/guardian resides outside the boundaries of the school district but is

employed and lives with the student at the place of his/her employment within the boundaries of the school district for a minimum of three days during the school week; or a student whose parent/guardian physically works within the boundaries of the school district for a minimum of 10 hours during the school week. [EC 48204(a)(7), 48980]

### ● Enrollment of Homeless or Foster Youth

Foster, homeless, and juvenile court youth have special rights related to graduation and partial high school credits. They also have the right to an adult to help make educational decisions. More information can be found at the California Foster Youth Education Task Force, [www.cde.ca.gov/ls/pf/fy/fosteryouthedrights.asp](http://www.cde.ca.gov/ls/pf/fy/fosteryouthedrights.asp). Foster and homeless youth also have special rights associated with college, and certain considerations in school discipline. The District Uniform Complaint Procedure may be used to file a complaint. In some cases, fees are waived. The school district and each school site have complete documentation of the rights of homeless and foster youth. [EC 48204, 48850-48859, 48645.3, 51225.1, 56055; 5 CCR 4622; WIC 361, 726; 42 USC 11301, 11432; ne]

### ● Individualized Instruction

You must notify the school if your child has a temporary disability and cannot attend regular classrooms. If your temporarily disabled child is located outside your school district, notify both the district where your child resides and where the child is located. Within five (5) days of notice, the district(s) will determine if the student qualifies, and within five (5) days of the determination commence instruction in the home or in a hospital or other residential health facility. The district(s) will notify you if your child qualifies, when instruction will begin and for how long it will continue. Each hour of instruction at home or in a facility will count as a full day but cannot exceed 5 days per week nor the number of days in the school year. [EC 48206.3, 48207, 48207.5, 48208, 48980]

### Temporary Disability

You must notify the school if your child has a temporary disability and cannot attend regular classrooms. The District will provide instruction in the home or in a hospital or other residential health facility if the student meets the District residency requirement. If your temporarily disabled child is located outside your school district, notify both the district where you reside and where the child is located. [EC 48206.3, 48207, 48208, 48980]



## **Pregnant or Parenting Students**

Pregnant or parenting students who are 18 years old or who have permission from their parent/guardian may be excused for up to 8 weeks or more without having to complete school work, other requirements, or penalties. They may return to the same school and courses where they are provided time to make up work. They can attend an alternative program with access to comparable courses, programs and activities. They may have a fifth year to complete high school graduation requirements; or, if administration determines it's possible, they can complete requirements in four years. Complaints about these rights can be made using the Uniform Complaint Procedure. [EC 4600, 46015, 48200, 48980]

## **● Notice of Alternative Schools**

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

In LGSUHSD, current alternative school offerings include Middle College. More information can be obtained at the district website [www.lgsuhd.org](http://www.lgsuhd.org) or from your school guidance counselor.

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

to establish alternative school programs in each district. In LGSUHSD, current alternative school offerings include Middle College. [EC 58501]

## **INSTRUCTION AND CURRICULUM**

### **● Review of Curriculum**

A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each school in the District, is available at the school site for your review upon request. Parents/Guardians have the right to review all course material. [EC 49091.14, 51101; PPRa; ne]

### **● California State Academic Standards**

Each district in California decides how they will teach and what resources they will use to reach adopted common-core academic standards. More information can be found at [www.cde.ca.gov/re/cc/](http://www.cde.ca.gov/re/cc/) or [www.corestandards.org](http://www.corestandards.org). California launched a computer-based student testing system that ties to the standards for English language arts, mathematics, and science called the California Assessment of Student Performance and Progress (CAASPP). The new tests include the Smarter Balanced Assessment Consortium Assessments, California Science Tests (CAST), California Alternate Assessments (CAA), and Standards-based Tests in Spanish (STS) for Reading/Language Arts. Parents can exempt their child(ren) from CAASPP testing by submitting a letter in writing annually. More information about the CAASPP can be found at [www.cde.ca.gov/ta/tg/ca/](http://www.cde.ca.gov/ta/tg/ca/). [EC 60119, 60604.5, 60615]

### **● LCFF and LCAP**

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

The LCAP (Local Control Accountability Plan) is a critical part of the LCFF. Each school district is required to engage parents, students, educators, employees, and the community to establish their plan. Anyone can comment to the school board regarding LCAP proposals or expenditures either by submitting comments in writing or at a public hearing held by the school board for that purpose. The plan must describe the overall

vision for students, annual goals including language acquisition, and specific action to achieve these goals. The LCAP must focus on eight areas identified as State priorities. The plan will demonstrate how the district's budget will help achieve the goals, and annually assess how well the strategies improved outcomes. Complaints regarding LCAP may be filed anonymously. [EC 305, 52060, 52062, 52066]

### **Homeless, Migratory, Foster, Military, and Juvenile Court Youth**

Homeless, migratory, foster, military family, juvenile court youth, or youth participating in a newcomer program have special rights related to graduation and partial high school credits. They have the right to an adult to help make educational decisions. Foster and homeless youth also have special rights associated with college funding, and certain considerations in school discipline. The District Uniform Complaint Procedure may be used to file a complaint. [EC 48645.3, 48645.5, 51225.1-51225.3, 56055; 5 CCR 4622; WIC 361, 726]

### **● Physical Education Requirement**

Every student is required to take physical education for two years. District students generally take the required physical education in the 9th and 10th grades unless legally exempt under Education Code 51241. When there is a legitimate reason for a student to be excused from physical education for three days or fewer, please send a note by the student to the school. Any time an excuse will exceed three days, a form must be completed and signed by a physician. [EC 51220, 51241]

### **● Curriculum and Personal Beliefs**

Whenever any part of the instruction in comprehensive sexual health, sexual abuse, or human trafficking prevention education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction if you request an excuse in writing. No student shall be penalized, sanctioned, or disciplined for such an excuse, and shall have an alternative education activity available. [EC 51240, 51938, 51950]

### **Family Life, Human Development, and Sexual Health Education**

Your child will be taking classes in compliance with the California Healthy Youth Act. These will include instruction in comprehensive sexual health education, HIV prevention education, and research findings regarding pupil health behaviors and risks. Any written and audio-visual educational materials planned for use

are available for inspection prior to the start of classes. You may have copies of non-copyrighted material that will be presented by a consultant or guest speaker for ten cents (10¢) per page. You will be notified before such instruction, and have a right to request, in writing, that your child not participate in any or all activities. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. At the discretion of the District, staff give such instruction. If taught by a consultant or guest speaker, or in an assembly, parents will receive notice of the dates, name of organizations, and affiliation of speakers by mail or other commonly used method of notification at least 14 days prior to the dates of the class or assembly. During this class, students in grades 7 - 12 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes toward health, sex, and risk behaviors. Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the District or can be obtained online at [www.leginfo.legislature.ca.gov](http://www.leginfo.legislature.ca.gov). [EC 51933, 51934, 51937-51939]

### **Dissection of Animals**

Students with moral objections to the dissection or otherwise harmful or destructive use of animals or animal parts may choose to participate in an alternative education assignment if the student's teacher agrees that such an assignment is possible. The student's objection must be sustained in writing by his/her parent or guardian. [EC 32255]

### **Protection of Pupil Rights Amendment**

The Protection of Pupil Rights Amendment affords parents certain rights regarding the administering of surveys, collection and use of information for marketing purposes, and certain physical examinations. Unless you give written permission, your student will not be given any test, questionnaire, survey, examination, or marketing material containing questions about your student's, or his/her parents' or guardians' personal belief or practices in politics, mental health, anti-social, illegal, self incriminating, or demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility in a program or for receiving assistance), sex, family life, morality, or religious practices, affiliation or beliefs.

Parents/guardians will receive notice and have an opportunity to opt a student out of any other protected information survey; any non-emergency, invasive

physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision or scoliosis screening, or any physical exam or screening permitted or required under State law; and activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Before school staff administers a survey or evaluation containing personal information as identified above or distributes an instrument to a student for the purpose of collecting personal information or marketing, the student's parent/guardian may, upon request, inspect the survey or instrument before it is administered or distributed to his/her student or any instructional material used as part of his/her student's educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The District has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

The District will also directly notify, via U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys and will provide an opportunity for the parent to opt his or her student out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their student out of such activities and surveys. [EC 51513, 60614, 60615; PPRA; 34 CFR 98; ESEA]

Parents/eligible students who believe their rights have been violated may file a complaint with: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605.

## **University Admissions**

### **University of California/California State University Admissions**

Admission to the California State Universities requires a minimum 15-unit pattern of courses for admission as a first-time freshman. Each unit is equal to a year of study in a subject area. A GPA of 2.0 (C) or higher is required for regular admission. Admittance is based on an eligibility index that combines multiple items. Transfer students are accepted.

Admission to the University of California requires completion of the 15 yearlong high school course list. These courses are also known as the "a-g" subjects. At least seven of the 15 yearlong courses must be taken in the student's last two years of high school. A GPA of 3.0 (B) or higher is required for California residents. [EC 48980, 51229]

Links to University of California/California State University requirements:

[www.universityofcalifornia.edu/admissions/undergraduate.html](http://www.universityofcalifornia.edu/admissions/undergraduate.html)

[www.calstate.edu/datastore/admissions.shtml](http://www.calstate.edu/datastore/admissions.shtml)

[www.csumentor.edu/planning/high\\_school/](http://www.csumentor.edu/planning/high_school/)

[www.ucop.edu/doorways/](http://www.ucop.edu/doorways/)

### **Definition of career technical education**

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. More information is available about Career Technical Education at California Department of Education, [www.cde.ca.gov/ci/ct](http://www.cde.ca.gov/ci/ct). [EC 48980, 51229]

### **Talking with a counselor**

High school counselors are trained to help students prepare for college or career training. They take students through all the steps so nothing is missed including information about financial aid, requirements, and careers. Counselors are available by appointment and will meet with students and their families. [EC 48980, 51229]

## **Academic Integrity**

The mission of the District is to optimize the learning of each student. With a focus on responsibility, honesty and integrity, Board Policy 5301 specifies responsibility of students, families, teachers and other staff in support of academic integrity and consequences for

not complying. A breach of academic integrity includes, but is not limited to: cheating on tests/ assignments; plagiarism; deliberate deception; stealing. These procedures, as listed below, will be implemented and enforced consistently and fairly. Everyone will be held accountable for the highest standard of academic integrity.

### **Guidelines for Penalties for Violation of the Academic Integrity Policy**

These guidelines are used by school and District administrators in determining the most appropriate consequences for acts that violate the integrity policy. Teachers and/or administrators may impose greater or lesser penalties, as appropriate under the circumstances.

#### **I. Penalty for cheating on tests, exams, or any other assessment activity including plagiarism:**

##### **A. First Offense**

1. Zero on assignment
2. Referral and parent contact

##### **B. Second Offense in the same or any other class during high school**

1. Loss of points or grade for assignment doubled
2. Referral and parent conference
3. Saturday School

##### **C. Third Offense in the same or any other class during high school**

1. Dropped from the class with an “F” grade
2. Five-day suspension from school
3. Possibility of referral to an alternative educational placement

#### **II. Penalty for deliberate deception:**

##### **A. First Offense**

1. Loss of points or grade for assignment doubled
2. Referral and parent conference
3. Saturday School
4. Teacher Assistant dropped from class with an “F” grade

##### **B. Second Offense in the same or any other class during high school**

1. Referral and parent conference
2. Dropped from the class with an “F” grade
3. Out of school suspension

##### **C. Third Offense in the same or any other class during high school**

1. Dropped from the class with an “F” grade
2. Five-day suspension from school
3. Possibility of referral to an alternative educational placement

#### **III. Penalty for stealing or any unauthorized use of assessment tools, answer keys, or school records:**

##### **A. First Offense**

1. Referral and parent conference
2. Dropped from class with an “F” grade
3. 3-5 day suspension as per school discipline policy regarding stealing

##### **B. Second Offense in the same or any other class during high school**

1. Five-day suspension from school
2. Dropped from the class with an “F” grade
3. Possibility of a referral to an alternative educational placement

##### **C. Third Offense in the same or any other class during high school**

1. Referral to an alternative educational placement
2. Out of school suspension.

IV. Cheating offenses are cumulative over all four years of high school.

## **SCHOOL RECORDS AND STUDENT ACHIEVEMENT**

### **● Pupil Records**

The “Family Educational Rights and Privacy Act of 1974” (Public Law 93-380, amended December, 1996) affords parents, legal guardians, and students over 18 years of age (eligible students) the right to review and inspect their school records within five days of a written request. Those records are confidential, and privacy will be maintained, except in some instances such as when your student transfers to another school. The records include transcripts, discipline letters, commendations, attendance, and health. The records are maintained at the school site by the principal. A Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. School officials and employees having a legitimate educational interest may access student records. “School officers and employees” are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement

personnel), a Board member, a person or company with whom the District has contracted to perform a special service (attorney, auditor, medical consultant, or therapist) or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A “legitimate educational interest” is one held by a school officer or employee whose duties and responsibilities create a reasonable need for access. In some instances information about your child may be released to District staff, foster agencies, short-term residential treatment programs, after school programs, summer camps, lawyers, law enforcement, state researchers, and nonprofit researchers. [EC 49076, 49077, 49078]

Pupil records are available for review during regular school hours. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the District will provide a list of types and locations where materials are held. Requests for access should be in writing and directed to the school principal and must be granted within five (5) days following the date of the request. [EC 49069] You may have copies made for twenty-five cents (25¢) per page. If you cannot afford the cost of copies they will be provided free of charge. Following inspection and review of a pupil’s record, the parent or eligible student may file a written request with the superintendent of the District to amend a record they believe is inaccurate, misleading, or otherwise in violation of the student’s privacy rights. [EC 49070] The parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the student which is alleged to be inaccurate; an unsubstantiated personal conclusion or inference; a conclusion or inference outside of the observer’s area of competence; not based on the personal observation of a named person with the time and place of the observation; and/or misleading.

Within 30 days, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and the person is still employed with the District and sustain or deny the allegations. If the allegations are sustained, the Superintendent or designee shall order the correction, removal or destruction of the information. If the Superintendent or designee denies the allegations, the parent/guardian may appeal the decision to the Board of Trustees within 30 days.

The Board shall determine whether or not to

sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student.

If the final decision of the Board is unfavorable to the parents/guardians, or if the parent/guardians accepts an unfavorable decision by the District Superintendent, the parent/guardian shall have the right to submit a written statement of objections. This statement shall become a part of the student’s school record until such time as the information objected to is removed. Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records.

Parents may obtain a copy of the District’s complete student records policy by contacting the Superintendent. [EC 8484.1, 49063, 49060, 49068, 49069, 49069.3, 49070-49079.7, 51101, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR Part 99]

## **Pupil Achievement**

Each school district shall prescribe regulations requiring the evaluation of each pupil’s achievement for each marking period and requiring a conference with, or a written report to, the parent of each pupil whenever it becomes evident to the teacher that the pupil is in danger of failing a course. The refusal of the parent to attend the conference, or to respond to the written report, shall not preclude failing the pupil at the end of the grading period. [EC 49067]

## **Grades**

The grade given to each pupil shall be the grade determined by the teacher and, in the absence of mistake, fraud, bad faith, or incompetency, shall be final. Failure to wear standardized physical education apparel, which arises from circumstances beyond the control of the pupil, shall not adversely affect said pupil’s grade. [EC 49066]

## **Teacher Qualifications**

A provision of federal Title I requires all districts to notify parents of children in Title I schools that they have the right to request and receive timely information on the professional qualifications of classroom teachers and

paraprofessionals including state qualifications, licensing for the grade level or subject taught, any waivers for qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides are in the classroom and what their qualifications are. [ESEA; 20 USC 6311; 34 CFR 200.61]

Filing of Complaint: Parents and eligible students have the right to file a complaint concerning alleged failures by the District to comply with the requirements of the Family Educational Rights and Privacy Act with: Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, S.W., Washington, D.C. 20202.

### ● Limited English Proficient Students

The No Child Left Behind Act requires prior notice be given to parents of limited English proficient students regarding limited English proficiency programs, including the reasons for the identification of the student as limited English proficient, the need for placement in a language instruction educational program, the student's level of English proficiency, how such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for limited English proficient students.

### ● Release of Directory Information

With the exception of directory-type information, the law limits access to information in student records without parental consent to: school and District personnel with legitimate education interest; a school to which a student is transferring, in which case the parent is notified by the school district requesting the record or transfer of information; specified federal and state education administrators; prospective grantors of students financial aid; state and local agencies concerned with the health and safety of students in cases of emergency, immunization programs and programs for the control of communicable disease. No other request for student information by individuals or organizations will be honored without a written statement signed by the parent that authorizes its release or upon presentation of valid court order or subpoena.

Unless prohibited by a parent's request, the following directory-type information will be released: name, address, telephone number, date of birth, major field of

study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, most recent previous school attended. [EC 49063, 49073; 34 CFR 99.37]

Organizations that may, upon request, receive directory information include: PTO, Home and School Club, CASA, school foundation, alumni association, school photo vendor, school graduation announcement vendor, U.S. military forces representatives, college and university representatives. No directory information shall be released regarding any student when a parent/guardian has notified the school district that such information shall not be released. If you do not want the Los Gatos-Saratoga Union High School District to disclose directory information from your student's education records without your prior written consent, you may have the district withhold any of this information by submitting a request in writing by the second Monday in September. Written notification received after the date specified will be honored, but the student's information may have been released in the interim. In the case of students with exceptional needs or who are homeless, no material can be released without parent or guardian consent.

For a former student, the district shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the district, unless the opt-out request has been rescinded. [BP/AR 5125, 5145.6; EC 49061, 49063, 49073, 56515; 20 USC 1232g, 20 USC 7908; 34 CFR 99.3; 34 CFR 99.37; ne]

### ● Military Recruiter Information

The No Child Left Behind Act of 2001 and Education Code 49073.5 requires that school districts disclose the names, addresses and telephone numbers of high school students to military recruiters upon request, unless parents request that this information not be released without prior written consent. Parents have the option of making such a request. You may have the district withhold any of this information by submitting a request in writing by the second Monday in September. Written notification received after the date specified will be honored, but the student's information may have been released in the interim. The notification should be directed to your school registrar.

### ● Release of Statistical Data

A school district may release statistical data when such action would be in the best educational interests of

pupils and provided that no pupil may be identified. [EC 49074]

### ● Agency Access

A school district may release student record information to a judge or probation officer for purposes of conducting a truancy mediation or for presenting evidence at a truancy hearing pursuant to Welfare and Institutions Code 681. [EC 49076]

### ● Transfer of Records

Any school district requesting transfer of a pupil record for purposes of enrollment shall notify the parent of his/her right to receive a copy of the record and to challenge the content of the record. This statement shall serve as such notice. [EC 49068]

### ● Pictures, Press Releases, and Publicity

The Los Gatos-Saratoga Union High School District works cooperatively with the local media to keep the community informed about school activities and student achievement. Directory-type information may be used to identify students in such news stories. Photographs of students performing during special events, receiving honors or participating in regular classroom activities may also be used. If you object to your student's name or picture being used in media stories, please contact your student's school registrar upon receipt of this notice.

### ● School Safety Plan

Every year, each school shall review and update its plan by March 1. Each school shall make its plan public and shall share the plan with numerous community leaders, school site personnel, and parent groups. Plans should, among other things, provide guidance for the response to and/or the prevention of bullying, child abuse, disasters, and criminal activity. Key elements are to be described in the School Accountability Report Card. Planned responses to criminal incidents need not be disclosed. The Uniform Complaint Procedure can be used regarding School Safety Plan compliance. [EC 32281, 32282.1, 32286, 32288, 32289, 51101]

## STUDENT SERVICES

### ● Equal Opportunity

Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) Inquiries on all matters, including complaints, regarding the

implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone:

Carrie Bosco, Associate Superintendent  
17421 Farley Road West, Los Gatos, CA 95030  
(408) 354.2520 ext 326

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

State and federal law require academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities be available to all students without regard to their gender or gender identity, and irrespective of the gender listed in their records. Beginning in seventh grade counselors will meet with each student regarding course selection. Staff will not counsel students into programs, courses, or careers based on their gender or gender identity. The District Uniform Complaint Procedure may be used to file a complaint. [EC 221.5, 221.8, 49600, 48900; GC 11135, 11138; Title VI, Title IX; § 504; California Interscholastic Federation (CIF) 300D]

### ● Student Meal Program

The District's Food Service Department serves lunch daily, and seeks to ensure no child is denied meals. The meal program is self-sufficient so that other student services are not impacted when meals are not paid for. Students may pay for meals on a per-meal basis or parents/guardians may pay for meals in advance online at the Titan link in the Aeries Parent Portal or by going to <https://family.titank12.com/> or by contacting your school cafeteria manager. The District will contact you if your account is behind. The District may be able to create a repayment plan or to explain the Free and Reduced meal plan; participation in the plan is confidential. [EC 49510-49520, 49558; 42 USC 1761(a)]

### ● Student Use of Technology

The Board of Trustees recognizes and acknowledges the utility in providing technology resources to students in order to enhance their educational experience and improve their technology use skills.

Technology resources provided by the District shall be used in a safe, responsible, and appropriate manner in support of the instructional program and for the advancement of student learning.

### Notice to Students and Parents

The Superintendent or designee shall notify students and parents/guardians about (1) authorized uses of District computers, (2) user obligations and

responsibilities, and (3) consequences for unauthorized use and/or unlawful activities. Permission to utilize computer network and other electronic resources may be suspended by authorized school personnel at any time, pending investigation of allegations of unacceptable or improper use.

### **Acceptable Use Agreement**

Annually, students are opted in to the Acceptable Use Agreement which delineates how students may use their personal technology in the classroom in a way that supports instruction and learning.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 - Student Records.

Whenever a student is found to have violated Board policy or the district's Acceptable Use Agreement, the principal or designee may limit a student's user privileges or increase supervision of the student's use of the district'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.

### **Internet Safety**

The Superintendent or designee shall ensure that all district computers with Internet access 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. The technology protection measures shall also ensure that personal computers are subject to the same Internet content filter (s) as District computers will on District premises.

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and 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.

The district'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 district 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

District staff shall supervise students while they are using online services and student aides and volunteers may assist in this supervision.

The Superintendent or designee shall also establish regulations to address the safety and security of students and student information when using technology resources.

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal 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. [BP 6163.4 March 2019; EC 51006, 51007, 51870-51874, 60044; PC 313, 502, 632, 653.2; 15 USC 6501-6506; 20 USC 6751-6777; 47 USC 254; 16 CFR 312.1-312.12; 47 CFR 54.52]

### **School Accountability Report Card**

School Accountability Report Cards are available on request, and are available annually by February 1st on the Internet at [www.lgsuhdsd.org](http://www.lgsuhdsd.org). They contain information about the District and school regarding the quality of programs and its progress toward achieving stated goals. A copy will be provided upon request. [EC 33126, 32286, 35256, 35258, 51101]



## ● **Special Education and Special Programs**

### **Services to Students with Disabilities**

State and Federal law requires that a free and appropriate public education in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Each student with exceptional needs shall have his/her educational goals and objectives specified in a written individualized education program. The law gives students and their parents certain rights to fair hearings with respect to the assessment and placement of students. For information about these programs and rights, contact the Chief Officer, Student Services at (408) 354.2520 ext. 232. Any individual, public agency or organization may file a written complaint which, if true, would constitute a violation by that public agency of federal or state law or regulation governing special education and related services. The complaint should be filed with the Superintendent of Public Instruction, California State Department of Education, 721 Capitol Mall, Sacramento, CA 95814. [EC 56301]

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

### **Disabled Students**

Disabled students for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the Chief Officer, Student Services at the District Office for specific information. [EC 56040] In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. [§ 504; 34 CFR 104.31]

### **Section 504 of the Rehabilitation Act**

Section 504 is a civil rights act which prohibits discrimination against students with disabilities. U.S. Department of Education regulations require that students with disabilities be provided with a free and appropriate public education – a program designed to meet their educational needs as adequately as the needs of students without disabilities. These regulations require identification, evaluation, provisions of appropriate services, and procedural safeguards. A student may be referred for an evaluation under 504 by District personnel, parent/guardian or someone

authorized, in writing, to act on the parents' behalf. For services contact the Chief Officer, Student Services at the District Office.

Any parent suspecting that a child has exceptional needs (disabilities) may request an assessment for eligibility for special educational services through the school principal or psychologist. Policy and procedures shall include written notification to all parents of their rights pursuant to Ed Code 56300. [EC 56301; 34 CFR 104.32 (b)]

### **Child Find System**

**Policies and Procedures:** Each school district, special education local plan area, or county office is required to establish written policies and procedures for a continuous child-find system which addresses the relationships among identification, screening, referral, assessment, planning, implementation, review and the triennial assessment. The policies and procedures must include, but need not be limited to, written notification of all parents/guardians of their rights and the procedure for initiating a referral for assessment to identify individuals with exceptional needs. [EC 56301]

**Complaints (Special Education):** Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. File a written description of the manner in which the special education programs for disabled students do not comply with state or federal law or regulations with the District Superintendent.

## ● **Advanced Placement Examination Fees**

State funding is available to qualified low-income students to assist in paying all or part of Advanced Placement exams. [EC 48980, 52240]

## ● **Pupil Fees**

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

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

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

required for registering or participating in regular or extra classes.

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

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

For more information regarding permissible and impermissible fees, please visit our website at [www.lgsuhd.org/district\\_information/legal\\_notices](http://www.lgsuhd.org/district_information/legal_notices). [EC 17551, 17552, 19911, 32030-32033, 32220-32224, 32390, 35330, 35331, 35335, 38084, 38118, 38120, 39807.5, 48052, 48053, 48904, 49010-49013, 49063, 49065, 49066, 51815, 52373, 52612, 52615, 52920-52922, 60070; 5 CCR 4610, 4630]

## HEALTH SERVICES

### ● Immunizations

Students may not be admitted to a classroom setting in school unless he/she has been fully immunized against diphtheria, hepatitis b, haemophilus influenza type b, measles, mumps, pertussis (whooping cough), poliomyelitis, rubella, tetanus, and varicella (chickenpox). Students must be immunized for varicella or provide proof from a doctor stating child has had the disease. All advancing students, new students, or transferring students in grades 7 through 12 must be fully immunized, including a required booster against pertussis (Tdap). They shall not be admitted without the Tdap booster. Homeless and foster youth can be enrolled without proof of immunization.

It is this district's policy that there be no "conditional" admittance to schools. Documented proof that immunizations are up-to-date is required before attending school. These requirements do not apply if a note from licensed physician cites why they

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

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

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

### Communicable Disease Immunizations

Immunization may be consented to in writing by a parent for a licensed physician (or a nurse acting under the direction of a supervising physician) to administer an immunizing agent. [EC 49403]

### ● Physical Examinations

For each child enrolling in the District for the first time, the parent or guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file a waiver with the school district stating the reasons you are unable to obtain such services. [EC 49450; HSC 124085, 124100, 124105]

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

### ● District School Nurse

The LGSUHSD School Nurse is responsible for assessing the health needs of students: developing emergency care plans and individual health plans, incorporating input from parents/guardians and/or a physician; complying with laws related to student health; providing health information and serving as a resource to parents/guardians, teachers, staff, students and administrators; and identifying health

issues. The LGSUHSD School Nurse can be reached at (408) 402-6321.

## ● Administration of Medication

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

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

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

If your child is on a continuing medication regimen for a non-episodic condition, you are required to notify the district designee of the medication being taken, the current dosage, and the name of the supervising physician. [EC 49480; ne]

## Individualized Health Care Plans

Parents/guardians are to notify the school if their student has any medical alerts that may affect him/her at school, e.g., diabetes, seizures, asthma, severe allergies, etc. so that the school can provide the best care possible in an emergency. The School District Nurse puts individualized health care plans in place for the student, ensuring that the student's safety and health is a top priority. Emergency action plans are developed based upon illnesses reported by parents/guardians.

## ● Breathalyzers

The Board believes that the use of alcohol and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. Board Policy 5145.12 authorizes the Superintendent or designee to enact an alcohol testing program. This may include the random use of breathalyzers at school and related activities.

## ● Students on Medication

Parents are to notify the principal if their student is on continuing medication. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the principal or school employee may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. [EC 49480]

## ● Sun Protection

Students when outdoors can wear sun protective clothing, including, but not limited to hats. Students may also apply sunscreen during the day without a doctor's note or prescription. [EC 35183.5, 35291, 35294.6]

## ● Medical and Hospital Services

The District does not provide insurance on individual students. However, you may purchase accident insurance through the District for medical and hospital services covering your child. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of attendance during a regular school day of the District; or while being transported by the District to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities.

**Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. [EC 49471]**

## Enrollment in a Health Care Plan

All children enrolling in kindergarten, first grade, or transferring into the district and their families must

be enrolled in a health care plan. There are several options for getting a health plan; through an insurance agent, or low cost provider such as Medi-Cal and Covered California at (800) 300-1506 or online at [www.coveredca.com](http://www.coveredca.com). [EC 49452.9; PPACA]

### **School-Sponsored Athletics**

If a student participates in school-sponsored athletics other than physical education or athletic event during the school day, parents/guardians and the student athlete are required to annually; (1) complete a concussion awareness form, (2) complete a sudden cardiac arrest awareness form, and (3) sign a document acknowledging receipt of an Opioid Factsheet received either in print or electronic format. [EC 33479, 49475, 49476]

### **Liability for Treatment**

Notwithstanding any provision of any law, no school district, officer of any school district, school principal, physician, or hospital treating any student enrolled in any school in any district shall be held liable for the reasonable treatment of a student without the consent of a parent/guardian of the student when the student is ill or injured during regular school hours, requires reasonable medical treatment, and the parent/guardian cannot be reached, unless the parent or guardian has previously filed with the school district a written objection to any medical treatment other than first aid. [EC 49407]

### **Access to Mental Health Services**

School-based mental health services help address barriers to learning and provide appropriate student and family support in a safe and supportive environment. Reaching out for mental health services is simple; contact your school counselor, nurse, health aide, principal, or the district office. In the community a good place to start may be to dial 211 for referrals in your area or call Santa Clara Co. Valley Health and Hospital System at (408) 885-5770. If you are in crisis contact this number or dial 911. [EC 49428]

### **Suicide Prevention**

As suicide is a leading cause of death among youth and personnel is often in a position to recognize warning signs. The District makes an effort to reduce suicidal behavior and its impact, and has developed strategies to intervene. These may include staff development, student instruction in coping skills, informing parents/guardians, methods for promoting a positive school climate, crisis intervention, and counseling (including for bereavement). [EC 215, 31180-32289, 49060-49079,

49602, 49604; GC 810-996.6; PC 11164-11174.3; WIC 5698, 5850-5883; BP 5141.52]

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

The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs, alcohol, or any form of tobacco product on District premises or as a part of any District activity is strictly prohibited. "Tobacco product" is defined as (i) any product made or derived from tobacco or nicotine that is intended for human consumption, regardless of how consumed; (ii) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device (commonly known as "e-cigarettes"); or (iii) any component, part or accessory of a tobacco product. Except for members of the military, possession of tobacco by those under 21 is illegal and can lead to a \$75 fine or 30 hours of community service. It is illegal to possess synthetic marijuana. The District has adopted no smoking policies. The District has adopted a policy banning electronic-cigarettes (e-cigarettes) and other vapor delivery devices. [EC 48900, 48901; HSC 11357.5, 11375.5; BPC 22950.5(c); PC 308; BP 3513.3, 5131.62; BP 3513.3]

### **Marijuana (Cannabis)**

A student who unlawfully possessed, used, sold, otherwise furnished, or was under the influence of cannabis is subject to expulsion. Any person 18 or older who possesses, sells, dispenses, distributes, furnishes, administers, gives; or offers to sell, dispense, distribute, furnish, administer, or give; or possesses for sale any, concentrated cannabis, synthetic cannabinoid compound, or any synthetic cannabinoid derivative, to any person, can be imprisoned in a county jail not exceeding six (6) months, or by a fine not exceeding \$1,000, or by both. Any person 18 or older possessing marijuana on district property during the school day, depending on the amount and number of offenses, can face consequences including \$250 to \$500 fine and imprisonment for ten (10) days. Any person younger than 18 possessing marijuana, depending on amount and number of offenses, faces up to forty (40) hours of community service, ten (10) hours of drug education, sixty (60) hours of counseling. [EC 48900; HSC 11357, 11357.5]

### **Anabolic Steroids and Performance Enhancing Drugs/Supplements**

The Governing Board recognizes that the use of anabolic steroids (and other performance enhancing drugs supplements) presents a serious health and safety

hazard. As part of the District’s drug prevention and intervention efforts, the Superintendent or designee and staff shall make every effort to ensure that students do not begin or continue the use of anabolic steroids or other performance enhancing drugs supplements.

The Superintendent or designee shall ensure that students in grades 7-12 receive a lesson on the effects of anabolic steroids as part of their science, health, physical education or drug education program. The Superintendent or designee shall provide teachers and coaching staff with training in the symptoms and dangers of the use of steroids or performance enhancing drugs/substances and strategies for helping students terminate the use of such substances.

The Board values athletic competition; however, the health and safety of students is of paramount concern. Students participating in athletics are prohibited from using anabolic steroids or other controlled performance enhancing drugs. Coaches shall provide information and inform students and parents/guardians on an annual basis about this prohibition and the dangers of using such drugs.

Additionally, the Board recognizes that uncontrolled performance enhancing substances pose long- and short-term health risks and strongly opposes their use. Coaches shall be responsible and held accountable for educating students and parents/guardians regarding the risks of controlled and uncontrolled performance enhancing substances and for establishing a climate that discourages use of any of these substances to improve athletic performance.

The Board supports the ideals of good sportsmanship, ethical conduct and fair play, and expects student athletes, coaches, spectators and others to demonstrate these principles during all athletic competitions. In preparing for and participating in athletic competitions, students and staff shall abide by the core principles of trustworthiness, respect, responsibility, fairness, caring and citizenship, as adopted by the California Interscholastic Federation (CIF) in its publication “Pursuing Victory With Honor.”

High school athletes must sign a pledge they are not using steroids illegally or they will not be allowed to participate. Parents must sign a form notifying them of the restriction. [EC 49033]

### **Meningitis**

Meningococcal disease or Meningitis can be a life threatening infection that can be treated, but cannot always be cured. Routine vaccinations are recommended for 11-12 years olds, students entering high school and

students living in college dorms. For more information please visit the California Department of Public Health website or go to [www.cdph.ca.gov/HealthInfo/discond/Pages/Meningococcal\\_Disease.aspx](http://www.cdph.ca.gov/HealthInfo/discond/Pages/Meningococcal_Disease.aspx) [HSC 120395-120399]

### **Fluoride Treatments**

Children are eligible for fluoride treatments through a program organized by the county health officer. Parents will get a record that the treatment was applied. The county health officer will determine how to pay for the program. Parents or a student 18 years old or more have the right to refuse this program using the form provided by the school district. This program is not meant to replace regular profession dental care. [HSC 104855]

### **Confidential Medical Services**

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

## **STUDENT BEHAVIOR**

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

### **School Rules**

You have a right to review school and district rules regarding student discipline. If you wish to do so, please contact the school office. [EC 35291, 48980, 51101]

### **Student Responsibilities**

Students have legal rights and responsibilities subject to their status as minors. They have a right to an education and to due process under the law. Students have the responsibility to learn and to allow other students to learn. The behavior and attendance guidelines presented here have been formulated to establish and maintain a proper learning environment for all students.

- A. Primary Responsibilities. All students are expected to:
1. Value an education.
  2. Attend school and classes daily.
  3. Know the school rules.
  4. Respect the rights and property of others.
  5. Not endanger the physical well-being of others.

6. Allow others to reach their educational goals.
  7. Accept the consequences when they disobey school rules.
- B. Appeal Process. If a student disagrees with a disciplinary action taken by a teacher or school official, he/she should first comply with the request and then follow these appeal steps:
1. Discuss the matter after class or at a mutually agreed upon time.
  2. If still not satisfied, the student may contact an assistant principal.
  3. If still not satisfied, the student may appeal to the principal.

## ● Safe Place to Learn

It is State and District policy to improve student safety, connections between students and supportive adults, and connections between schools and communities. These policies prohibit discrimination, harassment, intimidation, and bullying at all school sites and school activities based on actual or perceived characteristics: race, color, ancestry, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics at any school sponsored activity. School site staff trained in anti-bias shall be made known. When safe to do so, District employees must intervene immediately when they see discrimination, harassment, intimidation or bullying. Certificated staff, 7-12 grades get information about helping LGBTQ students. Resources about bullying, intimidation, and violence are found through the District and online at [www.cde.ca.gov](http://www.cde.ca.gov), [www.cde.ca.gov/lss/se/bullyres.asp](http://www.cde.ca.gov/lss/se/bullyres.asp), [www.cde.ca.gov/lss/se/bullyfaq.asp](http://www.cde.ca.gov/lss/se/bullyfaq.asp), [www.cde.ca.gov/lss/vp/ssresources.asp](http://www.cde.ca.gov/lss/vp/ssresources.asp), [www.californiahealthykids.org](http://www.californiahealthykids.org)

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer on page 29 for assistance. [EC 200, 220, 234, 234.1, 234.5, 51101; PC 422, 422.55; 5 CCR 4900; BP 5131, 5145.3, 5145.7]

## ● Pranks

Board Policy 5310.4 states the position of the District to tolerate no pranks of any kind. Pranks (including streaking) disrupt the instructional program and can escalate to be dangerous, destructive, or expensive. In

order to provide an exemplary learning environment, to promote personal integrity and social responsibility, to protect District and personal property, and to provide a safe and orderly work and learning environment, pranks are strictly prohibited. Student involvement in planning or conducting a prank will not be tolerated. Significant disciplinary consequences and loss of privileges will be applied to students who violate this provision. [EC 48900; BP 5310]

The minimum consequence for planning or involvement in a prank will be suspension from school and the loss of the next significant school activity. Senior pranks in the first semester will result, in the addition to a suspension, in the student's losing the privilege to attend the Senior Ball and the Senior Beach Day in addition to a suspension. Senior pranks in the second semester will result, in the addition to a suspension and loss of privileges to attend Senior Ball and Senior Beach Day, in the loss of the privilege to participate in the commencement ceremony.

## ● Cellphones, Pagers, Electronic Signaling Devices

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

## ● Laser Pointers

Possession of laser pointers by any student is prohibited on any elementary or secondary school premise, unless possession is for valid instruction. The beam of a laser pointer is prohibited from being directed into the eyes of another or into a moving vehicle or into the eyes of a guide dog. [PC 417.27]

## DISCIPLINE

### ● Parent Responsibility

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$20,300 in damages and another maximum of \$11,200 as adjusted annually by the California Department of Education for payment of a reward, if any. The school district may withhold

the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. Civil penalties may also be enforced with fines up to \$25,000. [EC 48900.1, 48904, 51101; CC 1714.1; GC 53069.5]

### **Vandalism**

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

### **Required Parent Attendance at School**

California provides that teachers may require the parent or guardian of a student who has been suspended by the teacher pursuant to the Education Code to attend a portion of a school day in the classroom of that teacher. Parents are to be sent a notice of the requirement to attend by the principal and are to meet with the principal or designee after completing the classroom visit. A parent or guardian who is required to attend a class may not be threatened or disciplined by his/her employer for making the required classroom visitation. [EC 48900.1]

### **Suspensions and Student Activities**

Students who are suspended will not be allowed to attend the next dance. If applicable, this disciplinary action will continue into the next school year. Any student participating in an extra-curricular activity while suspended from school will not be allowed to participate in his/her next contest or activity. Any elected or appointed leader suspended from school during that season or year for any reason will forfeit his/her leadership position. Any student using drugs or alcohol before or during a contest or performance may be immediately dismissed from that team or activity.

District and School Rules pertaining to student discipline are available to parents or guardians of District students in the school office. [EC 35291]

## **Suspension and Expulsion**

In certain instances, student misconduct is serious enough to warrant a suspension and/or expulsion. Board Policy 5310 authorizes school administrators to impose discipline when students violate District and school regulations. Administrative Regulation 5310 specifies the types of discipline that are authorized. Board Policy 5310.1 and Administrative Regulation 5310.1 specifically deal with suspension and expulsion. With administrative approval, alternatives to discipline may be used in lieu of suspension and/or expulsion. In implementing these policies and regulations, administrators will reference the guidelines listed. In each case due process and analysis of the individual situation will be honored.

A student may be suspended or expelled for any of the acts listed if the act is related to school activity or school attendance occurring at any District school under the jurisdiction of the Superintendent or principal or within any other school district, including, but not limited to, the following circumstances: while on school grounds; while going to or coming from school; during the lunch period, whether on or off the school campus; during, going to, or coming from, a school-sponsored activity.

### **I. Offenses Requiring Mandatory Recommendation & Mandatory Expulsion [Ed Code 48915(c)]**

1. Possessing, as verified by a District employee, or selling or otherwise furnishing a firearm.
2. Brandishing a knife as defined in Education Code 48915(g) at another person.
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058.
4. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a or 289, or committed a sexual battery as defined in Penal Code 243.4
5. Possessing an explosive as defined in 18 United States Code 921.

Penalties: The principal, Superintendent or designee shall immediately suspend and recommend expulsion of a pupil that he/she determines has committed any of the acts defined above. The appropriate law enforcement agency shall be notified.

### **II. Offenses Authorized for Discretionary Recommendation for Expulsion [Ed Code 48915(a)]**

1. Causing serious physical injury to another person, except in self-defense.

2. Possession of any knife as defined in Education Code 48915(g), or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance as listed in Health and Safety Code 11053-11058, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Penal Code 240 & 242, upon any school employee.

Penalties: Recommended for expulsion unless the Principal, Superintendent or designee finds and reports in writing that expulsion is inappropriate due to the particular circumstances which shall be set out in the report of the incident. The appropriate law enforcement agency shall be notified.

### **III. Offenses Authorized for Discretionary Expulsion Recommendations and Suspension [Ed Code 48900]:**

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; or
  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) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

#### **Penalties relating to alcohol:**

- i. Penalty for first offense: (possession) Suspension for up to five days. Penalty for first offense: (sales) Suspension up to five days and possible recommendation for expulsion.
- ii. Penalty for subsequent offense: Suspension for five days, possible recommendation for alternative program, possible expulsion.

#### **Penalties relating to all other controlled substances:**

- i. Penalty for first offense: (possession) Suspension for up to five days, possible recommendation for expulsion. Days of suspension can be removed if the student attends a school approved substance abuse intervention program.  
Penalty for first offense: (sales) Mandatory recommendation for expulsion.
  - ii. Penalty for subsequent offense: (possession) Suspension for five days, possible recommendation for expulsion.
- (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) 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 his or her own prescription products.
  - (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
  - (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
  - (k) 1. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
    2. Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in



kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.

- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for 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 his or her physical or mental health.
    - (C) Causing a reasonable pupil to experience

substantial interference with his or her academic performance.

- (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (2) (A) “Electronic act” means the creation and transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
- (i) A message, text, sound, video, or image
  - (ii) A post on a social network Internet Web site, including, but not limited to: (I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1); (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
  - (iii) An act of cyber sexual bullying. (I) 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 above, 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. (II) 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, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless 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 may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.

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

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

### ● Student Search

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

### ● Release of Student to Peace Officer

If a school official releases your student 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 student, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [EC 48906; PC 11165.6]

## DISCRIMINATION, PROTECTIONS, COMPLAINTS AND PROCEDURES

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

### ● California Student Safety and Violence Prevention Act of 2000

The California Student Safety and Violence Prevention Act of 2000 was passed by the California Legislature in September 1999 and signed into law effective January 2000. The intent of the new code is to reduce or eliminate incidents of harassment,

discrimination, and hate-motivated behavior. It specifically targets discrimination directed at students or staff who may be or are perceived to be gay, lesbian, bisexual, or transgender individuals. Compliance with this act in the areas of school policies, resource development, training, and student support is critical to provide all students and staff with safe and secure learning and work environments.

The law provides that no person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, mental or physical disability or any basis that is contained in the prohibition of hate crimes set forth in subdivision (a) of section 422.6 of the Penal Code in any program or activity conducted by an education institution that receives, or benefits from state financial assistance or enrolls pupils who receive state student financial aid.

## **☛ Hazing and Harassment**

The Board of Trustees is committed to a focus on individual student success as outlined in Board Policy 5000. To underscore this commitment, individual student rights shall involve freedom from hazing or harassment.

### **Hazing**

Hazing includes any method of initiation or pre-initiation into a student organization or any pastime or amusement engaged in, which cause, or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm.

Hazing is a misdemeanor or a felony, punishable by a fine of not less than \$100, nor more than \$5,000, or imprisonment in the county jail for not more than one year, or both [PC 245.6]. Hazing will be considered a disruption of school activities and defiance of school authority and students guilty of hazing may be disciplined accordingly.

### **Nondiscrimination/Harassment**

The Board of Trustees desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, harassment, intimidation, and/or bullying of any student based on the student's actual or perceived characteristics of race or ethnicity, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation,

gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Sexual harassment includes sexual violence, pursuant to Title IX of the Education Amendments of 1972.

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct, based on one of the categories listed above that is so severe 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. Prohibited discrimination also includes different treatment of students with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board shall ensure equal opportunities for all students in admission and access to the educational program, guidance and counseling programs, athletic programs, testing procedures, and other activities. School staff and volunteers shall carefully guard against segregation, bias and stereotyping in instruction, guidance and supervision.

Though an incident of alleged harassment, intimidation, and/or bullying as defined within this policy may occur off campus, if the effects of the off-campus incident result in harassment, intimidation, or bullying at school that is sufficiently serious to interfere with or limit the targeted student's ability to participate in or benefit from the education program, the school shall respond promptly and effectively to eliminate the harassment that occurs at school, prevent its recurrence, and address its effects.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying.

The Superintendent or designee shall provide age-appropriate training and information to students, parents/guardians, and employees regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, the district's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made. Staff and administrators will also receive training on their responsibilities for

responding to reports and complaints of discrimination under the district's Uniform Complaint Procedure.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct which may interfere with another student's ability to participate in or benefit from school services, activities or privileges.

The principal or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from actual or threatened discriminatory harassment or other discriminatory behavior.

Students who engage in discrimination, including discriminatory harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline, up to and including counseling, suspension and/or expulsion. An employee who permits or engages in prohibited discrimination, harassment, intimidation, bullying, or retaliation shall be subject to disciplinary action, up to and including dismissal.

Any school employee who observes an incident of discrimination, including discriminatory harassment, intimidation, or bullying shall immediately intervene when safe to do so and immediately report the conduct to appropriate administrators. (Education Code 234.1)

### **Grievance Procedures**

All complaints alleging conduct prohibited by this policy shall be handled in accordance with the district's Uniform Complaint Procedures AR 1312.3

The Board hereby designates the following position as Coordinator for Nondiscrimination to handle complaints regarding discrimination, including discriminatory harassment, intimidation, or bullying, based on the protected categories identified above, and to answer inquiries regarding the district's nondiscrimination policies:

Associate Superintendent of Human Resources  
17421 Farley Road, Los Gatos, CA 95030  
(408) 354-2520

Any student who feels that he/she is being harassed should immediately contact the Coordinator for Nondiscrimination, the principal or any other staff member. Any student who observes an incident of harassment should report the harassment to a school employee, whether or not the victim files a complaint.

Employees who become aware of an act of harassment shall immediately report the incident to

the Coordinator for Nondiscrimination. Upon receiving a complaint of discrimination, including discriminatory harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with site-level grievance procedures specified in AR 1312.3 Uniform Complaint Procedures. Where the Coordinator finds that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim.

The Coordinator shall also advise the victim of any other remedies that may be available. The Coordinator shall file a report with the Superintendent or designee and refer the matter to law enforcement where required.

A student may also file a discrimination complaint based on sex with the federal Office for Civil Rights (OCR). Instructions for filing a complaint can be found at <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>. [BP 5145.3 May 2017; EC 200-262.4, 48900.3, 48900.4, 48904, 48907, 48950, 48985, 49020-49023, 51500, 51501, 60044; CC 1714.1; PC 422.55, 422.6; 5 CCR 4600-4687, 4900-4965; 20 USC 1681-1688; Title VI; Title VII; Title IX; 34 CFR 100.3, 104.7, 106.8, 106.9]

### **Sexual Harassment**

The Board of Trustees is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

### **Instruction/Information**

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained

- Information about the person(s) to whom a report of sexual harassment should be made

### **Complaint Process**

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other District employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

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

### **Disciplinary Measures**

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 9 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

### **Record-Keeping**

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

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. [BP 5145.7 June 2013; EC 200-262.4, 48900.2,

48904, 48980; CC 51.9, 1714.1; 5 CCR 4900-4965; 20 USC 1681-1688, Title IX; 42 USC 2000d-2000d-7, 2000e-2000e-17; Title VI Title VI; 34 CFR 106.1-106.71]

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

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, or bullying against any protected individual or group identified under Board Policy, Education Code, California Code of Regulations, Penal Code, or Government Code including actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

The District shall promote programs that ensure non-discriminatory practices in all District activities. If you want further details in this regard, or wish to file a complaint, please contact the District's Uniform Complaint Officer.

### **District's Uniform Complaint Officer and process**

The Board of Trustees designates the following compliance officer(s) to receive and investigate all complaints and ensure District compliance with law:

Carrie Bosco, Associate Superintendent  
17421 Farley Road West, Los Gatos, CA 95030  
(408) 354.2520 ext 326

You may contact your school's office or the District Office to obtain a free copy of the District's complaint procedures. The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: career/technical education, child development, Consolidated Categorical Aid, LCAP, State Compensatory Education, State Program for Students of Limited English Proficiency, school improvement, tenth-grade counseling, nutrition services, special education, homeless or foster youth education options, course content, physical education, discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, Williams Settlement issues, school safety

plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 234, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52075, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600- 4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI, Title IX; § 504; IDEA; 42 USC 2000d, 2000e, 2000h; 34 CFR 106.9; ne]

Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging discrimination may be filed by a person on their own behalf or on behalf of another person or group of people within six months of the occurrence or when facts became known. Complaints regarding a special needs student may be filed within 12 months of the occurrence. Complaints regarding Pupil Fees and Williams Settlement may be filed anonymously and with the principal. If a complaint regarding pupil fees is valid, then the parents are due full reimbursement. Staff has been trained to deal with these types of complaints. [EC 49010-49013, 56500.2]

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer who is responsible for processing the claims. A complaint under the Uniform Complaint Procedure should be completed within 60 days from the receipt of the complaint. The Superintendent and complainant may agree in writing to extend the timeline.
2. You may contact the UCP Officer to obtain a copy of the complaint process.
3. You may choose to have your complaint mediated.
4. There shall be an investigative meeting after receiving the complaint.
5. The compliance officer shall send a written report about the investigation and decision. There are then five days to appeal to the Board of Education.
6. If you are not satisfied with the results the complainant has 15 days of receiving the LEA decision, to appeal to the California Department of Education. The appeal must include a copy of the locally filed complaint and a copy of the LEA decision.
7. There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside of the district's complaint procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to: injunctions and restraining orders.

For discrimination complaints, 60 days must elapse from the time an appeal is filed with CDE before

pursuing civil remedies except for an injunction. Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

American Civil Liberties Act 504 – Office of Civil Rights

Child Abuse – Department of Social Services, Protective Services Division, or law enforcement

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

Employment Discrimination – Department of Fair Employment and Housing Equal Employment Opportunity Commission

General Education – this school district

Health and Safety/Child Development – Department of Social Services

Student Records – Family Policy Compliance Office (FPCO), U.S. Department of Education

[20 USC 11138; 34 CFR 300.510-511, 300.513; EC 235. 262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64000(a); 5 CCR 4600, 4620-4632; ne]

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

Parents should use the District Uniform Complaint Procedure with modifications as necessary, to identify and resolve any deficiencies regarding instructional materials; facility cleanliness, safety, emergency or urgent facility conditions that pose a health or safety threat to students; or staff, teacher vacancies or misassignments. [EC 8235.5, 35186]

### **Williams Settlement complaint procedure**

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

1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
2. Complaints beyond the site authority will be forwarded to the District within 10 days.
3. Complaints may be filed anonymously. A response may be requested if complainant is identified and will be sent to the mailing address on complaint
4. If the District is required to provide material in a foreign

language based on California Department of Education census data and if requested, the response and report shall be written in English and the primary language in which the complaint was filed.

5. The form will have a box to request a response and indicate where to file the form.
6. Valid complaints should be remedied within 30 days of receipt.
7. Within 45 days of resolution, notice should be sent to complainant when a response was requested. A principal will also inform the Superintendent of resolution in the same timeframe.
8. If unsatisfied with resolution a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
9. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records. [EC 35186, 48985]

### ● **Complaints Concerning School Personnel**

The Board of Trustees believes that students, staff and parents should work together amicably and with mutual respect to resolve disputes and misunderstandings. Every effort should be made to resolve issues in as timely a manner as possible and at the level closest to the issue in question. To promote fairness, procedures have been outlined in Board Policy and Administrative Regulation 1312.1 to be followed in the resolution of complaints concerning school personnel. The Regulation and forms are available in the principal's office at each campus and in the Superintendent's office.

### ● **Adult status of 18-year-old students**

When a student reaches the age of majority (age 18), he/she is granted by law the right to sign all legal documents related to school and to represent himself/herself in all dealings with the school. The parent or guardian of an 18 year old student shall no longer be provided access to student's records or receive notice of absences or other official communications from the school. The student shall assume the rights and responsibilities normally accorded to adults in all matters involving the school.

Such rights shall include the right to: (1) have sole access to the cumulative record; (2) have sole access to student progress reports, including report cards;

and (3) verify all absences from school. The 18-year old student, having obtained adult status, shall assume adult responsibilities for attendance at school. From the date of the 18th birthday, the student shall be expected to attend all classes regularly. There shall be no more than five absences from any one class in one semester. Exceptions may be made for absences due to serious medical reasons verified by a doctor and/or approved by an administrator.

### **Authorization of Parent Responsibility**

By written notice to the school, an 18-year old student may authorize the parent/guardian to retain all rights previously held by the parents when the student was a minor. Should an 18-year old student provide such authorization in writing, the parent/guardian shall be given access to all student records and shall be kept informed of the student's progress in the same manner applied to all students who are less than 18 years old. The student shall be held to standards accorded minor students in all matters of attendance.

## **MISCELLANEOUS**

### ● **Registered Sex offenders – Megan's Law**

The Department of Justice is required to provide to a local law enforcement agency in each county a CD-ROM or other electronic medium containing information regarding specified registered sex offenders, and those local law enforcement agencies, in turn, are required to make it available for public viewing. [PC 290.4; EC 48980]

### ● **Firearm Safety and Responsibility**

Parents are advised that under California law it is a crime to keep any loaded firearm in a house where a child age 15 or under can gain access to it. If the firearm is used to cause death or great bodily injury to the child or others, the penalty is a state prison term for up to three years and/or up to a \$10,000 fine. If the firearm is not used to cause great bodily injury, but is merely carried to a public place the penalty is imprisonment in county jail for up to one year and/or a fine of up to \$1,000 [PC 12035]. It is also a crime to keep an unloaded handgun or other concealable firearm in a house where a child age 15 or under can gain access to it. If a child carries the firearm off-premises, the gun owner may be charged with a crime punishable by up to one year in county jail and/or a \$1,000 fine. [PC 12036] Local law enforcement officials advise parents who own firearms to keep them in locked containers.

## ☰● Anonymous Surrender of an Infant

School districts offering instruction for sex education courses must advise pupils of a provision of current law that allows mothers to anonymously surrender an infant up to 72-hours-old at a hospital emergency room or other designated location without fear of prosecution for a violation of certain crimes such as child abandonment. [EC 51553]

## ☰● U.S. Department of Education Programs

The following applies only to programs directly funded by the U.S. Department of Education: All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the students.

## ☰● Asbestos-Containing Material Management Plan

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

## ☰● Pesticide Use

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. The identification includes the name and active ingredients. Only fully certified pesticides can be used on school grounds. The school's Integrated Pest Management Plan (IPM) is updated by July 1 each year. The IPM, pesticide names and active ingredients, and application dates are posted on the district's website at [www.lgsuhd.org/legal](http://www.lgsuhd.org/legal), under Maintenance and Operations.

## Saratoga High School

<u>Product</u>	<u>Active Ingredient(s)</u>
Round-up Pro . . . . .	Glyphosate
Merit . . . . .	Imidacloprid
Anticoagulant Rodenticide .	Bromadiolene

## Los Gatos High School and District Office

<u>Product</u>	<u>Active Ingredient(s)</u>
Round up . . . . .	Glyphosate
Diquat . . . . .	Diquat Dibromide
Talpirid . . . . .	Bromethalin

## Other Applications

<u>Product</u>	<u>Active Ingredient(s)</u>
Cyfluthrin . . . . .	Cyfluthrin
Deltamethrin . . . . .	Deltamethrin
Talpirid . . . . .	Bromethalin
Temprid SC . . . . .	Imidacloprid, Beta-Cyfluthrin
Termidor SC . . . . .	Fipronil
Weather BLOK . . . . .	Brodifacoum

Parents and guardians may register with the school or district if they wish to receive notification of pesticide applications at a particular school or facility. Notice of an application and written notice of unlisted pesticide use will be given 72 hours in advance. For an emergency application, 72 hours notice will be the goal. Each area of the school where pesticide is being used will be identified by a posted warning 24 hours before (or upon application, if an emergency) through 72 hours after use.

Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, [www.cdpr.ca.gov](http://www.cdpr.ca.gov). [EC 17610.1, 17612, 48980; FAC 13184]

## ☰● Further Information is Available

Further information regarding our District schools, programs, policies, and procedures is available to any interested person upon request to our District Office, 17421 Farley Road West, Los Gatos, CA 95030, (408) 354.2520. [FERPA, 34 CFR 99.7(b)]