



2014-15  
Rights  
And  
Responsibilities  
Handbook  
for  
Parents and Students

*\*Revised March 2015 to reflect updates to  
Due Process Protections and Complaints*

Sierra Sands Unified School District  
113 W. Felspar Avenue  
Ridgecrest, CA 93555

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# SIERRA SANDS UNIFIED SCHOOL DISTRICT

## 2014-2015 Rights & Responsibilities

### Handbook for Parents and Students

#### MISSION STATEMENT

We, the members of the Board of Education of the Sierra Sands Unified School District, are committed to providing the highest quality education to all K-12 students within a safe environment. We believe the school shares with the family, church, and community the responsibility for developing life-long learners who are responsible, productive citizens.

#### A MESSAGE FROM THE SUPERINTENDENT

On behalf of the Board of Education, faculty, and staff of the Sierra Sands Unified School District, I welcome you to the 2014-15 school year. It is our sincere desire that each and every student be provided with the best possible educational experience. This handbook has been designed to assist parents and guardians in understanding the operation of our district, especially as it relates to the rights and responsibilities of students and parents. If your questions or concerns regarding our district schools, programs, policies, or procedures are not addressed in this booklet, I invite you to call your school or the district office for further information. For your convenience, telephone numbers are listed in the next column.

As required by law, I wish to notify you as parents and/or guardians of students enrolled in our schools of your rights and responsibilities. I ask, therefore, that you please take a moment of your time to carefully review the "Mandated Notification to Parents" section of this handbook. After your review, please sign and return to your student's school the acknowledgment form on the last page indicating that you have received and reviewed these materials.

Ernie Bell  
Superintendent  
Sierra Sands Unified School District

#### TELEPHONE NUMBERS



When you have a question or concern, it is best to start with your child's teacher, the school principal, or the school office staff. If you need further assistance, district office staff is available to help you.

#### SCHOOLS

Burroughs High School	499-1800
Faller Elementary School	499-1690
Gateway Elementary School	499-1850
Inyokern Elementary School	499-1683
James Monroe Middle School	499-1830
Las Flores Elementary School	499-1860
Mesquite High School	499-1810
Murray Middle School	499-1820
Pierce Elementary School	499-1670
Rand Elementary School	499-1864
Richmond Elementary School	499-1840
Richmond Special Education	499-1841
Adult School	499-1725
Independent Study	499-1724

#### DISTRICT OFFICES

Business Office	499-1604
Food Service	499-1880
Curriculum & Instruction	499-1640
Audiovisual Center	499-1726
Human Resources	499-1620
Maintenance	499-1870
Pupil Support Services	499-1702
Special Education	499-1702
Special Projects	499-1640
Superintendent's Office	499-1600
Transportation	499-1874

## SCHOOL CALENDAR

**FIRST DAY OF SCHOOL**... August 12, 2014

**LAST DAY OF SCHOOL**..... May 28, 2015

### **HOLIDAYS & OTHER NON-SCHOOL DAYS**

September 1..... Labor Day  
 October 13 ..... Columbus Day  
 November 11 ..... Veteran's Day  
 November 24 - 28..... Thanksgiving Recess  
 December 22 – January 2..... Winter Recess  
 January 19. Martin Luther King's Birthday  
 February 13..... Lincoln's Birthday  
 February 16..... Washington's Birthday  
 April 3 ..... In Lieu of Admission Day  
 April 6 - 10..... Spring Recess  
 May 25..... Memorial Day

### **QUARTER ENDINGS** (Grades 6-12 Report Cards)

1<sup>st</sup> Quarter ..... October 10  
 2<sup>nd</sup> Quarter/1<sup>st</sup> Semester ..... December 19  
 3<sup>rd</sup> Quarter ..... March 13  
 4<sup>th</sup> Quarter/2<sup>nd</sup> Semester..... May 28

### **TRIMESTER ENDINGS** (Grades K-5 Report Cards)

1<sup>st</sup> Trimester ..... November 7  
 2<sup>nd</sup> Trimester ..... February 27  
 3<sup>rd</sup> Trimester..... May 28

### **PARENT CONFERENCES – Elementary School**

November 17, 18, 19, 20, 21  
 March 11, 12, 13

### **FINAL EXAMINATIONS – Middle School**

December 17, 18 and 19  
 May 27 and 28

### **FINAL EXAMINATIONS – High School**

December 17, 18 and 19  
 May 26, 27 and 28

## MINIMUM DAYS SCHEDULE

ELEMENTARY SCHOOL	MIDDLE SCHOOL	HIGH SCHOOL
		August 20
	October 22	October 22
November 17		
November 18		
November 19		
November 20		
November 21		
	December 17	December 17
	December 18	December 18
December 19	December 19	December 19
	January 21	January 21
March 11		
March 12		
March 13		
	March 18	March 18
May 21		
May 22		
May 26		May 26
May 27	May 27	May 27
May 28	May 28	May 28

## ABOUT OUR SCHOOLS

### PARENT PARTICIPATION



**PTA and Other Parent Groups:** Most schools have a Parent Teacher Association or other parent organization. Information about these and an opportunity to join are provided at Back-to-School Night in the fall.

In addition, most schools have parent advisory groups formed to aid the principal in meeting the specific requirements of state and federal programs. Special committees are formed at the schools from time to time to contribute to specific projects. Information about serving on such groups may be obtained by contacting the individual schools.

The Board of Education and Superintendent also appoint special committees, when needed, to study identified problems or to assist on projects. Persons interested in serving on such a committee may contact the Superintendent's office.

**Visiting Schools:** The teacher or school principal may be contacted directly to determine the most productive time for visiting. Due to potential liability concerns, non-students will not be allowed. All visitors are required to check in with the school office immediately upon arrival.

**Use of School Facilities:** Under the State Civic Center Act, parts of all schools are designated civic centers. These areas are available for use by various groups as long as such use does not interfere with school operation and meets certain criteria specified by law and District policy. District administrative procedures include a schedule of fees that apply for all uses of facilities not otherwise excepted by law. It is necessary to contact the school office manager at the specific school requested for use to make reservations during the regular school year. During the summer months, all reservations are made at the District Office.

**Communication With Teachers:** Teachers are trained to assist pupils and parents with school-related problems. Parents may phone the school to arrange an appointment or may send a note requesting a meeting time.

**Communication With School and District Administrators:** School principals are responsible for the schools' educational programs and operation. In some schools, counselors or assistant principals may assist parents in certain areas, but final responsibility lies with the principal. Interests or concerns involving district operation of more than one school may be referred to district office administration.

**Board of Education Meetings:** The Board of Education holds regular meetings on the third Thursday of each month, with the following exceptions, the September meeting will be held on September 11<sup>th</sup>, the December meeting will be held on December 11, the March meeting will be held on March 12, and the June meeting will be held on June 11, 2015, at 7:00 p.m. in the Ridgcrest City Council Chambers. In addition, special meetings are held when needed. Meetings are open to the public. An agenda listing the items that will be considered at each meeting is posted on the District website ([www.ssusdschools.org](http://www.ssusdschools.org)) and at the District Office 72 hours before regular meetings and 24 hours before special meetings. Arrangements to appear before the Board of Education may be made by contacting the Superintendent.

### REGISTRATION

For 2014-15, children may enter kindergarten if they will be five years old on or before September 1, 2014. Children who turn five years old from September 2 – December 2 may enroll in Transitional Kindergarten. Pupils can legally withdraw from school at age 16, with parental approval, by passing a high school proficiency examination. In addition, adult education and Regional Occupational Program classes are offered for older pupils who want to earn a high school diploma or to take vocational training.

Parents may register pupils starting school for the first time or transferring from another school district at their zoned school. Information about school attendance zones may be obtained by calling the superintendent's office. Proof of age must be presented in the form of a birth certificate, passport, affidavit of birth, immigration certificate, hospital certificate, military identification, Bible record, or a baptismal certificate for children entering kindergarten and first graders who do not have a report card or certificate from kindergarten. Pupils in grades one through twelve are asked to present evidence of grade placement in the form of a report card or transfer slip. Information regarding immunizations and health history, and proof of address are also required at the time of registration.

## **TOBACCO-FREE SCHOOLS/SMOKING**



Ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke. In the best interests of students, employees, and the general public, the governing board of Sierra Sands Unified School District prohibits the use of tobacco products at all times on district property and in district vehicles.

Prohibited products include any product containing tobacco or nicotine, including, but **not limited to**, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes and other types of ENDS systems. (Vapor systems, e-VAPES, digital vapor system, hookah, hookah pen, pencil, device, e-hookah, etc.) This prohibition applies to all employees, students, visitors, and other persons at any school or school-sponsored activity or athletic event. It applies to any meeting on any property owned, leased, or rented by or from the district.

Students interested in smoking cessation programs may contact their principal or counselor for information.

## **THE EDUCATIONAL PROGRAM**

**Retention and Promotion:** Every student in grades K-8 is required to demonstrate that he/she has mastered grade level expectations in order to be promoted to the next grade level. Sierra Sands Board Policy #5123 establishes criteria for identifying students at risk of retention. The policy states that students should be identified for retention at the earliest possible point in their school career (between kindergarten and first grade and between grades one and two); however, students at other grades shall be identified as being at risk of retention in accordance with district policy. Students who are struggling with reading, language arts, and/or mathematics skills will need additional help. Each elementary and middle school has developed special programs, to provide needed assistance to students who are at risk of being retained. If your child is not achieving at grade level, you will be contacted by your child's teacher(s) or principal to explain additional learning opportunities. If you would like to learn more about how to help your child, please contact your child's teacher or the school principal.

**Graduation Requirements:** In order to graduate from senior high school, a pupil must successfully complete 230 semester periods in grades 9-12, of which 170 semester periods must be completed in grades 10-12. In addition to successfully completing the prescribed semester periods in specified curriculum areas including Algebra I, a pupil must demonstrate competency in reading, writing, and mathematics.



In order to be promoted from grade 8 at the middle school, a pupil must successfully complete a prescribed course of study; demonstrate satisfactory progress in reading comprehension, writing, and computation; and have at least 80% attendance and a cumulative grade point average of 1.5. Specific course requirements are listed in the respective secondary school handbooks.

**High School Exit Exam:** Beginning with the class of 2006, all students completing grade twelve will be required to pass a high school exit exam in language arts and math. Students will take the exam for the first time in tenth grade.

**Handicapped and Gifted Pupils:** For the exceptional pupil—gifted, mentally or physically handicapped, emotionally disturbed—special programs are offered. The District has a program for almost every commonly known exceptional pupil need. The Executive Director of the SELPA may be contacted for more information on programs for handicapped or disturbed students, and your school principal or the Coordinator of Special Projects may be contacted for more information on the program for gifted students. Parents must approve placement of children in these programs.

**Continuation Education:** Pupils age 16 and older may attend Mesquite High School instead of Burroughs High School. Classes at Mesquite High School are small and learning opportunities are personalized. Additional information about the continuation education program may be obtained by contacting the principal of Mesquite High School, (760) 499-1810.

**Adult School:** The adult school offers high school and continuing education courses for interested adults. A complete program leading to graduation is available. High school pupils may be admitted upon counselor recommendation and principal approval.

**Regional Occupational Program:** The Regional Occupational Program is designed to provide minimum job entry skills in a wide variety of vocational areas to pupils 16 years of age and older and adults.

**Concurrent Enrollment in Community College:** Students in grades 11 and 12 may take courses at Cerro Coso Community College with parent approval and the recommendation of the principal. Provision is also made for the enrollment of certain gifted and talented secondary school pupils who have not attained eleventh grade status. To be considered for enrollment at Cerro Coso, the student and parent must complete a Concurrent Enrollment form prior to registering in any courses. Students must have a 2.75 GPA and must meet with the high school counselor prior to enrolling at Cerro Coso to determine if the required number of credits has been earned and to determine if the student will receive credit for the course.

**Nondiscrimination in Education:** Our school district is committed to equal opportunity for all individuals in education. Our district programs and activities shall be free from discrimination based on sex, race, color, religion, national origin, ethnic group, marital or parental status, physical or mental disability, or any other unlawful consideration. The district shall promote programs that ensure that these discriminatory practices are eliminated in all district activities.

You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Education for All Handicapped Children Act of 1975. The California Department of Education and the Office for Civil Rights of the United States Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds.

If you wish further details in this regard, or if you wish to file a complaint, please contact the district superintendent (113 W. Felspar, Ridgecrest, CA 93555, telephone [760] 499-1600), or the appropriate agency.

## **PUPIL ILLNESS, INJURY, AND GENERAL MEDICAL INFORMATION**



**Pupil Medication:** Schools may not legally administer medication to pupils—whether it is a prescription medicine or simply aspirin—except upon written parental request accompanied by a physician's order.

State law requires parents to notify the school when a pupil is taking any medicine on a long-term basis to help the school deal with a child should the medication affect behavior. The specific medicine taken, current dosage, and name of supervising physician must be reported to the school office manager. The office manager should be notified of other chronic conditions that might affect a pupil's behavior or require special handling such as diabetes or severe allergic reactions.

If a pupil is taking prescribed medicine that must be taken at school, the parent must submit the appropriate form that allows the school to assist the student. The form must be signed by the physician, specify the medication, dosage, and administration procedure. Forms are available at each school. The parent must bring the medicine in its labeled container from the pharmacy to the school office where it will be kept for the child.

**\*A student may self administer and carry certain emergency medications during school hours** (e.g. epi/ana pens, inhalers, insulin, glucagon), by providing a statement, that in an authorized health care provider's opinion, the student is competent to safely self administer the medication according to the conditions in the provider's written statement; and following an evaluation of the student's understanding of proper medication use and administration technique, by the District Nurse.[E.C. Sections 33031; 49423; 49423.6] **Contact the District Nurse for the forms that are specific to your student's need.**

If a pupil has occasional need for over-the-counter (OTC) medication, the parent may take the child home or bring the medicine to school. If a child has a chronic symptom and needs medication on a more regular basis, parents may bring the medicine to school in its original container. All OTC medications administered in school require a written statement from the authorized healthcare provider and the parent or guardian (CCR, *Title 5*, sections 600 and 601[b]). All such medication must be left at the school office. Forms are available at each school. Students may carry and use sunscreen without a doctor's note or prescription, and may also wear sun-protective clothing. [E.C. Section 35183.5]



**Physical Examination:** Under state law, each child entering the first grade is required to have specific health screening tests, and parents must present the District with a certificate signed by a physician stating that the examination has been made. Parents who do not want their child to have the examination may sign a special waiver form.



It is strongly recommended that all new pupils and all pupils entering high school obtain a complete physical examination. Such an examination is not mandatory but will help the school plan more adequately for each pupil's needs. Physical examination forms should be returned to the district nurse's office.

Each high school pupil participating in interscholastic athletics is required to have a physical examination prior to practicing for or participating in any sport.

**Sight and Hearing Test:** The school district is required to provide for the testing of the sight and hearing of each student enrolled in the schools unless you submit a written denial of consent.

**Scoliosis Screening:** Every student will be screened for scoliosis (curvature of the spine) in grade seven or eight. If your child is enrolled in grades 7 through 12, and is suspected of having curvature of the spine, please notify the school office. If your child is identified as having this condition, you will be notified.

**Medical and Hospital Services -- Student Insurance:** The District provides School-time Accident Insurance coverage for all students. This plan provides coverage to pupils while 1) attending school, 2) traveling to and from school on a school bus, 3) being transported to and from school activities, and 4) school-time and interscholastic athletic coverage, excluding tackle football. The school makes available a plan for tackle football insurance at students' expense.

The District is not responsible for filing a settlement of the claims. Brochures, including enrollment forms for tackle football, are distributed early in the school year. Claim forms are available at each school office. The form is processed with medical bills by the parents.

The insurance program does not guarantee full payment of claims. Bills are submitted to other insurance plans in which the family is enrolled first, then the District insurance carrier will cover up to an additional \$2,500 worth of medical bills.

**Illness and Injury at School:** Every school has a room where an ill or injured pupil can lie down. The school will contact the parent to have the child picked up. An ill pupil cannot be released without parent permission.

Every pupil must have on file at the school an emergency information card listing the family's choice of doctor and noting where parents or other responsible adult can be reached in case of emergency. It is very important that this card be returned to the school promptly after the pupil brings it home for his/her parent to complete and sign.

**Vision Appraisal:** Your child's vision will be checked by an authorized person between grades kindergarten through 10, unless you present to the school a certificate from a physician or optometrist verifying prior testing or that it violates your faith in a recognized religious belief.

**Temporary Disabilities:** Individualized home and/or hospital instruction for pupils with temporary disabilities that do not allow them to participate in their regular school program is available. The school district in which the home, hospital, or health facility is located has primary responsibility for instructing the pupil. The parent or guardian is responsible for notifying the district in which the health facility is located of the pupil with a temporary disability.

## **ABSENCES AND EXCUSES**



**Absences Due to Illness:** When pupils are absent from school due to illness, the secondary schools request that parents phone the school on the day of the absence to report the illness. Elementary school pupils should bring a note of explanation with them when they return to school. If prolonged absence will be necessary, the school should be notified so that arrangements may be made for helping the pupil keep up with class work if he/she is able.

**Absences For Other Than Illness:** If it is absolutely necessary that a pupil miss school for other than illness, send a note to the school in advance giving the reason and time. If the pupil will be leaving school during the school day and will be met by someone other than the parents, a note should state who that person will be. Every effort should be made to confine doctor and dentist appointments to after-school hours. If family outings and vacations while school is in session are a necessity, prior arrangement should be made with the principal for independent contract study (if absence is more than five days) or make-up work (if less than five days).

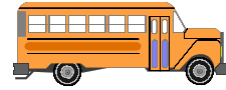
**Weekend / Saturday Classes:** The weekend / Saturday class program is an instructional session and an alternative program of classes, offered on Saturday, at which students can make up class work that was missed during the regular school week because of unexcused absence or truancy. Attendance for a student with



unexcused absences shall be at the election of the student or his/her parent/guardian. A student who is defined as a truant will be required to attend the weekend/Saturday class program. A student with unexcused absences or who is defined as truant shall be excused from the weekend/Saturday class program if it is held on a day when such attendance would be in conflict with his/her religious beliefs.

## **BUS TRANSPORTATION**

The State of California and the Sierra Sands Unified School District subsidize a parent pay bus transportation program. Students living beyond the “walking distance” may make use of this bus service. The district walking distances are: 1 mile for grades kindergarten through three, 1¼ miles for grades four through five, 2¼ miles for grades six through twelve. Please contact the Transportation Department by telephone at 499-1874 or by email to [transportation@ssusd.org](mailto:transportation@ssusd.org) for more information.



Parents who wish to have their students ride the bus to and from school can purchase a yearly bus pass for \$150.00. The price is the same for one way riders. Students who qualify for the free or reduced-price meal program are entitled to free or reduced-price transportation. The requirements for the free or reduced-price bus service are the same as for the meal program. Special education students who have a transportation requirement written into their IEP are eligible for free transportation. Students who are attending a school outside of their regular school zone due to overflow conditions are also provided with free transportation.

Bus passes may be purchased at any school site or at the district business office. Free or reduced-price passes should be applied for at the student's school office. Bus pass applications will be processed upon completion and payment of the applicable fee. A bus pass will be provided to the student within approximately 3 weeks. Updated bus routes will be posted on the district website as of midsummer.

Bus passes go on sale one week before the start of school. Students may ride the bus without a pass during the first three weeks of school while applications are being processed. After that date, the grace period is over and passes are required. Bus passes for students attending secondary schools will be incorporated in the school I.D. cards.

If a student needs to utilize the bus service for a short period of time or on specific days only, one-day passes can be purchased at any school site or the district business office for \$1.00 a day or \$8.50 for a book of ten. Lost passes, whether full-price, reduced-price, or free will be replaced for a \$5 charge. Bus pass renewal stickers used on secondary school I.D. cards will be replaced for a \$1 charge each.

“Payment assistance is available. Passes may be purchased on a six-week payment plan. The total bus charge is divided into three payments. The first payment is due immediately. The second and third payments must be on post-dated checks within the following six weeks. Please visit the business office at 113 W. Felspar Avenue to take advantage of this plan.”

## **EMERGENCY SCHOOL CLOSURE**



Occasionally, inclement weather or other special safety circumstances make it necessary to cancel, delay the start of, or dismiss early one or more of our schools. District administration will assess any situations that occur and determine what action, if any, is necessary.

The district makes every effort to announce school closures prior to the scheduled bus stop pick-up times. Generally, school will not be dismissed earlier than scheduled unless deemed absolutely necessary. On rare occasions, a situation may occur during the school day that requires the early closing of school. We encourage you to develop a plan for your children's supervision should school be dismissed early and to review it with them.

Due to the elevation of the Rand area, particular attention is given to road conditions on Highway 395 during inclement weather. There may be occasions when Rand students will be dismissed early and transported home while schools in the valley remain open. Early transportation of students will be arranged when necessary.

The district will make every effort to announce as much in advance as possible school closures, delayed start, and early dismissal times. In the event of school closure prior to the start of school, delayed start of

school, or school closure during the school day, announcements will be made on all local radio stations: KLOA 1240 AM and 104.9 FM, KZIQ 92.7 FM and 1360 AM, KSSI 102.7 FM, and KRAJ 100.9 FM; the autodialer will be used; or refer to our web address, [www.ssusdschools.org](http://www.ssusdschools.org).

## **SCHOOL LUNCH/BREAKFAST PROGRAM**



The district takes part in the National School Lunch and School Breakfast Programs. Nutritional meals are served every school day. Elementary students may buy lunch for \$2.50 and breakfast for \$1.50. Secondary students may buy lunch for \$2.75 and breakfast for \$1.75. All eligible students may receive meals free or at a reduced price of 40¢ for lunch and 30¢ for breakfast. Milk is offered with each meal.

Eligibility for free or reduced-price meals is based on income and family size. Applications are available at each school. Children who receive free or reduced-price meals must be treated in the same manner as those children who pay full price for their meals. In Child Nutrition programs, no child will be discriminated against because of race, color, national origin, sex, age, or disability. If you believe that there has been discrimination against your child, write to the USDA, Director, Office of Civil Rights, Washington, DC 20250-9410. Until an approved Free or Reduced-Price Meal Application is on file, parents will be responsible for any meals charged to the student's account.

The Food Service Department provides substitutions or modifications in schools meals for students with disabilities when that need is supported by a statement signed by a licensed physician. Food substitutions may be made for individual children who do not have a disability, but who are medically certified as having a special medical or dietary need. Such determinations are made on a case-by-case basis upon the submission of a signed medical statement. The school emergency card does not replace the signed medical statement form. The medical statement form is available at school offices and on the district website. If a medical statement is already in place for your child, please provide us with an updated document as soon as circumstances change.

Prepayment for more than one meal at a time is strongly encouraged and may be made in the early morning at the school cafeteria. This reduces the need for frequent deposits and daily cash handling, enabling the Food Service staff to provide faster and better service. Cash or checks will be accepted. Households with more than one child at the same school should designate the amount of money to be placed into each child's meal account, as account balances cannot be shared.

When paying for meals, please make all checks payable to "School site name + Cafeteria." Please put your child (ren)'s name on checks or envelope with cash. Account balances may be carried over to the next school year or to another site if your child has moved. Refunds are available with a written request; however, requests for refunds over \$10 may take up to two weeks to process. During the last three weeks of the school year, charging of cafeteria meals will not be allowed and checks will not be accepted.

Please contact the Food Service Department by telephone at 499-1880 or by email to [aburson@ssusd.org](mailto:aburson@ssusd.org) for any additional information.

## **DOOR-TO-DOOR SALES**

For school-sponsored fund raisers, students are allowed to solicit funds with the following restrictions:

1. Students in grades K-2 should not be involved in any door-to-door solicitations.
2. Students in grades 3 and above may engage in door-to-door sales only under the following conditions:
  - a. The minors must work in pairs, as a team, on the same or opposite sides of the street.
  - b. The minors must be supervised by an adult, with one adult for every crew of ten or fewer minors.
  - c. The minors must be within the sight or sound of their adult supervisor at least once every 15 minutes.
  - d. The minors must be returned to their respective homes or meeting place after each day's work.

In addition, it is advised that:

- e. Students should not be out after dark selling or soliciting funds for school activities.
- f. Students are not to sell or solicit funds outside of their immediate neighborhood.



## MANDATED NOTIFICATION TO PARENTS

Education Code §48980 and other various statutes require school districts to give written notification to parents on an annual basis regarding programs, rights, and services.

### **ATTENDANCE**

**Absences:** According to law, students will be excused for absence only when it was due to illness; due to quarantine under the direction of a city or county health officer; for the purpose of having medical, dental, optometric, or chiropractic services rendered; for the purpose of attending the funeral services of a member of his/her immediate family, including a parent, grandparent, spouse, child, or any relative living in the pupil's immediate household, 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 of California; or for the purpose of jury duty in the manner provided by law; for the purpose of attending certain student education conferences. Students' absences are recorded each trimester or quarter on students' report cards.

**Absence For Justifiable Personal Reasons:** A student may be excused from school for justifiable personal reasons, such as appearance in court, observation of religious holiday or ceremony of his/her religion, attendance at religious retreats (not to exceed four hours per semester), or an employment conference, when the parent makes a request in writing and when the request is approved by the principal or designee. A pupil shall also be excused from school when he or she is the custodial parent of a child who is ill or has a medical appointment during school hours. No pupil may have his or her grade reduced or lose academic credit for any absence(s) excused under Education Code Section 48205 when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

**Attendance Where Caregiver Resides:** Students who live in the home of a care giving adult, as defined by law, may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the care giving adult is required to determine that the student lives in the caregiver's home.

**High School Students Leaving School at Lunch Time:** The governing board of Sierra Sands Unified School District, pursuant to Section 44808.5 of the Education Code, has decided to permit the pupils enrolled at Sherman E. Burroughs and Mesquite High Schools to leave the school grounds during the lunch period.

Section 44808.5 of the Education Code further states: "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."

**Individualized Instruction:** A pupil with a temporary disability which makes attendance in the regular day classes or alternative education program in which the pupil is enrolled impossible or inadvisable shall receive individual instruction provided by the district in which the pupil is deemed to reside.

**Pupils in Hospitals Outside of School District:** A pupil with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, that is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. It is the primary responsibility of the parent or guardian of a pupil with a temporary disability to notify the school district that the pupil now resides in the district where the hospital is located. That district, when possible, will provide that student individualized instruction.

**Open Enrollment:** It is the intent of the Legislature that the governing board of each school district annually review the enrollment options available to the pupils within their districts and that the school districts strive to make available enrollment options that meet the diverse needs, potential, and interests of California's pupils. Board Policy 5116.1 establishes a random, unbiased selection process for parents requesting attendance in an alternative attendance zone if there is still capacity at the requested school after resident students have been accommodated. The superintendent or designee is responsible for determining the capacity of schools in the district. The following information applies to school attendance zones as well as district residency requirements.

The following options for meeting residency requirements exist:

1. A student residing within the district may establish residency by documenting that he/she lives with a parent/guardian within the district, that he/she is an emancipated minor living in the district, or that he/she is in the court-appointed care of a licensed foster home, family home, or children's institution within the district. Students shall also qualify as district residents if placed by the parent/guardian into a home located within the district, provided the home is properly licensed or is the home of a relative as defined by California Code of Regulations, Title 22. (Education Code 48200-48204)
2. A student not residing within the district shall be deemed a district resident if an interdistrict attendance agreement is in effect or if the student is confined to a district area hospital or residential care facility for treatment of a temporary disability. (Education Code 48206.3-48208)
3. District residency may also be granted, on a limited basis, to an elementary grade student not residing in the district if the student's parent/guardian works within the district boundaries. (Education Code 48204) Proof of such employment shall be required prior to enrollment.

**Procedures for applying for alternative attendance areas:**

Applications are available at all school sites and the district office. All students who submit applications to the district during the open enrollment period from May 1 through May 15 shall be eligible for admission to their school of choice the following school year under the district's open enrollment policy. Applications received after the deadline may be considered only if further openings exist. 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 students may be accepted as openings occur. Late applicants may be added to the waiting list in the order in which they apply. 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 the denial shall be stated. Applicants who receive approval must confirm their enrollment within two weeks.

**Complaint procedure:**

Any complaints regarding the selection process should be taken to the superintendent or designee.

**Notice of Alternative Schools:**

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the education code defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

- a. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- b. Recognize that the best learning takes place when the student learns because of his desire to learn.
- c. Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects.
- d. Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- e. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

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

## **COMPLAINTS CONCERNING SCHOOL PERSONNEL**

### **Board Policy 1312.1**

The Governing Board places trust in its employees and desires to support their actions in such manner that employees are freed from unwarranted, spiteful or negative criticism and complaints.

The Superintendent or designee shall develop regulations which permit the public to lodge complaints against staff members in an appropriate way. These regulations shall assure a complete hearing of complaints and shall protect the rights of the staff members and the district.

(cf. 1250 - Visitors/Outsiders)

(cf. 6144 - Controversial Issues)

Verbal criticism against an employee initially made to a Board member or at a Board meeting will be referred to the Superintendent for appropriate consideration and action according to administrative regulations.

(cf. 9323 - Meeting Conduct)

When a complaint is made, the Superintendent or designee shall determine whether it should be resolved by the district's process for complaints concerning personnel, the district's uniform complaint procedures, or both.

(cf. 1312.3 - Uniform Complaint Procedures)

Upon request, parents/guardians shall receive procedures, written in their primary language, for filing a child abuse complaint with the appropriate child protective agencies. If any parent/guardian complains of child abuse occurring at a school, the Superintendent or designee shall provide him/her with these procedures and shall also provide an interpreter as needed for oral communication. (Statutes other than Code, Ch. 1102, Statutes of 1991)

Providing the above procedures to parents/guardians does not relieve mandated reporters from their duty to report suspected child abuse in accordance with law.

(cf. 5141.4 - Child Abuse Reporting Procedures)

(cf. 4112.6 - Personnel Records)

The Board shall annually review district policies and regulations regarding complaints against school personnel. (Education Code 35150.5)

### **Administrative Regulation 1312.1**

In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints. Every effort should be made to resolve a complaint at the earliest possible stage.

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures.

(cf. 1312.2 – Complaints Concerning Instructional Materials)

(cf. 1312.3 – Uniform Complaint Procedures)

(cf. 4144/4244/4344 – Complaints)

1. Complaints concerning school personnel should be made directly by the complainant to the person against whom the complaint is lodged. Parents/guardians are encouraged to attempt to orally resolve concerns with the staff member personally.

2. If the complaint is not resolved at this level, the complainant may submit the complaint in writing to the school principal or immediate supervisor. When necessary, district administration shall assist in the preparation of the written complaint so as to meet the requirement of this regulation. The administrative staff shall inform the complainant that such assistance is available if he/she is unable to prepare the written complaint without help.

3. A written complaint must include the name of each employee involved and a brief but specific summary of the complaint and the facts surrounding it. It must also include a specific description of a prior attempt to discuss the complaint with the employee involved and the failure to resolve the matter.

4. When a written complaint is received, the employee shall be notified within five day or in accordance with collective bargaining agreements.

5. The principal or immediate supervisor is responsible for investigating complaints and will attempt to resolve the complaint to the satisfaction of the person(s) involved. If the complaint is resolved, the principal will so advise all concerned parties, including the Superintendent or designee.

6. If the complaint remains unresolved after review by the principal or the immediate supervisor, the principal shall refer the written complaint, together with a report and analysis of the situation, to the Superintendent or designee. Complainants should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Governing Board regarding the complaint.

7. All written complaints regarding district personnel other than administrators shall be initially filed with the principal. If the complaint regards a principal or central office administrator, the written complaint shall be initially filed with the Superintendent or designee. If the written complaint concerns the Superintendent it shall be initially filed with the Board.

8. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days.

9. Except when a complaint is directed against the Superintendent no party to a complaint may address the Board, either in closed or open session, unless the Board has received the Superintendent or designee's written report concerning the complaint. The Superintendent or designee's report shall contain, but not be limited to:

- a. The name of each employee involved.
- b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the employee(s) as to the precise nature of the complaint and to allow the employee(s) to prepare a defense.
- c. A copy of the signed original complaint.
- d. A summary of the action taken by the Superintendent or designee, with his/her specific finding that disposition of the case at the Superintendent or designee's level has not been possible, and the reasons why.

10. All parties to a complaint, including the school administration, may be asked to attend a Board meeting or part of such meeting for the purpose of presenting all available evidence and allowing every opportunity for explaining and clarifying the issue.

11. Complaints concerning an employee shall be addressed in a closed session of the Board unless the employee requests that the issue be addressed in open session.

(cf. 9321 - Closed Sessions)

12. The decision of the Board following the hearing shall be final.

## **DUE PROCESS PROTECTIONS AND COMPLAINTS**

**Complaints Concerning Instructional Materials:** The Governing Board takes great care in the adoption of instructional materials and is aware that all adopted materials may not be acceptable to all students, their parents/guardians, or other district residents. Complaints concerning instructional materials will be accepted only from staff, district residents, or the parents/guardians of children enrolled in a district school. Complaints must be presented in writing to the principal. Complaints regarding printed materials must name the author, title and publisher, and identify the objection by page and item numbers. In the case of non-printed material, written information specifying the precise nature of the objection shall be given. The statement must be signed and identified in such a way that a proper reply will be possible. Individual students may be excused from using

challenged materials after the parent/guardian has presented a written complaint. The teacher will then assign the student alternate materials of equal merit. Use of the materials by a class, school or the district, however, shall not be restricted until so directed by the Superintendent or designee. Upon receiving a complaint, the principal will acknowledge its receipt and answer any questions regarding procedure. The principal will then notify the Superintendent or designee and the teacher(s) involved of the complaint. The Superintendent or designee will determine whether the complaint should be considered on an individual basis or whether a review committee should be convened. The Superintendent or designee shall notify the complainant of his/her decision no later than 60 days after the complaint was filed. When any challenged instructional material is reviewed by the district, it shall not be subject to any additional reconsideration for 12 months.

**County or State-Adopted Material:** If the challenged material has been adopted by the County Board of Education, the Superintendent or designee may forward the complaint, without action, to the office of the County Superintendent of Schools for reevaluation and decision. If the questioned material has been adopted by the State of California, the Superintendent or designee may forward the complaint, without action, to the California Department of Education for reevaluation and decision.

**Complaints Regarding Discrimination and the Education of Disabled Students:** Sierra Sands Unified School District is committed to equal opportunity for all individuals in education. Our district programs and activities shall be free from discrimination based on sex or sexual orientation, actual or perceived gender, race, color, religion, national origin, lack of English skills, ethnic group, marital or parental status, physical or mental disability, or any other unlawful consideration. The district shall promote programs that ensure that these discriminatory practices are eliminated in all district activities. Unlawful discrimination complaints shall be initiated not later than six months from the date alleged discrimination occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination. You have certain rights under the law, including Title VI of the Civil Rights Act of 1974, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA, formerly known as EHA). The California Department of Education and the Office for Civil Rights of the U.S. Department of Education have authority to enforce these laws and all programs and activities that receive Federal funds. If you wish further details in this regard or wish to file a complaint, please contact the district superintendent (113 W. Felspar, Ridgecrest, California 93555, telephone [760] 499-1600) or other appropriate agency.

## **Uniform Complaint Procedures**

### **Board Policy 1312.3**

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation. The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)

(cf. 3553 - Free and Reduced Price Meals) (cf. 3555 - Nutrition Program Compliance)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5148 - Child Care and Development)

(cf. 6159 - Individualized Education Program)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Language Learners)

(cf. 6175 - Migrant Education Program)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

(cf. 6178.2 - Regional Occupational Center/Program)

(cf. 6200 - Adult Education)



2. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610) In any program or activity conducted by the LEA, which is funded directly by, or that receives or benefits from any state financial assistance. (GC§11135, EC§200, 220, 234.1, 5 CCR 4610, PC§422.56)  
 (cf. 0410 - Nondiscrimination in District Programs and Activities)  
 (cf. 4030 - Nondiscrimination in Employment)  
 (cf. 4031 - Complaints Concerning Discrimination in Employment)  
 (cf. 5145.3 Nondiscrimination/ Harassment)  
 (cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging harassment, intimidation, and/or bullying in district programs and activities, regardless of whether the bullying is based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics  
 (cf. 5131.2 - Bullying)

4. Any complaint alleging district violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)  
 (cf. 3260 - Fees and Charges)  
 (cf. 3320 - Claims and Actions Against the District)

5. Any complaint alleging that the district has not complied with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)  
 (cf. 0460 - Local Control and Accountability Plan)

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

7. Any other complaint as specified in a district policy

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

In filing and investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation, unlawful discrimination, harassment, intimidation and/or bullying, the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained. Complainants are protected from retaliation and the identity of the complainant alleging discrimination, harassment, intimidation or bullying will remain confidential as appropriate. (EC§234.1, 5 CCR 4621)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)  
 (cf. 5125 - Student Records)  
 (cf. 9011 - Disclosure of Confidential/Privileged Information)

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

district's UCP.

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

(cf. 3580 - District Records)

#### Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency:

(5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.

4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49490-49590 Child nutrition programs

52060-52077 Local control and accountability plan, especially

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

52800-52870 School-based program coordination

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers  
 64000-64001 Consolidated application process  
 GOVERNMENT CODE  
 11135 Nondiscrimination in programs or activities funded by state  
 12900-12996 Fair Employment and Housing Act  
 PENAL CODE  
 422.55 Hate crime; definition  
 422.6 Interference with constitutional right or privilege  
 CODE OF REGULATIONS, TITLE 5  
 3080 Application of section  
 4600-4687 Uniform complaint procedures  
 4900-4965 Nondiscrimination in elementary and secondary education programs  
 UNITED STATES CODE, TITLE 20  
 1221 Application of laws  
 1232g Family Educational Rights and Privacy Act  
 1681-1688 Title IX of the Education Amendments of 1972  
 6301-6577 Title I basic programs  
 6801-6871 Title III language instruction for limited English proficient and immigrant students  
 7101-7184 Safe and Drug-Free Schools and Communities Act  
 7201-7283g Title V promoting informed parental choice and innovative programs  
 7301-7372 Title V rural and low-income school programs  
 12101-12213 Title II equal opportunity for individuals with disabilities  
 UNITED STATES CODE, TITLE 29  
 794 Section 504 of Rehabilitation Act of 1973  
 UNITED STATES CODE, TITLE 42  
 2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
 6101-6107 Age Discrimination Act of 1975  
 CODE OF FEDERAL REGULATIONS, TITLE 28  
 35.107 Nondiscrimination on basis of disability; complaints  
 CODE OF FEDERAL REGULATIONS, TITLE 34  
 99.1-99.67 Family Educational Rights and Privacy  
 100.3 Prohibition of discrimination on basis of race, color or national origin  
 104.7 Designation of responsible employee for Section 504  
 106.8 Designation of responsible employee for Title IX  
 106.9 Notification of nondiscrimination on basis of sex  
 110.25 Notification of nondiscrimination on the basis of age  
 Management Resources:  
 U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
 Questions and Answers on Title IX and Sexual Violence, April 2014  
 Dear Colleague Letter: Bullying of Students with Disabilities, August 2013  
 Dear Colleague Letter: Sexual Violence, April 2011  
 Dear Colleague Letter: Harassment and Bullying, October 2010  
 Community Relations  
 Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other  
 Students, or Third Parties, January 2001  
 WEB SITES  
 CSBA: <http://www.csba.org>  
 California Department of Education: <http://www.cde.ca.gov>  
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy adopted:  
***April 16, 2015***

SIERRA SANDS UNIFIED SCHOOL DISTRICT  
 Ridgecrest, California

## **Uniform Complaint Procedures**

### **Administrative Regulation 1312.3**

Except as the Governing Board may otherwise specifically provide in other Board policies, the general uniform complaint procedures (UCP) shall be used only to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

### **Compliance Officers**

The Board designates the following compliance officer identified below as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual also serve as the compliance officer specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding sex discrimination, harassment, intimidation, and/or bullying. The individual shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

Assistant Superintendent of Human Resources

Sierra Sands Unified School District

113 W. Felspar Avenue

Ridgecrest, CA 93555

(760) 499-1620

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

In no instance shall a compliance officer be designated to investigate a complaint if he/she is mentioned in the complaint or has a conflict of interest that would prohibit him/her from fairly investigating the complaint. Any complaint filed against or implicating a compliance officer may be filed with the Superintendent or designee.

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs which they are assigned to investigate. Training provided to such designated employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating complaints, including those involving alleged discrimination, harassment, intimidation and/or bullying and applicable standards for reaching decisions on complaints, and appropriate corrective measures. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 4331 - Staff Development)

(cf. 9124 - Attorney)

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

### **Notifications**

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

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code

262.3, 49013, 52075; 5 CCR 4622)  
(cf. 0420 - School Plans/Site Councils)  
(cf. 1220 - Citizen Advisory Committees)  
(cf. 3260 - Fees and Charges)  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
(cf. 5145.6 - Parental Notifications)

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

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

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination , harassment, intimidation and/or bullying laws, if applicable.
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination, harassment, intimidation and/or bullying.
4. Include statements that:
  - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
  - c. A complaint alleging retaliation, unlawful discrimination, harassment, intimidation and/or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation and/or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
  - d. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
  - e. The Board is required to adopt and annually update a local control and accountability plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.  
(cf. 0460 - Local Control and Accountability Plan)
  - f. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision.
  - g. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
  - h. Copies of the district's UCP are available free of charge.

### **District Responsibilities**

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

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

All parties involved in allegations shall be notified when a complaint is filed, and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation, unlawful discrimination, harassment, intimidation and/or bullying confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

## Filing of Complaint

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in accordance with the following:

1. A written complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. (Education Code 49013, 52075)
3. A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred. (5 CCR 4630 (c)(2))
4. A complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, and/or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation and/or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation and/or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
5. When a complaint alleging unlawful discrimination, harassment, intimidation and/or bullying is filed anonymously, the compliance officer shall pursue an investigation or other responses as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
6. When the complainant or alleged victim of unlawful discrimination, harassment, intimidation and/or bullying requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.
7. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

## Mediation

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

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

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

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

## Investigation of Complaint

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

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in complaint to the

compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation, shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. To resolve a complaint alleging retaliation, unlawful discrimination, harassment, intimidation, and/or bullying, the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation of his/her engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

#### Report of Findings

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

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

#### Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In other all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
  - a. Statements made by any witnesses
  - b. The relative credibility of the individuals involved
  - c. How the complaining individual reacted to the incident
  - d. Any documentary or other evidence relating to the alleged conduct



- e. Past instances of similar conduct by an alleged offenders
- f. Past false allegations made by the complainant
- 2. The conclusion(s) of the law
- 3. Disposition of the complaint
- 4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination, harassment, intimidation and/or bullying has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
  - b. The type, frequency, and duration of the misconduct
  - c. The relationship between the alleged victim(s) and offender(s)
  - d. The number of persons engaged in the conduct and at whom the conduct was directed
  - e. The size of the school, location of the incidents, and context in which they occurred
  - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to Community Relations address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the notice may, as required by law, include:

- a. The corrective actions imposed on the individual found to have engaged in the conduct that relate directly to the subject of the complaint
  - b. Individual remedies offered or provided to the subject of the complaint
  - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

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

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

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

### **Corrective Actions**

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

For complaints involving retaliation, unlawful discrimination, harassment, intimidation and/or bullying, appropriate corrective actions that focus on the victim may include, but are not limited to, the following:

- 1. Counseling
- 2. Academic support
- 3. Health services

4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint.

For complaints involving retaliation, unlawful discrimination, harassment, intimidation and/or bullying, appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

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

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

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians. (Education Code 49013, 52075)

For complaints alleging noncompliance with the laws regarding student fees, such remedies, where applicable, shall include good faith and reasonable efforts to identify and fully reimburse all pupils, parents, and guardians who paid a pupil fee within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600(u))

### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 49013, 52075; 5 CCR 4632) The complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

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

## **Williams Uniform Complaint Procedures *Updated December 11, 2014***

California Education Code 35186 requires that the following notice is posted in your child's classroom:

1. There should be sufficient textbooks and instructional materials. That means each student, including an English learner, must have a textbook or instructional materials, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

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

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

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

### **Types of Complaints**

The district shall use the following procedures to investigate and resolve the following: (Education Code 35186; 5 CCR 4680-4683)

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

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

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

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

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

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. (Education Code 33126; 5 CCR 4600)

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are

established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

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

3. Complaints regarding the condition of school facilities, including any complaint alleging that:
  - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.
  - b. Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including but not limited to gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; or structural damage creating a hazardous or uninhabitable condition: or any other condition deemed appropriate. (Education Code 17592.72)
  - c. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5 Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (Education Code 35292.5)  
Open restroom means, except as necessary for students safety or to make repairs, the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. (Education Code 35292.5)

### **Filing of Complaint**

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

### **Investigation and Response**

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

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

### **Investigation and Response**

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

If a complainant is not satisfied with the resolution of the complaint, he/she has a right to describe the complaint to the Governing Board at a regularly scheduled hearing. (Education Code 36186; 5 CCR 4686)

For any complaints concerning a facilities condition that poses an emergency or urgent threat to the health

or safety of students or staff as described in item #3a in the section “Types of Complaints” above, a complainant who is not satisfied with the resolution proffered by the principal, Superintendent, or designee, may file an appeal to the State Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186, 5 CCR 4687)

Complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686) (cf. 1340 - Access to District Records)

### **Reports**

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

### **Forms and Notices**

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

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

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

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## **EXEMPTIONS**

**Dissection of Animals:** If a pupil chooses to refrain from participation in an education project involving the harmful or destructive use of animals, including dissection, and if the teacher believes that an adequate alternative education project is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information, or experience required by the course of study in question. A pupil's objection pursuant to this section shall be substantiated by a note from his or her parent or guardian.

**Excuse from Instruction Due to Religious Belief:** Whenever any part of the instruction in health or family life education conflicts with the religious training and beliefs or personal moral conviction of the parent or guardian of any student, the student shall be excused from such instruction upon the written request of the parent or guardian.

**Tests on Personal Beliefs:** No test, questionnaire, survey, or examination containing any questions about the pupil's or his/her parents' or guardians' personal beliefs or practices in sex, family life, morality, and religion shall be administered to any pupil in kindergarten or grades 1 through 12 unless the parent or guardian of the pupil is notified in writing that such test, questionnaire, survey, or examination is to be administered and the parent or guardian of the pupil gives written permission for the pupil to take such test, questionnaire, survey, or examination.

## **HEALTH SERVICES**

**Assistance With Medication:** A pupil who is required to take during the regular school day medication prescribed by a physician may be assisted by the school nurse or other designated school personnel after the school district receives: 1) a written statement from the physician detailing the method, amount, and a time schedule for such medication; 2) a written statement from the parent or guardian indicating his/her desire to have the school district personnel assist the pupil in taking the medication; and 3) a release statement signed by the parent/guardian. Forms are available at the school.

If your child is on a continuing medication regimen for a nonepisodic condition, you are required to notify your school principal of the medication being taken, the current dosage, and the name of the supervising physician.

**Confidential Medical Services Without Parent Consent:** According to the Education Code, school authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian.

**Immunizations:** A pupil may not be admitted to school unless he/she has been fully immunized against diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, measles, mumps, rubella, hepatitis B, and varicella (chicken pox) with immunizing agents and in the manner approved by the State Department of Public Health. Students entering the 7<sup>th</sup>-12<sup>th</sup> grade must show proof of the Tdap (Tetanus, diphtheria and pertussis). Also acceptable is a medical waiver from the student's physician or a personal belief statement signed by the parent. The required immunizations are available from the County Health Officer or a physician.

Documentary proof of immunization is required upon admission. Immunizations must be up-to-date before admission to school is granted. This requirement does not apply to any person 18 years of age or older, or if a district-provided waiver form is signed stating that the immunization is contrary to the beliefs of the parent or guardian, or a letter or affidavit from a licensed physician is given stating that the physical condition of the pupil is such that immunization is not considered safe. 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 time as directed by health officials or district administration.

**Kindergarten and First Grade Physicals:** State law requires that each child enrolling in the first grade must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. Parents may file a written objection (waiver) for the physical but must understand that the child may be sent home if he/she is suspected to be suffering from a contagious or infectious disease.

You may find it convenient to have your child immunized at the same time that the physical examination is conducted. These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHPD). For information, you may contact the Coordinator of Pupil Support Services at 499- 1700.

**Medical and Hospital Services:** Medical and hospital services for students injured at school, school-sponsored events, or while being transported may be insured at District expense.

**Physical Examinations:** Parents may file an objection if they do not wish the school to make physical examinations of their child. However, the pupil may be sent home if he/she is believed to be suffering from a contagious disease.

## **MISCELLANEOUS**

**Management Plan For Asbestos-Containing Material:** A complete, updated management plan for asbestos-containing material in school buildings is available in the Support Services office at 921 E. Inyokern Road, 446-5521.

### **Pupil Services: Academic and Career Technical Education Opportunities:**

#### **Minimum College Admission Requirements for Cal State/University of California**

- 4 years/8 semesters of college prep English
  - 3 years of college prep Math (must include Algebra CP or Algebra 1, Geometry, and Advanced Algebra)
  - 2 years of a laboratory science (must include two of the three: Biology, Chemistry, Physics)
  - 2 years of the same foreign language
  - 2 years of history/social science (must include 1 year of U.S. History or 1 semester of U.S. History and 1 semester of American Government)
  - 1 year of the same fine art such as Art ½, Drama ½, Orchestra or Symphonic Band, Concert Choir
  - 1 year of college prep electives (usually more English, science, math, social studies, fine arts, or foreign language that was not used in the other requirements)
- ✓ Remember, all grades for college admission requirements must be a C or better. They do not recognize a D or an F in a class.
- ✓ Please check the course description guide for a list of classes that meet the UC/Cal State entrance requirements.
- ✓ SAT Reasoning Test is required for both Cal State and U.C.; U.C. also requires that students take two subject area tests.

#### **Admission to Community College**

All students planning to attend a two year college will need to take placement tests. Students should contact the school they are planning to attend. Cerro Coso comes to Burroughs and Mesquite each spring to test students planning to enroll after graduation. Students without a high school diploma are eligible to attend a two year college if they are 18 years of age.

#### **IMPORTANT WEB SITES**

[www.calstate.edu](http://www.calstate.edu) (home page for all cal state universities)  
[www.csumentor.edu](http://www.csumentor.edu) (how to plan and apply to a Cal State)  
[www.universityofcalifornia.edu](http://www.universityofcalifornia.edu) (home site for University of California)  
[www.ucop.edu/admissions](http://www.ucop.edu/admissions) (U.C. information on admissions)  
[www.cccco.edu](http://www.cccco.edu) (California Community College system)  
[www.cerrocoso.edu](http://www.cerrocoso.edu) (home page for Cerro Coso Community College)  
[www.californiacolleges.edu](http://www.californiacolleges.edu) (college and career information for California)  
[www.collegeboard.com](http://www.collegeboard.com) (registration for the SATs)  
[www.ncaaclearinghouse.net](http://www.ncaaclearinghouse.net) (you must register if you want to play sports at Div. 1 or Div. 2 colleges)  
[www.cde.ca.gov/ci/ct](http://www.cde.ca.gov/ci/ct) (To learn more about career technical education (C.T.E.))

#### **Career Technical Education (C.T.E.)**

CTE engages all students in a dynamic and seamless learning experience resulting in their mastery of the career and academic knowledge and skills necessary to become productive, contributing members of society. Burroughs offers many career technical education courses (see the course description guide for information).

#### **IMPORTANT PHONE NUMBERS**

- Questions about C.T.E.: Call your school counselor or call the California Department of Education at (916) 327-5055
- Questions about UC/Cal State Admissions: Call your school counselor or contact the Intersegmental Relations Office of the California Dept. of Education at (916) 323-6398
- Questions about School Counseling Services: Call your school counselor or call the Counseling, Student Support, and Service-Learning Office at (916) 323-2183

A student's counselor will be happy to answer questions or to meet and discuss any concerns regarding eligibility for admission to a four year institution of postsecondary education or Career Technical Education opportunities. School counselors are available to discuss graduation requirements and college admission requirements and/or Career Technical Education. Please call your student's school for an appointment.



**Use of the Internet and/or On-Line Sites:** Students may have access to the Internet or on-line services. Sierra Sands has adopted a policy regarding access by pupils to on-line electronic services that may contain harmful or obscene matter as defined by Penal Code 313(a). This policy guards the identity and pictures of individual students, prohibits the use of student e-mail or web site addresses (URLs), and prohibits commercial transactions. Please see Appendix B for the full text of this policy.

**Pesticide Warnings:** The district has implemented an integrated pest management (IPM) program designed to effectively control pests using a combination of techniques. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment may be used according to established regulations and treatment thresholds.

Pursuant to the Healthy Schools Act of 2000, the district is required to notify staff, parents, or guardians of the name of the pesticide products expected to be applied at the school facility during the upcoming year. Those products are as follows:

Product Name	Active Ingredient
Ecosmart Ant & Roach Killer	Cinnamon Oil – Rosemary Oil
Ecosmart Wasp Killer	Mint Oil
Maxforce Bait Stations	Fipronil
Suspend SC	Deltamethrin
Talstar P	Bifenthrin
Termador SC	Fipronil
Roundup Pro	Glyphosate
Total Kill Wasp & Hornet Killer	Tetramethrin / Phenothrin

If you want to receive notification of individual pesticide applications at the school facility, please complete the registration form at the back of this booklet and return it to the school. You will receive notification at least 72 hours prior to the application. Information regarding pesticide information may be obtained at the web site for the California Department of Pesticide Regulation at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

**School Safety Plans:** Each school site has established a Safety Plan. Plans are available to the public at each individual school site and also at the District Office Human Resources Department. Copies are provided to local law enforcement agencies.

## **PARENTAL RIGHTS**

**Parental Rights: Education Empowerment Act of 1998:** The Education Empowerment Act of 1998 establishes various rights for parents, in addition to other rights identified in this annual notice. Your rights, as a parent or guardian, include the following:

**Affirmation or Disavowal of Beliefs:** A pupil may not be compelled to affirm or disavow any particular personally or privately held world view, religious doctrine, or political opinion. This law does not relieve pupils of any obligation to complete regular classroom assignments.

**Consent for Evaluations:** Your child may not be tested for a behavioral, mental, or emotional evaluation without your informed written consent.

**Inspection of Instructional Materials:** Instructional materials are available for public view at the Textbook Depository at all times. The Textbook Depository is located at 1327 North Norma Street. All instructional materials and assessments, including textbooks, teacher's manuals, videos, and software, shall be compiled by the classroom instructor and made available promptly for parent/guardian inspection in a reasonable time frame or in accordance with procedures determined by the governing board of the school district. If specific instructional materials are deemed to be objectionable by the parent/guardian, individual students may be excused from specified instructional materials and given an alternate assignment of equal merit after a meeting with the teacher and/or principal.

**Observation of School Activities:** You have the right to observe instruction and other school activities that involve your child in accordance with procedures determined by the governing board of the school district to ensure the safety of pupils and school personnel and to prevent undue interference with instruction or harassment of school personnel. Reasonable accommodation of parents and guardians shall be considered by the governing board of this school district. Upon written request by you, school officials shall arrange for your observation of the requested class or classes or activities in a reasonable time frame and in accordance with

procedures determined by the governing board of this school district.

**No Child Left Behind Act:** Federal law requires parents to be informed of their right to request information regarding the professional qualifications of their child's teacher, including, at a minimum, whether the teacher has met state credential or license criteria for the grade level and subject matter taught; whether the teacher is teaching under emergency or other provisional status; the baccalaureate degree major of the teacher and any other graduate certification or degree held; and whether the child is provided services by paraprofessionals, and if so, their qualifications. Parents must be notified if their child is taught by a teacher who is not "highly qualified" for four consecutive weeks.

Federal law requires parents to be informed of the district's current privacy policy and dates of any activities related to surveys.

**Other Parental Rights:** The rights of parents and guardians of district pupils include the rights identified below. These rights include your right

1. to observe in your child's classroom (upon reasonable notice).
2. to meet with your child's teacher and the school principal (upon reasonable notice).
3. to volunteer your time and resources at the school.
4. to be notified on a timely basis if your child is absent from school without permission.
5. to be notified concerning your child's classroom and standardized test performance.
6. to request a specific school and teacher and to receive a response from the school district (this does not obligate the school district to grant the request).
7. to have a safe learning environment for your child.
8. to examine curriculum materials of your child's class.
9. to be informed of your child's progress and appropriate school personnel to contact in the event of problems.
10. to access student records for your child.
11. to receive information concerning expectations for student learning.
12. to be informed in advance about school rules, policies, dress codes, and procedures for visiting the school.
13. to receive information about any psychological testing of your child and to deny permission for such testing.
14. to participate as a member of any school site councils or parental advisory councils at the school, in accordance with governing membership.
15. to question and receive an answer regarding items in your child's record that appear inaccurate, misleading, or that invade privacy.

## **SCHOOL RECORDS AND ACHIEVEMENTS**

**Access to Pupil Records:** As required by law, natural parents, adoptive parents or legal guardians, and pupils (age 16 or older or who have completed the 10th grade) are hereby notified of their rights to review all personally identifiable information maintained by the district; their rights to receive a copy of any or all records; and the right of parents with custody or of pupils age 18 or older to request the removal or correction of inaccurate, misleading, or inappropriate information, including the right to a hearing. Except for certain exceptions, pupil records are confidential and will not be disclosed without your consent. Please be aware, however, that when your child enrolls or intends to enroll in another district, we will send his or her records to that district. Your child's records may be shared with school officials and employees, and any other persons connected with the school who have a legitimate educational interest and who may need them to perform his or her tasks.

Student records collected and maintained by the district are:

***Mandatory Permanent Pupil Records*** are those records that schools have been directed to compile by California law and shall include legal name of pupil, date of birth, method of certification of birth date, sex of pupil, place of birth, name and address of parent of minor pupil, address of minor pupil if different, annual verification of the name and address of the parent and the residence of the pupil, entering and leaving date of each school year, subjects taken, number of credits toward graduation, verification of or exemption from required immunizations, and date of high school graduation or equivalent.

***Mandatory Interim Pupil Records*** are those records that schools are required to compile and maintain for stipulated periods of time and include a record identifying those persons or organizations requesting or receiving information from the record, health information, participation in special education programs, language training records, required progress slips and/or notices, parental restrictions

regarding access to directory information, parent or adult pupil rejoinders to challenged records and to disciplinary action, parental authorizations or prohibitions of pupil participation in specific programs, results of standardized tests administered within the preceding three years.

***Permitted Records*** are those pupil records that districts may maintain for appropriate educational purposes and may include objective counselor and/or teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavioral patterns, and all state requirements.

All pupil records except complete psychological reports and special education files are on file at the school of attendance and are maintained by the school principal. The psychological reports and special education files are located in the Pupil Support Services office and are maintained by the Executive Director of SELPA. No pupil record will be released except as provided in the law. An access log will be maintained in each pupil's record as required by law.

District employees and officials who have legitimate educational interest in a pupil's record shall have access to those records. A legitimate educational interest arises when the person requires access in order to carry out that person's assigned duties and responsibilities. Information obtained by reviewing pupil records shall be disclosed only to other district employees who have a legitimate educational interest in those same records.

The procedures for reviewing and expunging records are contained in Board Policy 5125, Student Records. The policy is available in the schools and the District Office.

Parents shall be provided access to pupil records within five working days of request. Students 16 years of age or older shall be accorded the same rights. Full disclosure of the records shall be made and no portion may be withheld.

Following an inspection and review of a pupil's record, the parent may challenge the content of the record as follows:

The parent of a pupil may file a written request with the Superintendent of the district to correct or remove any information recorded in the written records concerning his child which he alleges to be: 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside of the observer's area of competence, or 4) not based on the personal observation of a named person with the time and place of observation noted.

Within 30 days of receipt of such request, the Superintendent or his designee shall meet with the parent and the certificated employee who recorded the information in question, if any, and if such employee is presently employed by the school district. The Superintendent shall then sustain or deny the allegations.

If the Superintendent denies any or all of the allegations and refuses to order the correction or the removal of the information, the parent may, within 30 days of the refusal, appeal the decision in writing to the governing board of the school district.

Within 30 days of receipt of such an appeal, the governing board shall, in closed session with the parent and the certificated employee who recorded the information in question, if any, and if such employee is presently employed by the school district, determine whether or not to sustain or deny the allegations. If the governing board sustains any or all of the allegations, it shall order the Superintendent to immediately correct or remove and destroy the information from the written records of the pupil. The decision of the Board shall be final.

The District has designated the following as directory information: pupil's name, address, telephone number, electronic mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the pupil. Directory information may be released only to: parent organizations, employers or potential employers including the Armed Forces, news media, and public or private schools and colleges. The parent or eligible pupil has the right to withhold the release of directory information by giving written notification to the official of the school where pupil attends. The school official must receive this notice within two weeks from the opening day of school. If the pupil is new to the district, notification must be received by the school official within two weeks from the date the pupil enters class. The pupil record from the pupil's previous school of attendance is requested at the time of registration in this district. Parents have the right to review the record, to receive a copy, and to

challenge the content as provided by law. Finally, a parent has the right to file a complaint with the United States Department of Health, Education, and Welfare concerning an alleged failure by the District to comply with the law as related to pupil records. For further information or assistance contact the Sierra Sands Pupil Support Services Office at 499-1700 or the Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC 20202-4605.

**School Accountability Report Cards:** The School Accountability Report Card is available in hard copy on request and is accessible at the following Internet site: <http://www.ssusdschools.org>. This contains information about the district regarding the quality of the district's programs and its progress toward achieving stated goals. Each school also has a SARC that is available in hard copy upon request and it also located at each school's website.

**Standardized, Norm-Referenced Achievement Tests:** The district is required to report each pupil's individual score, in writing, to the pupil's parent or guardian. The district invites parents to contact appropriate school personnel for further explanation or information regarding how the parent or guardian can best assist the school and the pupil in improving the pupil's performance.

## **SCHOOL RULES AND DISCIPLINE**

**Student Conduct:** The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. On school grounds and at school activities, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program. The district's policy on conduct can be found in Appendix C of this booklet.

**Bullying:** The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and believes that all students have a right to a safe and healthy school environment. The district's policy on bullying can be found in Appendix D of this booklet. Also included is information on our "CyberBullyingHotline."

**Rules and Procedures on School Discipline (EC 35921):** Rules pertaining to student discipline, including those that govern suspension or expulsion are set forth in Education Code Sections 48900 and following, and are available upon request from the school. In addition, the following disciplinary information is provided to parents:

- **Duty Concerning Conduct of Pupils (EC 44807):** Every teacher shall hold pupils accountable for their conduct on the way to and from school, and on the playground.
- **Duties of Pupils (5 CCR 300):** Pupils must conform to school regulations, obey all directions, be diligent in study, be respectful of teachers/others in authority, and refrain from profane/vulgar language.

**Parent's Liability (EC 48904, Civil Code 1714.1):** Parents or guardians are liable for all damages caused by any student's misconduct that results in injury or death to other students or school personnel, or causes damages to school property. Parents are also liable for any school property loaned to a student and not willfully returned. Following due process procedures, the school district may withhold the grades, diplomas, or transcripts of the student until such damages are paid, or the property returned, or until completion of a voluntary work program in lieu of payment of monetary damages.

**Parent Responsibility:** Per EC 48900, if a teacher suspends a student, the teacher may require the child's parent to attend a portion of the school day in his/her child's classes. Employers may not discriminate against parents who are required to comply with this requirement.

**Cellular Phones:** See Appendix C.

**Dress Code:** Students will wear clothing appropriate for the promotion of an effective educational program that provides for student safety and health and avoids distraction to the educational process. A student who goes to school without meeting minimum guidelines or without proper attention having been given to personal cleanliness or neatness of dress may be sent home to be properly prepared for school, or shall be required to prepare him/herself for the school room before entering.

**Gang Symbols:** The Board prohibits the presence of any apparel, jewelry, accessory, notebook, or manner of grooming which, by virtue of its color, arrangement, trademark or any other attribute, denotes membership in gangs which advocate drug use, violence, or disruptive behavior. This policy shall be applied at the principal's discretion, after consultation with the Superintendent, as the need for it arises at individual school sites. (Board Policy 5136)

**Release of Student to Peace Officer:** When a school official releases a minor pupil from school to a peace officer for the purpose of removing the minor from the school premises, the school official shall immediately notify the parent, guardian, or responsible relative of the minor, except when a minor has been taken into custody as a victim of suspected child abuse. In those cases, the district shall provide the peace officer with the address and telephone number of the parent. The peace officer shall notify the parent or guardian.

**Student Search:** The school principal or designee may search the person of a student (including backpack, purse, bag, etc.) or the student's locker if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband. (U.S. Supreme Court Case: *New Jersey v. T.L.O.* (1985) 469 U.S. 325) See Appendix B for additional information.

Evidence that is gathered from video surveillance tape systems in posted areas is specifically admissible in discipline hearings, as no one has a reasonable expectation of privacy in those circumstances.

**Student Sexual Harassment:** Students in grades 4 through 12 may be suspended or expelled for sexual harassment. The district's policy on student sexual harassment can be found in Appendix A of this booklet.

## **SEXUAL HEALTH AND HIV/AIDS INSTRUCTION**

Parents/guardians shall be notified about instruction in comprehensive sexual health education and HIV/AIDS prevention education, as well as research on student health behaviors and risks, planned for the coming year. Please be advised that:

1. Written and audiovisual educational materials to be used in comprehensive sexual health and HIV/AIDS prevention education are available for inspection
2. Parents/guardians may request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. Parents/guardians have a right to request a copy of Education Code 51930-51939
4. Whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants. If the district chooses to use outside consultants or to hold an assembly with guest speakers to teach the comprehensive sexual health or HIV/AIDS prevention education, the notification shall include:
  - a. The date of the instruction
  - b. The name of the organization or affiliation of each guest speaker
  - c. Information stating the right of the parent/guardian to request a copy of Education Code 51933-51934. If the arrangements for the outside consultants or guest speakers are made after the beginning of the school year, the district shall notify parents/guardians by mail or another commonly used method of notification no fewer than 14 days before the instruction is given.

Upon written request, a parent/guardian may excuse his/her child from participating in comprehensive sexual health or HIV/AIDS prevention education. Students so excused by their parents/guardians shall be given an alternative educational activity. A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit the student to receive the instruction.

## **STUDENT SERVICES**

**Services to Disabled Pupils:** The district will provide special education services or provide the opportunity for students to attend county-operated special education classes. If you have reason to believe that your child (ages 0-21 years) has a disability that requires special services or accommodations, bring this to the attention of the school office. Your child will be evaluated to determine whether he/she is eligible for special instruction or services.

**Student Lunch/Breakfast Program:** A lunch/breakfast program is available to the students of the district. Free or reduced-price meals will be provided for those students who are determined eligible. Information will be distributed regarding eligibility

## Appendix A

### **SEXUAL HARASSMENT STUDENTS**

### **BP 5145.7**

The Governing Board is committed to maintaining an educational environment that is free from harassment and discrimination. 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.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1312.3 - Uniform Complaint Procedures)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

#### 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 persons of the same gender and could involve sexual violence
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
4. Information about the person(s) to whom a report of sexual harassment should be made

(cf. 5131.5 - Vandalism, Theft and Graffiti) (cf. 5137 - Positive School Climate)

(cf. 5141.41 - Child Abuse Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment) (cf. 6142.1 - Family Life/Sex Education)

5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable

#### Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment on school grounds or at a school-sponsored or school-related activity (e.g., by a visiting athlete or coach) 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.

(cf. 1312.1 - Complaints Concerning District Employees) (cf. 5141.4 - Child Abuse Prevention and Reporting)

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.

Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged harasser; sexual harassment also may be considered a violation of laws relating to child abuse.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5141.4 - Child Abuse Reporting Procedures)

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.

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 5141.4 - Child Abuse Reporting Procedures) (cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

#### Disciplinary Measures

Any student who engages in sexual harassment or sexual violence 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 4 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.

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

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

#### Confidentiality and 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. (5 CCR 4964)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

#### *Legal Reference:*

##### *EDUCATION CODE*

*200-262.4 Prohibition of discrimination on the basis of sex*

*48900 Grounds for suspension or expulsion*

*48900.2 Additional grounds for suspension or expulsion; sexual harassment*

*48904 Liability of parent/guardian for willful student misconduct*

*48980 Notice at beginning of term*

##### *CIVIL CODE*

*51.9 Liability for sexual harassment; business, service and professional relationships*

*1714.1 Liability of parents/guardians for willful misconduct of minor*

##### *CODE OF REGULATIONS, TITLE 5*

*4600-4687 Uniform complaint procedures*

*4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance*

##### *UNITED STATES CODE, TITLE 20*

*1681-1688 Title IX, Discrimination*

##### *UNITED STATES CODE, TITLE 42*

*1983 Civil action for deprivation of rights*

*2000d-2000d-7 Title VI, Civil Rights Act of 1964*

*2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended*

##### *CODE OF FEDERAL REGULATIONS, TITLE 34*

*106.1-106.71 Nondiscrimination on the basis of sex in education programs*

##### *COURT DECISIONS*

*Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567*

*Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130 Reese v. Jefferson School District, (2001) 208 F.3d 736*

*Davis v. Monroe County Board of Education, (1999)*

*526 U.S. 629 Gebser v. Lago Vista Independent School District, (1998)*



*118 S.Ct. 1989 Doe v. Petaluma City School District, (1995, 9th Cir.)*

*54 F.3d 1447 Oona R.-S. etc. v. Santa Rosa City Schools et al, (1995) 890 F.Supp. 1452*

ManagementResources:

**CSBAPUBLICATIONS**

*Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011*

*Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010 OFFICE OF CIVIL RIGHTS' PUBLICATIONS*

*Sexual Harassment: It's Not Academic, September 2008 Revised Sexual Harassment Guidance, January 2001*

**WEBSITES**

OCR: <http://www.ed.gov/offices/OCR>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

adopted: June 21, 2012

**SIERRA SANDS UNIFIED SCHOOL DISTRICT**  
**Ridgecrest, California**

## **Sexual Harassment Students**

## **AR 5145.7 (a)**

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

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance, or of creating an intimidating, hostile or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations or propositions
2. Sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversation
4. Unwelcome sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-gender class
7. Massaging, grabbing, fondling, stroking or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking normal movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion

### **Notifications**

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

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

(cf. 5145.6 - Parental Notifications)

2. Be displayed in a prominent location in the main administrative building or other area where notices

of district rules, regulations, procedures and standards of conduct are posted, including school web sites (Education Code 231.5)

3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations School-Level Complaint Process/Grievance

#### Procedure

Complaints of sexual harassment, or any behavior prohibited by the district's Nondiscrimination/Harassment policy - BP 5145.3, shall be handled in accordance with the following procedure:

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the district Coordinator for Nondiscrimination/Principal. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Coordinator/Principal, whether or not the victim files a complaint.

In any case of sexual harassment involving the Coordinator/Principal to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Superintendent or designee.

2. Initiation of Investigation: The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

3. Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Coordinator/Principal shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.
4. Investigation Process: The Coordinator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Coordinator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Coordinator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to

have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

5. Interim Measures: The Coordinator/Principal shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. Optional Mediation: In cases of student-on-student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Principal may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.

(cf. 5138 - Conflict Resolution)

7. Factors in Reaching a Determination: In reaching a decision about the complaint, the Coordinator/Principal may take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of any past instances of harassment by the alleged harasser
  - e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Coordinator/Principal may take into consideration:

- a. How the misconduct affected one or more students' education
  - b. The type, frequency, and duration of the misconduct
  - c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
  - d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
  - e. The size of the school, location of the incidents, and context in which they occurred
  - f. Other incidents at the school involving different students
8. Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the Coordinator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator/Principal shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Coordinator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Coordinator/Principal shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

#### Enforcement of District Policy

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti. (cf. 5131.5 - Vandalism and Graffiti)
2. Providing staff in-service and student instruction or counseling, training to students, staff, and parents/guardians about how to recognize harassment and how to respond

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

5. Taking appropriate disciplinary action. In addition, the principal or designee may take disciplinary measures against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

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

Regulation:  
approved: June 21, 2012

**SIERRA SANDS UNIFIED SCHOOL DISTRICT**  
**Ridgecrest, California**

## **APPENDIX B**

### **Students**

#### **Search and Seizure**

BP 5145.12 (a)

The Governing Board is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, school officials may search students, their property, and/or district property under their control and may seize illegal, unsafe, or otherwise prohibited items.

(cf. 0450 - Comprehensive Safety Plan) (cf. 3515 - Campus Security)  
(cf. 3515.3 - District Police/Security Department) (cf. 5131 - Conduct)  
(cf. 5131.7 - Weapons and Dangerous Instruments) (cf. 5144.1 - Suspension and Expulsion/Due Process)

The Board urges that employees exercise discretion and good judgment. When conducting a search or seizure, employees shall act in accordance with law, Board policy, and administrative regulation.

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the district's policy and administrative regulation and other legal issues, as appropriate.

(cf. 4131 - Staff Development) (cf. 4231 - Staff Development) (cf. 4331- Staff Development)

#### **Individual Searches**

School officials may search any individual student, his/her property, or district property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board policy, administrative regulation, or other rules of the district or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on district property, cellular phones, or other electronic communication devices.

Any search of a student, his/her property, or district property under his/her control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two district employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement) Searches of Multiple Student Lockers/Desks

All student lockers and desks are the property of the district. The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

Because lockers and desks are under the joint control of the student and the district, school officials shall have the right and ability to open and inspect any school locker or desk without student permission or prior notice when they have reasonable suspicion that the search will uncover evidence of illegal possessions or activities or when odors, smoke, fire and/or other threats to health, welfare or safety emanate from the locker or desk.

Use of Metal Detectors

The Board believes that the presence of weapons in the schools threatens the district's ability to provide the safe and orderly learning environment to which district students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

The Superintendent or designee shall use metal detectors at district schools as necessary to help provide a safe learning environment. The Superintendent or designee shall establish procedures that ensure that metal detector searches are conducted in a consistent manner that minimizes or eliminates arbitrary and capricious enforcement by school officials.

Use of Contraband Detection Dogs

In an effort to keep the schools free of dangerous contraband, the district may use specially trained, nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy.

The dogs may sniff the air around lockers, desks, or vehicles on district property or at district-sponsored events as long as they are not allowed to sniff within the close proximity of any students or other persons and may not sniff any personal items on those persons without their consent.

Legal Reference: EDUCATION CODE

32280-32288 School safety plans 35160 Authority of governing boards

35160.1 Broad authority of school districts

48900-48927 Suspension and expulsion

49050-49051 Searches by school employees

49330-49334 Injurious objects

PENAL CODE

626.9 Firearms

626.10 Dirks, daggers, knives or razor

CALIFORNIA CONSTITUTION

Article I, Section 28(c) Right to Safe Schools

COURT DECISIONS

Redding v. Safford Unified School District, (9th Cir. 2008) 531 F.3d 1071

B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

Jennings v. Joshua Independent School District, (5th Cir. 1989)

877 F.2d 313 O'Connor v. Ortega, (1987) 107 S.Ct. 1492

New Jersey v. T.L.O., (1985) 469 U.S. 325 Horton v. Goose Creek Independent School District, (5th Cir.

1982) 690 F.2d 470 Zamora v. Pomeroy, (10th Cir. 1981) 639 F.2d 662

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 257 (2000)

75 Ops.Cal.Atty.Gen. 155 (1992)

Management Resources:

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999

WEB SITES

CSBA: <http://www.csba.org>

California Attorney General's Office: <http://caag.state.ca.us>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss> National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

Policy

adopted: May 15, 2014

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California



## **Students Search and Seizure**

AR 5145.12 (a)

### **Use of Metal Detectors**

The Superintendent or designee shall ensure that the following safeguards are used when making metal detector scans:

1. Before walk-through, students shall be asked to empty their pockets and belongings of metallic objects.
2. If an initial metal detector activation occurs, students shall be asked to remove other metallic objects that they may be wearing (e.g., belt and jewelry) and to walk through a second time.
3. If a second activation occurs, a hand-held metal detector shall be used.
4. If the activation is not eliminated or explained, staff shall escort the student to a private area where an expanded search shall be conducted by a staff member of the same gender as the student in the presence of another district employee.
5. The search shall be limited to the detection of the cause of the activation. Use of Contraband Detection Dogs

Contraband detection dogs shall not be used in classrooms or other district facilities when the rooms are occupied, except for demonstration purposes,—with the handler present. When used for demonstration purposes, the dog shall be separated from the students and not allowed to sniff any individual.

Prior to conducting an inspection, students shall be asked to leave the room that will be subject to the canine sniff. No student shall be forced to leave personal items behind for inspection, unless school officials have reasonable suspicion to search the item.

Only the dog's official handler shall determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place, or responsibility for it, shall be called to witness the inspection. If a dog alerts on a locked vehicle, the student who brought the vehicle onto district property shall be asked to unlock it for inspection.

(cf. 5131.6 - Alcohol and Other Drugs)

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

### **Notifications**

At the beginning of each school year and upon enrollment, the Superintendent or designee shall inform students and parents/guardians about the district's policies and procedures for searches, including notice regarding:

1. The possibility of random searches of students, their belongings, their vehicles parked on district property, and district properties under a student's control, including lockers or desks
2. The district's contraband dog detection program
3. The use of metal detector scans

In addition, the Superintendent or designee shall ensure that signs are posted at all schools at which metal detectors are to be used to explain that anyone may be scanned by metal detector for guns, knives, or other illegal weapons when on campus or attending athletic or extracurricular events.

Regulation

approved: May 15, 2014

SIERRA SANDS UNIFIED SCHOOL DISTRICT

Ridgecrest, California

## APPENDIX C

### Student Use of Technology

BP 6163.4(a)

#### Instruction

The Governing Board intends that technological resources provided by the district be used in a safe, responsible and proper manner in support of the instructional program and for the advancement of student learning.

*(cf. 0440 - District Technology Plan)*

*(cf. 1113 - District and School Web Sites) (cf. 4040 - Employee Use of Technology)*

*(cf. 6163.1 - Library Media Centers)*

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computer, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Agreement.

*(cf. 5125.2 - Withholding Grades, Diploma or Transcripts) (cf. 5144 - Discipline)*

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

*(cf. 5144.2 - Suspension and Expulsion/Due Process: Students with Disabilities) (cf. 5145.12 - Search and Seizure)*

Before a student is authorized to use the district's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

*(cf. 6162.6 - Use of Copyrighted Materials)*

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the district's technological resources and to help ensure that the district adapts to changing technologies and circumstances.

#### Use of District Computers for Online Services/Internet Access

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced. (20 USC 6777 2441; 47 USC 254)

The Board desires to protect students from access to harmful matter on the Internet or other on-line services. 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. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

The Superintendent or designee also shall establish regulations to address the safety and security of students and student information when using electronic mail, blogs, chat rooms and other forms of direct electronic communication.

The Superintendent or designee shall provide age-appropriate instruction regarding safe and

appropriate behavior on social networking sites, chat rooms, blogs 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 cyberbullying awareness and how to respond when subjected to cyberbullying.

The use of educational social networking sites will be at the discretion of the principal or designee. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access.

Disclosure, use and dissemination of personal identification information regarding students is prohibited.

*Legal Reference: EDUCATION CODE*

*51006 Computer education and resources*

*51007 Programs to strengthen technological skills*

*51870-51874 Education Technology*

*60044 Prohibited instructional materials*

*PENAL CODE*

*313 Harmful matter*

*502 Computer crimes, remedies*

*632 Eavesdropping on or recording confidential communications*

*653.2 Electronic communication devices, threats to safety*

*UNITED STATES CODE, TITLE 15*

*6501-6506 Children's Online Privacy Protection Act*

*UNITED STATES CODE, TITLE 20*

*6751-6777 Enhancing Education Through Technology Act, No Child Left Behind Act, Title II, Part D*

*6777 Internet safety*

*UNITED STATES CODE, TITLE 47*

*254 Universal service discounts (E-rate)*

*CODE OF FEDERAL REGULATIONS, TITLE 16*

*312.1-312.12 Children's online privacy protection*

*CODE OF FEDERAL REGULATIONS, TITLE 47*

*54.520 Internet safety policy and technology protection measures, E-rate discounts*

*Management Resources: CDE PUBLICATIONS*

*Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007 FEDERAL TRADE COMMISSION PUBLICATIONS*

*How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000 MY SPACE.COM PUBLICATIONS*

*The Official School Administrator's Guide to Understanding MySpace and Resolving Social Networking Issues*

*WEB SITES*

*CSBA: <http://www.csba.org>*

*American Library Association: <http://www.ala.org>*

*California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov> California*

*Department of Education: <http://www.cde.ca.gov>*

*Center for Safe and Responsible Internet Use: <http://csriu.org> Federal Communications Commission:*

*<http://www.fcc.gov> Federal Trade Commission, Children's Online Privacy Protection:*

*<http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>*

*U.S. Department of Education: <http://www.ed.gov> Web Wise Kids: <http://www.webwisekids.org>*

**Instruction**

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. All instructional staff shall receive a copy of this administrative regulation, the accompanying Board policy, and the district's Acceptable Use Agreement describing expectations for appropriate use of the system and shall also be provided with information about the role of staff in supervising student use of technological resources. All students using these resources shall receive instruction in their proper and appropriate use.

*(cf. 0440 - District Technology Plan)*

*(cf. 4040 - Employee Use of Technology)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development) (cf. 4331 - Staff Development)*

Teachers, administrators, and/or library media specialists shall prescreen technological resources and online sites that will be used for instructional purposes to ensure that they are appropriate for the intended purpose and the age of the students.

*(cf. 6163.1 - Library Media Centers)*

At the beginning of each school year, parents/guardians can access a copy of the district's policy and administrative regulation regarding access by students to the Internet and online sites on the district website in the Rights and Responsibilities Handbook for Parents and Students. (Education Code 48980)

*(cf. 5145.6 - Parental Notifications)*

**On-Line/Internet Services: User Obligations and Responsibilities**

Students are authorized to use district equipment to access the Internet or on-line services in accordance with user obligations and responsibilities specified below and in accordance with Governing Board policy and the district's Acceptable Use Agreement.

1. The student, in whose name an online services account is issued, is responsible for its proper use at all times. Students shall keep personal account information and passwords, home addresses and telephone numbers private. They shall use the system only under their own username.

2. Students shall use the district's system only safely, responsibly, and primarily for educational purposes. The district reserves the right to monitor any on-line communications for improper use.

3. Students shall not access, post, submit, publish or display harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment, cyberbullying or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion or political beliefs.

*(cf. 5131 - Conduct)*

*(cf. 5145.3 - Nondiscrimination/Harassment) (cf. 5145.7 - Sexual Harassment)*

*(cf. 5145.9 - Hate-Motivated Behavior)*

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

4. Unless otherwise instructed by school personnel, students shall not disclose, use or disseminate personal identification information about themselves or others when using electronic mail, chat rooms, blogs or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians.

Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.

5. Students shall not use the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy, administrative regulations.

*(cf. 3513.3 - Tobacco-Free Schools)*

*(cf. 5131.6 - Alcohol and Other Drugs)*

6. Students shall not use the system to engage in political, commercial or other for-profit activities.

7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.

8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.

*(cf. 5131.9 - Academic Honesty)*

*(cf. 6162.6 - Use of Copyrighted Materials)* Students shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."

*(cf. 5131.5 - Vandalism, Theft and Graffiti)*

9. Students shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail use another individual's identity.

10. Students shall report any security problem or misuse of the services to the teacher or principal.

The district reserves the right to monitor use of the district's systems for improper use without advance notice or consent. Students shall be informed that computer files and electronic communications, including email, are not private and may be accessed by the district for the purpose of ensuring proper use.

*(cf. 5145.12 - Search and Seizure)*

Whenever a student is found to have violated Board policy, administrative regulation, or the

district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

The principal or designee shall make all decisions regarding whether or not a student has violated Board policy or the district's Acceptable Use Agreement. The decision of the principal or designee shall be final.

*(cf. 5144 - Discipline)*

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

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

Regulation  
approved:  
July 19, 2012

**SIERRA SANDS UNIFIED SCHOOL DISTRICT**

**Ridgecrest, California**

## APPENDIX D

### Students

#### Conduct

#### BP 5131 (a)

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. On school grounds, going to or coming from school, at school activities, or using district transportation, students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate) (cf.

6145.2 - Athletic Competition)

Behavior is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful towards their teachers, other staff, students and volunteers.

(cf. 5131.1 - Bus Conduct)

(cf. 5137 - Positive School Climate)

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district policies and administrative regulations.

Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats

(cf. 5131.7 - Weapons and Dangerous Instruments) (cf.

5142 - Safety)

2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual harassment, hate-motivated behavior, cyberbullying, hazing or initiation activity, ridicule, extortion, or any other verbal, written or physical conduct accordance with the section entitled "Bullying/Cyberbullying below:

"Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the internet, social networking sites, or other digital technologies using a telephone, computer or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.

(cf. 5131.2 – Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

3. Conduct that disrupts the orderly classroom or school environment

(cf. 5131.4 - Student Disturbances)

4. Willful defiance of staff's authority

5. Damage to or theft of property belonging to the district, staff or students

(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 5131.5 - Vandalism, Theft and Graffiti)

The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.

6. Possession or use of laser pointers, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27)

Prior to bringing a laser pointer on school premises, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

7. Obscene acts or use of profane, vulgar or abusive language  
(cf. 5145.2 - Freedom of Speech/Expression)

8. Plagiarism or dishonesty in school work or on tests  
(cf. 5131.9 - Academic Honesty)  
(cf. 6162.54 - Test Integrity/Test Preparation) (cf.  
6162.6 - Use of Copyrighted Materials)

9. Inappropriate dress

(cf. 5132 - Dress and Grooming)

10. Tardiness and unexcused absence from school  
(cf. 5113 - Absences and Excuses)  
(cf. 5113.1 – Chronic Absence and Truancy)

11. Failure to remain on school premises in accordance with school rules  
(cf. 5112.5 - Open/Closed Campus)

12. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drug in violation of school rules.

(cf. 5131.6 - Alcohol and Other Drugs) (cf.  
5131.62 - Tobacco)  
(cf. 5131.63 - Steroids)

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.  
(cf. 5145.12 - Search and Seizure)

#### Possession of Cellular Phones and Other Electronic Signaling Devices

Students in grades K-5 may not possess or use electronic communication devices except at the discretion of the principal.



Students in grades 6-12 may possess and use electronic communication devices on school property and at school-sponsored activities subject to the following:

1. All electronic communication devices must be turned off during the official instructional day as established by the school administration. These devices may be used before and after the official instructional day. Students in grades 9 - 12 may also use electronic communication devices during the school's scheduled lunch period.
2. It is the student's responsibility to ensure that their devices are turned off and secured at all times.

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. If a student wishes to use an electronic communication device at an unauthorized time for medical purposes, his/her parent or guardian must submit a written request for permission to the school principal or designee to determine the validity of the request. (Education Code 48901.5)

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

The district is not responsible for lost, stolen, or damaged electronic communication devices or any charges incurred as a result.

### **Enforcement of Standards**

Students who violate district or school rules and regulations may be subject to discipline, including but not limited to suspension, expulsion or transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities or other privileges in accordance with Board policy and administrative regulation. The superintendent or designee shall notify local law enforcement as appropriate.

(cf. 1020 - Youth Services)  
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools) (cf.  
5020 - Parent Rights and Responsibilities)  
(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf.  
6020 - Parent Involvement)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6159.4 - Behavioral Interventions for Special Education Students) (cf.  
6164.2 - Guidance/Counseling Services)  
(cf. 6164.5 - Student Success Teams) (cf.  
6184 - Continuation Education) (cf.  
6185 - Community Day School)

Students also may be subject to discipline, in accordance with law, Board policy, or administrative regulation, for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts school activities

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination 32261

Bullying  
 35181 Governing board policy on responsibilities of students  
 35291-35291.5 Rules  
 44807 Duty concerning conduct of students 48900-  
 48925 Suspension or expulsion, especially: 48908  
 Duties of students  
 51512 Prohibition against electronic listening or recording device in classroom without permission  
 CIVIL CODE  
 1714.1 Liability of parents and guardians for willful misconduct of minor  
 PENAL CODE  
 288.2 Harmful matter with intent to seduce  
 313 Harmful matter  
 417.25-417.27 Laser scope or laser pointer  
 647 Use of camera or other instrument to invade person's privacy; misdemeanor  
 653.2 Electronic communication devices, threats to safety  
 VEHICLE CODE  
 23123-23124 Prohibitions against use of electronic devices while driving  
 CODE OF REGULATIONS, TITLE 5  
 300-307 Duties of students  
 UNITED STATES CODE, TITLE 42  
 2000h-2000h6 Title IX, 1972 Education Act Amendments UNITED  
 STATES CODE, TITLE 47  
 2000h-2000h6 Title IX, 1972 Education Act Amendments COURT  
 DECISIONS  
 J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094 LaVine v.  
 Blaine School District, (2000, 9th Cir.) 257 F.3d 981  
 Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088  
 Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675  
 New Jersey v. T.L.O., (1985) 469 U.S. 325  
 Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503  
 Management Resources: CSBA PUBLICATIONS  
 Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011  
 Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010  
 Management Resources (con't):  
 Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007 CALIFORNIA  
 DEPARTMENT OF EDUCATION PUBLICATIONS  
 Bullying at School, 2003 WEB  
 SITES  
 CSBA: <http://www.csba.org>  
 California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss> Center  
 for Safe and Responsible Internet Use: <http://cyberbully.org>  
 National School Boards Association: <http://www.nsba.org> National  
 School Safety Center: <http://www.schoolsafety.us>  
 U.S. Department of Education: <http://www.ed.gov>

Policy  
 adopted: May 16, 2013

SIERRA SANDS UNIFIED SCHOOL DISTRICT  
 Ridgecrest, California

## APPENDIX E

### Students- Bullying

BP 5131.2 (a)

The Sierra Sands Unified School District recognizes the harmful effects of bullying on student learning and school attendance and believes that all students have a right to a safe and healthy school environment. The district, schools, and community have an obligation to promote mutual respect, tolerance, and acceptance.

The Sierra Sands Unified School District will not tolerate behavior that infringes on the safety of any student. No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel. Such behavior also includes direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation.

(cf. 5131 – Conduct)

(cf. 5136 – Gangs)

(cf. 5145.3 – Nondiscrimination/Harassment) (cf.

5145.7 – Sexual Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 – Freedom of Speech/Expression)

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administration regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

(cf. 0420 – School Plans/Site Councils) (cf.

0450 – Comprehensive Safety Plan) (cf.

1220 – Citizen Advisory Committees)

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

6020 – Parent Involvement)

### Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)

(cf. 6164.2 - Guidance/Counseling Services)

To ensure bullying does not occur on school campuses, the Sierra Sands Unified School District will provide staff development training on bullying prevention including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 4131 - Staff Development)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)  
(cf. 6163.4 – Student Use of Technology)  
(cf. 6142.8 – Comprehensive Health Education) (cf.  
6142.94 – History – Social Science Instruction)

### ***Intervention***

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

The Sierra Sands Unified School District expects students and/or staff to immediately report incidents of bullying to the principal or designee. Staff is expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying should be promptly investigated. This policy applies to students on school grounds; while traveling to and from school or a school-sponsored activity; during the lunch period, whether on or off campus; and during a school-sponsored activity.

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Based on assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms and cafeterias.

Each school will adopt a Student Code of Conduct to be followed by every student while on school grounds, or when traveling to and from campus or a school-sponsored activity, and during lunch period, whether on or off campus.

The Student Code of Conduct shall include, but is not limited to:

1. Any student who engages in bullying or cyberbullying may be subject to disciplinary actions up to and including expulsion.
2. Students are expected to immediately report incidents of bullying or cyberbullying to the principal or designee.
3. Students can rely on staff to promptly investigate each complaint of bullying or cyberbullying in a thorough and confidential manner.
4. If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the principal or the Coordinator of Pupil Support Services. The school district prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bully behavior shall include, but are not limited to the

following:

1. All staff, students, and their parents will receive a summary of this policy prohibiting bullying at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school district's notification to parents.
2. The school will make reasonable efforts to keep a report of bullying/cyberbullying and the results of the investigation confidential.
3. Staff is expected to immediately intervene when they see a bullying incident occur.
4. People witnessing or experiencing bullying are encouraged to report the incident to school staff. Such reporting will not reflect on the victim or witnesses in any way.

### Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

### ***Discipline***

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 5144 – Discipline)

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

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

(cf. 6159.4 – Behavioral Interventions for Special Education Students)

### **Bullying Students**

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination 32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students 35291-35291.5 Rules

48900-48925 Suspension or expulsion 48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate) COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094 Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012 Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008 Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS

PUBLICATIONS Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

CSBA: <http://www.csba.org>

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office:

<http://www.cde.ca.gov/lr/ss> Center for Safe and Responsible Internet Use:

<http://cyberbully.org>

National School Boards Association:

<http://www.nsba.org> National School Safety Center:

<http://www.schoolsafety.us>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

Adopted: May 16, 2013

**SIERRA SANDS UNIFIED SCHOOL DISTRICT**

**Ridgecrest, California**

## APPENDIX F

# Board Policy

## Parent Involvement

BP 6020

### Instruction

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles, and activities to support learning at home.

(cf. 0420-School Plans/Site Councils)  
(cf. 0420.1-School-Based Program Coordination)  
(cf. 0420.5-School-Based Decision Making)  
(cf. 0520.1-High Priority School Grant Program)  
(cf. 0520.2-Title I Program Improvement Schools)  
(cf. 1220-Citizen Advisory Committees)  
(cf. 1230-School-Connected Organizations)  
(cf. 1240-Volunteer Assistance)  
(cf. 1250-Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020-Parent Rights and Responsibilities)  
(cf. 5145.6-Parental Notifications)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

(cf. 0500-Accountability)

### Title I Schools

Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program (Education Code 11503)

(cf. 6171-Title I Programs)

The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 6318 (20 USC 6318)

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities. (20 USC 63118)

(cf. 3100-Budget)

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent involvement policy in accordance with 20 USC 6318.

## Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

### Legal Reference:

#### EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

64001 Single plan for student achievement

#### LABOR CODE

230.8 Time off to visit child's school

#### UNITED STATES CODE, TITLE 20

6311 Parental notice of teacher qualifications and student achievement

6312 Local educational agency plan

6314 Schoolwide programs

6316 School improvement

6318 Parent involvement

#### CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

### Management Resources:

#### CSBA PUBLICATIONS

Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services  
Policy Briefs, August 2006

#### STATE BOARD OF EDUCATION POLICIES

89-01 Parent Involvement in the Education of Their Children, rev. 1994

#### U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE

Parental Involvement: Title I, Part A, April 23, 2004

#### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Family, School, Community Partnerships: <http://www.cde.ca.gov/ls/pf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National PTA: <http://www.pta.org>

No Child Left Behind: <http://www.ed.gov/nclb>

Parent Information and Resource Centers: <http://www.pirc-info.net>

Parents as Teachers National Center: <http://www.parentsasteachers.org>

U.S. Department of Education: <http://www.ed.gov>

Policy SIERRA SANDS UNIFIED SCHOOL DISTRICT

adopted: October 16, 2008 Ridgecrest, California



## APPENDIX G

### Community Relations

BP1311(a)

#### Civility

The Board of Education believes that the Sierra Sands District staff will treat all community members with respect and will expect the same in return. The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds.

This policy promotes mutual respect, civility, and orderly conduct among district employees, parents, and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free work place for our students and staff. In the interest of presenting district employees as positive role models to the children of this district as well as the community, SSUSD encourages positive communication, and discourages volatile, hostile, or aggressive actions. The district seeks public cooperation with this endeavor.

(cf. [0410](#) - *Recognition of Human Diversity*)

#### Disruptions

1. Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff, willfully causes property damage; uses loud and/or offensive language, which would provoke a violent reaction; displays argumentative, demeaning and/or insulting behavior at meetings towards other participants; or who has otherwise established a continued pattern of unauthorized entry on school district property, will be directed to leave school or school district property promptly by the superintendent or designee.

2. If any member of the public uses obscenities or speaks in a demanding, loud, insulting, and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the district employee will verbally notify the abusing party that the meeting, conference, or telephone conversation is terminated, and if the meeting or conference is on district premises, the offending person will be directed to leave promptly.

3. When an individual is directed to leave under such Paragraph 1 or 2 circumstances, the superintendent or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California Education Code [44811](#) and Penal Codes 415.5 and 626.7 if he/she reenters any district facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school. If an individual refuses to leave upon request or returns before the applicable period of time, the superintendent or designee may notify law enforcement officials. An Incident Report (copy attached) should be completed for the situations as set forth in paragraphs 1 and 2. (Exhibit 1311)

(cf. [5146](#) - *Campus Disturbance*)

(cf. [5146\(c\)](#) - *Disturbing the Peace*)

(cf. [9323](#) - *Meeting Conduct*)

**Safety and Security**

4. When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their principal or supervisor and complete an Incident Report. Employees and supervisors should complete an Incident Report and report to law enforcement any attack, assault, or threat made against them on school/district premises or at school/district-sponsored activities.

5. An employee whose person or property is injured or damaged by willful misconduct of a student, may ask the district to pursue legal action against the student or the student's parent/guardian.

**Documentation**

6. When it is determined by staff that a member of the public is in the process of violating the provisions of this policy, an effort should be made by staff to provide a written copy of this policy, including applicable code provisions, at the time of the occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident on the attached form.

*Legal Reference:**EDUCATION CODE**[32210](#) Disturbing School**[44014](#) Assault on Personnel**[44810](#) Person on School Grounds**[44811](#) Insults and Abuses **PENAL****CODE**[243.5](#) Arrest on School Grounds**[415.5](#) Fighting on School Grounds**[626.8](#) Entry of School by Person Not on Lawful Business**[627.7](#) Refusal to Leave School Grounds*

Policy

**Adopted: December 15, 2011****SIERRA SANDS UNIFIED SCHOOL DISTRICT****Ridgecrest, California**

In order to keep schools and administrative offices free from disruptions and to prevent unauthorized individuals from entering school or district grounds, procedures will be established to support a safe work place for students and staff. The intent of these procedures will be to promote mutual respect, civility, and orderly conduct among district employees, parents, and the public.

#### Disruptions

1. Members of the public who use obscenities or speak in a loud, argumentative, insulting, and/or demeaning manner will be calmly and politely reminded by district employees to communicate in a civil manner.
2. Members of the public who continue to speak in a demeaning manner will be politely notified that the meeting, conference, or telephone conversation is terminated. If the meeting or conference is on district property, the offending person will be directed to leave the premises.
3. The employee(s) involved in this situation will notify the site administrator of the situation.
4. Any individual who
  - a. disrupts or threatens to disrupt school/office operations
  - b. threatens school/office operations
  - c. threatens the health and safety of students or staff
  - d. willfully causes property damage
  - e. uses loud and/or offensive language, which would provoke a violent reaction
  - f. disrupts meetings by being argumentative, insulting, or demeaning to other participants.
  - g. has established a continued pattern of unauthorized entry on district property will be directed to leave district property by the school or district office administration.
5. A written report will be filed and faxed to the Assistant Superintendent of Human Resources within 24 hours of the incident.
6. If an individual refuses to leave upon request, the site or district office administrator may contact law enforcement officials. The superintendent or designee will be immediately notified if this occurs.

7. The superintendent or designee will inform the individual removed from district property that he/she will be guilty of a misdemeanor in accordance with California Education Code [44811](#) and Penal Code [415.5](#) and [626.7](#) if he/she reenters any district facility within 30 days after being directed to leave or within 7 days if the person is a parent/guardian of a student attending that school.

8. Employees will immediately report to site or district office administration any violence directed against the employee or an incident of property theft.

9. Law enforcement will be contacted by site or district office administration to report any attack, assault or threat made against an employee while on district premises or at district-sponsored activities.

10. An effort will be made to provide the public with a copy of the Civility Policy if a violation of this policy occurs.

Regulation

Approved: December 15, 2011

**SIERRA SANDS UNIFIED SCHOOL DISTRICT**

**Ridgecrest, CA 93555**



Whether it is physical or verbal, whether it is done online or offline, or whether it happens before, during, or after school, one thing is for certain: bullying is wrong. To help in our bullying prevention efforts, the **Sierra Sands Unified School District** is implementing the CyberBully Hotline from SchoolReach. The purpose of this program is to create an anonymous, two-way means for students, parents, guardians and others to report incidents of bullying, harassment, intimidation and more.

The CyberBully Hotline Number will be posted at your school site. Text Message and Voice Calls (from Mobile Devices only) Received

#### **How it works:**

- The CyberBully Hotline can receive voice calls (from Mobile Devices only) and text messages. To send a voice call, simply dial the number and leave your message after the short greeting. To text, enter the number, followed by the text message. The service is operational 24/7/365.

#### **Who receives the messages?**

- A designated school official receives the message directly. No one else reads or sees the messages.

#### **Is the system anonymous?**

- Yes. The caller ID of the sender is replaced with a randomly generated number that is used for message delivery and reporting only. No names or other information are associated with the received messages.
- The CyberBully Hotline gives us the ability to reply to text messages and have two-way anonymous conversations.
- **Please note:** We do not have the ability to reply to all voice messages, just those left from a mobile device. If you want a reply to a voice message, please call from a mobile or cellular device.
- Please also note that any criminal act being reported is subject to mandated reporting and the company (School Reach) does have the ability to identify the caller. For instance, bomb threats, and other such criminal reports are subject to mandated reporting and the person responsible for these calls could be criminally liable.

#### **What information should be sent?**

- Since the service is anonymous, we don't know who is sending the message. The more information we are given, the more help we can provide. Users are encouraged to provide as much information as possible or as much as they feel comfortable providing.
- As noted above, we can reply to messages and have an anonymous conversation

with the sender. We may ask for more information as necessary.

- If a CyberBully Hotline user is providing a tip on violence or harmful acts that are being planned by others, we ask that he or she immediately provide as much specific information as possible so we can ensure the safety of all students and faculty.
- Anyone who would like to leave a callback number, or his or her identity, is encouraged to do so.

PESTICIDE APPLICATION NOTIFICATION REGISTRATION 2014-15

Parents or staff members who wish to receive notification of individual pesticide applications at their school or work site must complete this registration form and return it to their school.

School Site/Facility: \_\_\_\_\_

Name of Staff Member: \_\_\_\_\_

OR

Name of Student: \_\_\_\_\_

Name of Parent/Guardian: \_\_\_\_\_

Home Phone #: \_\_\_\_\_ Work Phone #: \_\_\_\_\_

Address: \_\_\_\_\_



Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please fill out and sign the form, cut along the dotted line, and return the form to your school



## SIERRA SANDS UNIFIED SCHOOL DISTRICT

### Parent Acknowledgment



Education Code Section 48982 requires parents or guardians to sign and return this acknowledgment. Please complete this form and return it to the school with your son or daughter.

☐ ☐ ☐ ☐ ☐



Please fill out and sign the form, cut along the dotted line, and return the form to your child's school

By signing below, I am neither giving nor withholding my consent for my child/children to participate in any programs; I am merely indicating that I have received and read the "2014-15 Rights and Responsibilities Handbook for Parents and Students" regarding my rights relating to activities that might affect my child/children.



\_\_\_\_\_  
Signature of Parent/Guardian



\_\_\_\_\_  
Printed Name of Parent/Guardian

\_\_\_\_\_  
Date



\_\_\_\_\_  
Printed Name of Student(s)

\_\_\_\_\_  
Printed Name of Student(s)

