

# Fontana Unified School District

9680 Citrus Avenue • Fontana, CA 92335

## Annual Parent Notification 2019/2020



### **Board of Education**

Peter Garcia

Jason O'Brien

Mary B. Sandoval

Adam Perez

Marcelino "Mars" Serna

### **Superintendent**

Randal S. Bassett

Please sign the parent acknowledgement at the end of the book and return to the school.



# Fontana Unified School District

Every Student Successful | Engaging Schools | Empowered Communities

9680 Citrus Avenue • P. O. Box 5090 • Fontana • California 92334-5090 • (909) 357-5000 • [www.fusd.net](http://www.fusd.net)

Spring 2019

Dear Fontana Family,

Thank you for joining us in the partnership of educating your child. The Fontana Unified School District is committed to the goals of empowered communities, engaging schools, and success for every student. These goals require high standards for student learning and personal responsibility. We are committed to providing an environment where students can learn and realize their potential.

We thank you for taking the time to read this information, which will help you to join us in providing your child with an environment dedicated to learning. There are many ways to be involved, including knowledge of some of the key policies in the district. Please make sure to read, sign, and return the signature pages at the end of this document to your child's school. Education Code requires all parents to acknowledge that they have received this information. Also, you may want to review additional information about our district at [www.fusd.net](http://www.fusd.net).

We are honored to have the opportunity to work with you and your child. We understand that we, parents and school alike, are accountable to your student's learning. We encourage you to take an active part in your child's education. Your involvement is essential to your child's success.

Thank you again for reviewing this information. Have a wonderful and successful school year!

Sincerely,

Randal Bassett  
Superintendent

/sy

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**BOARD OF EDUCATION**

Peter Garcia  
Jason B. O'Brien  
Adam Perez  
Mary B. Sandoval  
Marcelino "Mars" Serna

**SUPERINTENDENT**

Randal S. Bassett





# FONTANA UNIFIED SCHOOL DISTRICT

Every Student Successful | Engaging Schools | Empowered Communities

**Fontana's Shared Vision:** Fontana Unified is a community united to ensure every student is prepared for success in college, career and life.

## **Core Values:**

- Teamwork and Respect
- Excellence and Achievement
- Responsibility and Accountability
- Equity and Opportunity
- Dedication and Commitment

## **Cornerstones for Success:**

**Every Student Successful:** *Schools demonstrate a relentless focus on preparing students for success in college, career and life.*

**Engaging Schools:** *Schools have the high-quality resources, leaders and teachers to provide the comprehensive learning environment required for a world class education.*

**Empowered Communities:** *Schools cultivate healthy environments and meaningful partnerships with families and communities to support student achievement in and out of school.*

July 31, 2019

Dear Parents/Guardians:

Your child is attending a school in the Fontana Unified School District which receives Title I federal funds through the Elementary and Secondary Education Act (ESEA). This Federal law requires that parents be notified of their right to know the professional qualifications of their child's teacher(s) in core academic subject areas, including the following:

1. The type of state credential or license that the teacher holds. Some teachers will have a credential in a particular subject area, such as English or mathematics, and others will have a multiple subject credential, which allows them to teach a variety of subjects, such as in elementary schools.
2. The education level and subject area of the teacher's college degree(s). All teachers have a bachelor's degree, and many teachers have graduate degrees beyond the bachelor's, such as a masters or doctoral degree.

In addition to the qualifications of the teacher, if a paraprofessional (teacher's aide) provides your child services, you may also request information about his or her qualifications. Many paraprofessionals have two years of college, and others have passed a test that verifies their qualifications.

If you would like this information, please contact the school office.

Sincerely,

Miki McCabe Inbody

Associate Superintendent of Teaching and Learning

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# Annual Notice to Parents/Guardians 2019/2020

This booklet contains basic information about the Fontana Unified School District, including your rights and responsibilities as a parent/guardian. It also contains information required by state and federal law. In this notification “parent” includes a parent or legal guardian. Please read through this information and keep it handy for reference throughout the school year.

**Education Code (EC) Section 48980** *et seq.* requires school districts to notify parents or guardians of their rights and responsibilities at the beginning of the academic year. EC 48982 requires parents or guardians to sign the notice and return it to the school. A signature on the notice is an acknowledgment by parents or guardians that they have been informed of their rights.

Some legislation requires additional notification to the parents or guardians during the school term. (A separate letter or notification will be sent to parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parent files with the principal of the school a statement in writing requesting that his or her child not participate.)

**Please sign the pages at the end of the booklet and return it to your child’s school promptly.  
EC 48982 requires an acknowledgment of receipt for each student.**

## **AB 329 Weber Sexual Health Education EC 231.5, 51934 and 51938**

The purpose of the California Healthy Youth Act (Education Codes 51390 through 51939) is to provide pupils (Grades 7 through 12) with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy. Education Code 51934 was amended to include information about adolescent relationship abuse, intimate partner violence and human trafficking. Students may also learn about potential risks and consequences of creating and sharing sexually suggestive or sexually explicit materials through cellular telephones, social networking Internet Web sites, computer networks, or other digital media.

The Fontana Unified School District will provide instruction in comprehensive sexual health education, HIV prevention education.

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV prevention education
3. Request a copy of Education Codes 51930 through 51939
4. Request in writing that their child not participate in any anonymous, voluntary, and confidential research and evaluations tools to measure pupils’ health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil’s attitudes concerning or practices relating to sex, may be administered to any pupil in grades 7 to 12.
5. Be informed whether the comprehensive sexual health or HIV prevention education will be taught by district personnel or outside consultants

6. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, to be informed of:
  - a) The date of the instruction
  - b) The name of the organization or affiliation of each guest speaker

**Absences for Religious Instruction EC 46014**

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at their respective places of worship. Each pupil shall attend at least the minimum school day and may be excused from school for such purpose on more than four days per school month.

**Administration of Prescribed Medication for Pupils EC 49423 and 49423.1**

Parents of a pupil on a continuing medication for a noncontagious condition shall inform the school of the medication, which include the method, amount and time schedules, kind, dosage, and name of the physician. With parent consent, the school may communicate with the physician to determine possible effects of the medication on the student's behavior and symptoms of any adverse side effects. Pupils may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken.

**Advanced Placement EC 52244**

Eligible high school students may receive financial assistance to cover the costs of the advanced placement examination fee or the International Baccalaureate examination fees, or both. Please contact the Superintendent's Office for information.

**Alternative Schools EC 58501**

California State law authorizes all school districts to provide for alternative schools. Education Code 58500 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/her desire to learn.
- c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- d) Maximize the opportunity for students, teachers, 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 Fontana Unified School District Superintendent's Office, has 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 for each district.

**Annual Notification of Parental Exception Waiver for Students in the EL Program**

California State law gives parents of an English Learner (EL) students the option to request placement of their child in an alternative bilingual program. To request placement in an alternative program, a parent must sign a parental exception waiver at their child's school each year. To qualify for a parental exception waiver a child must meet one of the following criteria:

- a) knows English and academically performs at least at the 5<sup>th</sup> grade level,
- b) is 10 years of age or older,
- c) is a student under 10 years of age, and has been placed in an English language classroom for 30 calendar days and special needs exist.

If a parent wishes to understand the reasons their child has been identified as limited English proficient and in need of placement in LEP, how that level was assessed, the status of the child's academic achievement or review program components and/or options and the parental exception waiver process or complete a parental exception waiver, a parent may contact their child's school site or the district office at 909-357-7600 Ext. 29339. 20USCS & 7012 (a) (8) (A)

**Arrest of Truants/School Attendance Review Boards EC 48263 and 48264**

The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from his/her home and who is absent from school without valid excuse with the county, city or school district. A student who is truant may be referred to a School Attendance Review Board (SARB).

**Asbestos Management Plan 40 CFR 763.93**

The Fontana Unified School District maintains and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact the Risk Management office at (909)357-7600, extension 29033.

**Assault/Threat on Employee EC 44014**

School officials are required to inform law enforcement personnel of an attack, assault, or physical threat against any employee by a pupil.

**Attendance**

Regular, punctual, and full-day attendance is an important prerequisite for a student to make a reasonable academic progress. State law mandates daily attendance at school until the age of eighteen and places primary responsibility for student attendance with the parent/guardian. No pupil is permitted to leave school at any time before the regular hour of closing without the approval of the school principal or designee.

**Avoiding Absences, Written Excuses**

The Fontana Unified School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments so that a student misses none or only a small portion of the school day. The district also asks that travel or other absences be avoided during the time school is in session. The higher the district's daily attendance rate, the more a student will learn and the greater the amount of funding that the district will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families which plan vacation around traditional holiday periods, and thereby minimize student absences.

Following an absence, a student is required to bring a written excuse from home when returning to school. Illnesses, doctor, and dental appointments are considered excused absences. Absences without an excuse are recorded as unexcused.

### **California Department of Education Sample Checklist for Parents when Children need Medication at School**

1. Talk to your child's doctor about making a medicine schedule so that your child does not have to take medicine while at school.
2. If your child is regularly taking medicine for an ongoing health problem, even if he or she only takes the medicine at home, give a written note to the school nurse or other designated school employee at the beginning of each school year. You must list the medicine being taken, the current amount taken, and the name of the doctor who prescribed it (EC 49480).
3. If your child must take medicine while at school, give the school a written note from you and a written note from your child's doctor or other health care provider, who is licensed to practice in California. Provide new, updated notes at the beginning of each school year and whenever there is any change in medicine, instructions, or doctor (EC 49423).
4. As a parent or guardian, you must supply the school with all medicine your child must take during the school day. You or another adult must deliver the medicine to school, except medicine your child is authorized to carry and take by him or herself.
5. All controlled medicine, like Ritalin, must be counted and recorded on a medicine log when delivered to the school. You or another adult who delivered the medicine should verify the count by signing the log.
6. Each medicine your child must be given at school must be in a separate container labeled by a pharmacist licensed in the United States. The container must list your child's name, doctor's name, name of the medicine, and instructions for when to take the medicine and how much to take.
7. Pick up all discontinued, outdated, and/or unused medicine before the end of the school year.
8. Know and follow the medicine policy of your child's school.

### **California Assessment of Student Performance and Progress (CAASPP)**

Each spring students in grades 3-8 and 11 participate in statewide assessments known as the California Assessment of Student Performance and Progress (CAASPP). As part of CAASPP, students will be administered the computer-based Smarter Balanced Assessment (SBA) or the California Alternate Assessment (CAA). All CAASPP testing will take place in the spring. The online assessments measure a student's achievement level in English language Arts/Literacy and mathematics.

Also, as part of the CAASPP assessments, students in grades 5, 8 and high school (grades 10, 11, or 12) will be administered an online science test, which will take place in the spring. These science assessments are also administered statewide and measure a student's achievement level in science.

Parents/guardians have the option to exempt their child from any or all parts of the state assessments described above. If you wish to exempt your child from these assessments, you must submit a yearly written request to your child's principal prior to testing.

### **California High School Exit Exam EC 51413**

With the passage of AB 830 the high school exit examination was eliminated and removes it as a condition of receiving a diploma of graduation or a condition of graduation from high school.

**California High School Proficiency Exam 5 CCR 11523**

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: [www.chspe.net](http://www.chspe.net).

**Child Abuse and Neglect Reporting PC 1164 et seq.**

Staff of the Fontana Unified School District is required by law to report cases of child abuse and neglect whenever staff have a reasonable suspicion. Staff may not investigate to confirm suspicion. Both the staff name and the report itself are confidential and cannot be disclosed except to authorized agencies.

**Child Abuse Prevention Training**

Whenever child abuse prevention training information is presented to students, parents are to be told in advance about these programs and may refuse to have their children participate in them.

**Child Safety on the Internet**

To protect child safety on the internet the District complies with federal and state laws including, but not limited to the Children's Internet Protection Act (CIPA), which means that the district uses Internet filters and blocks websites to protect children from harmful online content.

As part of the Fontana Unified School District, both students and parents need to understand the nature of the Internet and its available services. The Student Acceptable Use Agreement (SAUA) provides students and parents with the rules and guidelines set forth to insure the safety of all students wishing to use the Internet. Parents and students are asked to review and sign the SAUA annually to acknowledge their understanding of the responsible use of District Information Systems, including computers and the Internet. A complete copy of the SAUA plus additional resources regarding Online Internet Safety can be provided by calling (909) 357-7635, option 4.

**Community Day School EC 48915.01**

If the governing board of a school district has established a community day school pursuant to Section 48661 on the same site as a comprehensive middle, junior, or senior high school, or at any elementary school, the governing board does not have to meet the condition in paragraph (2) of subdivision (d) of Section 48915 when the board, pursuant to subdivision (f) of Section 48915, refers a pupil to a program of study and that program of study is at the community day school. All the other conditions of subdivision (d) of Section 48915 are applicable to the referral as required by subdivision (f) of Section 48915.

**Community Service EC 48900.6**

As part of or instead of disciplinary action prescribed by this article, the principal of a school, the principal's designee, the superintendent of schools or the governing board may require a pupil to perform community service on school grounds or, with written permission of the parent or guardian of the pupil, off school grounds, during the pupil's non-school hours. For the purposes of this section, "community service" may include, but is not limited to, work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs. This section does not apply if a pupil has been suspended, pending expulsion, pursuant to Section 48915. However, this section applies if

the recommended expulsion is not implemented or is, itself, suspended by stipulation or other administrative action.

### **Complaints about Programs, Employees, or Procedures**

The law requires the Fontana Unified School District to have a standard complaint process which is followed when persons have complaints against an employee, the district, materials, facilities, special education programs, or any program or policy. The complaint policies are listed on the District website and available by contacting the Superintendent's office.

It is our intent to resolve any complaint as quickly as possible; however, complaints consisting of serious allegations may require more extensive investigation and thus extend the timeline.

#### **Step 1: Informal Complaint**

Within seven (7) working days of the offense and prior to instituting a formal written complaint, the complainant shall first discuss the complaint with his/her supervisor or the principal of the school where the alleged act took place. Formal complaint procedures shall not be initiated until the complainant has first attempted to resolve the complaint informally. If the complaint is against complainant's immediate supervisor, complainant may proceed to Step 3 in the complaint process.

#### **Step 2: Site Level Formal Complaint Process**

If a complaint has not been satisfactorily resolved through the informal process in Step 1, the complainant may file a written complaint (using the "District Complaint Form") with his/her immediate supervisor or principal within twenty (20) working days of the offense. If the complaint is against complainant's immediate supervisor, complainant may proceed to Step 3 in the complaint process. If the complainant fails to file a written complaint within twenty (20) working days, the complaint shall be considered settled.

The written complaint shall include the nature of the problem, names, dates, locations, witnesses, the remedy sought by the complainant, and a description of informal efforts to resolve the issue. Within fifteen (15) working days of receiving the complaint, the immediate supervisor or principal shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint. Within ten (10) working days after the meeting, he/she shall prepare and send a written response to the complainant.

#### **Step 3: District Level Appeal**

If a complaint has not been satisfactorily resolved at Step 2, the complainant may submit the written complaint to the Superintendent or designee within five (5) working days of receipt of Step 2 response. Complainant shall include all information presented at Step 2.

Within thirty (30) working days of receiving the complaint, the Superintendent or designee shall begin any necessary investigation and meet with the complainant to resolve the complaint. Within ten (10) working days of completing the investigation, he/she shall prepare and send a written response to the complainant.

For questions or clarification, you may contact the Human Resources Department at 909-357-7600 x29046.

#### **Comprehensive Safe School Plan EC32280 et seq.**

Each Fontana Unified School District school site has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office. Fire and emergency drills are held periodically at each school.

**Compulsory Education EC 48200**

Each person between the ages of 6 and 18 years not exempted under the provisions of this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes and for the full-time designated as the length of the school day by the governing board of the school district in which the residence of either the parent or legal guardian is located.

Unless otherwise provided for in this code, a pupil shall not be enrolled for less than the minimum school day established by law.

**Concussion and Head Injuries EC 49475**

A concussion is a brain injury that can be caused by a bump, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

**Confidential Medical Services EC 46010.1**

School authorities may excuse students in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian.

**Consent to School Immunization Program EC 49403**

A district may administer immunizing agent to pupils, whose parents have consented in writing to the administration of such immunizing agent.

**Course Prospectus EC 489063 and 49091.14**

Please contact your child's school for a copy of the prospectus.

**Course of Study**

AB 167, 216, 365, 2306, 1806 and 2121 exempts students who are foster youth, Homeless, from a military family and or on probation that change schools after their second year of high school and are not able to reasonably meet local graduation requirements. Upon enrollment, the site will meet with the student and Educational Rights holder to determine eligibility within the first 30 days of enrollment. Under AB 2121 the provisions are



extended to a pupil who is a migratory child, as defined, **and** a pupil participating in an English language proficiency program for newly arrived immigrant pupils and who is in his or her 3<sup>rd</sup> or 4<sup>th</sup> year of high school.

### **Custody Issues**

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation which leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted, and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

### **Damage to Employee's Person/Property by Student EC 48905**

An employee of a school district whose person or property is injured or damaged by the willful misconduct of a pupil who attends school in such district, when the employee or the employee's property is (1) located on property owned by the district, (2) being transported to or from an activity sponsored by the district or school within the district, (3) present at an activity sponsored by such district or school, or (4) otherwise injured or damaged in retaliation for acts lawfully undertaken by the employee in execution of the employee's duties, may request the school district to pursue that legal action against the pupil who caused the injury or damage, or the pupil's parent or guardian pursuant to Section 48904.

### **Data Collection: Sexual Orientation**

Voluntary surveys already including questions pertaining to sexual orientation and gender identify cannot be removed.

### **Daytime Curfew Ordinance**

No minor who is subject to compulsory full-time education under State law shall loiter, idle, wander or be in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots or any other place away from his or her place of residence during those hours that his or her school is in session. A responsible party shall be liable for a police services fee whenever the city's police personnel respond to, detain and supervise a repeat curfew or daytime loitering violator.

Students may be cited to juvenile traffic court for fighting, tobacco, tobacco product, controlled substances, and truancy.

### **Diabetes Information EC49452.7**

Type 2 diabetes is a condition characterized by high blood glucose levels caused by either a lack of insulin or the body's inability to use insulin efficiently. In type 2 diabetes, the body makes insulin; but it may not make enough, the insulin it makes may not work well, or both. Type 2 diabetes develops most often in middle-aged and older adults but can appear in young people. Type 2 diabetes is on the rise. By the year 2050, one in three people will have diabetes. Children from certain racial and ethnic groups are at high risk, including African American, Hispanic/Latino, Asian/Pacific Islander, and Native American children.

Children and teens with type 2 diabetes often feel no symptoms at all. However, be aware of some common symptoms of type 2 diabetes:

- Increased thirst
- Frequent or nighttime urination
- Blurry vision
- Unusual fatigue

To learn more, contact the American Diabetes Association at 1-800-342-2383 or email AskADA@diabetes.org.

### **Directory Information EC 49073**

Directory information may be released on pupils except when a parent or eligible pupil has notified the school that such information shall not be released. Directory Information includes one or more of the following items: student's name, 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 public or private school attended by the student. The District has determined that the following individuals, officials, or organizations may receive directory information: school personnel with legitimate educational interests, schools of intended enrollment, federal and state educational administrators, those who provide financial or student aide, employers, prospective employers, representatives of organized parent groups, and military representatives. No information may be released to a private profitmaking entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information does not include a student's social security number or student identification number. Directory information also does not include a student's citizenship status, immigration status, place of birth, or any other information indicating national origin. The district will not release such information without parental consent or a court order.

**If you do not wish to have directory information released about your child, you must indicate this on the last page of this packet and return the information to the school office.**

### **Disruption of Public School or Public School Meeting EC 32210**

Any person who willfully disturbs any public school or any public-school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500).

### **Disaster Preparedness Plan EC 32282.5**

Each school has a disaster preparedness plan and conducts regular fire, earthquake and disaster drills. For a copy of your school's plan, contact your principal. The California Department of Education is required to electronically distribute disaster preparedness educational materials to school districts and county offices of education. Documents are posted on the CDE website at [www.cde.ca.gov/ls/ss/cp/pupilsafetyedumat.asp](http://www.cde.ca.gov/ls/ss/cp/pupilsafetyedumat.asp).

### **Disease Prevention**

School personnel receive yearly updates on disease prevention. Employees are required to have current TB (Tuberculosis) Tests.

### **District Parent Involvement Policy**

The District recognizes and values the important role that parents play in their children's education. Research confirms that when parents are engaged and involved, students' academic performance increases. The local governing board has adopted a policy on parent involvement for all schools. The policy details how the District:

- Helps parents develop skills to use at home that support their children's academic efforts and social development.

- Provides parents with techniques and strategies that they may utilize to improve their children's academic success and to assist their children in learning at home.
- Builds consistent and effective communication between the home and the school so parents may know when and how to assist their children in learning at home.
- Trains teachers and administrators to communicate effectively with parents.
- Integrates parent involvement programs into the school's Single Plan for Student Achievement.
- Involves parents in the joint development of the Local Control and Accountability Plan (LCAP) and in the process of school review and improvement.
- Supports effective parental involvement at schools to improve student achievement and school performance.
- Builds school and parent capacity for strong parental involvement.
- Conducts, with the involvement of parents, an annual evaluation of the content and effectiveness of the parental involvement policy.

## **Parent Involvement**

### **Administrative Regulation 6020**

#### District Strategies for Title I and Non-Title I Schools

To ensure that all parents/guardians of students participating in Title I programs and Non- Title I programs are provided with opportunities to be involved in their children's education, the Superintendent or designee shall:

1. Involve parents/guardians of participating students in the joint development of the local educational agency Local Control and Accountability Plan (LCAP) pursuant to 20 USC 6312 and the process of school review and improvement pursuant to 20 USC 6316 (20 USC 6318)

The Superintendent or designee may:

- a. Establish a District Advisory Council (DAC). Each site conducts an election among parents/guardians to select two parents/guardians and each site principal appoints one non-teaching staff member to serve on the DAC.
- b. Communicate with parents/guardians through multiple methods such as the Blackboard Connect 5 phone notification system, website, and flyers regarding the opportunity to provide input on the LCAP
- c. Ensure each site establishes a School Site Council (SSC). Each school site conducts an election among parents and staff members to compose a School Site Council (SSC). The role of SSC members is to develop and review the Single Plan for Student Achievement (SPSA)
- d. Each school site provides other parents/guardians with the opportunity to review and comment on the site's Single Plan for Student Achievement (SPSA)

(cf. 6171 - Title I Programs)

2. Provide coordination, technical assistance, and other support necessary to assist Title I and Non-Title I schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance (20 USC 6318)

The Superintendent or designee may:

- a. Provide technical assistance on the development and implementation of site-level parental involvement policies including school-family compacts and parent involvement activities to improve student achievement and school performance.

3. Build the capacity of schools and parents/guardians for strong parent involvement to address each of the following components a-g: (20 USC 6318)

The Superintendent or designee shall:

- a. Assist parents/guardians in understanding such topics as the state's academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor their child's progress and work with educators to improve the achievement of their children.

- (1) Provide technical assistance to schools in conducting meetings and workshops for parents/guardians including, but not limited to the above mentioned topics
- (2) Each school receiving Title I funds conducts an annual Title I meeting that informs parents of the requirements of Title I and how the site expends said funds
- (3) Each school conducts an annual parent meeting to address the following: School-wide Academic Performance Index (API) and Annual Yearly Progress (AYP) based on most recent state standardized test results; identify and explain Program Improvement (PI) status of school and district as applicable; identify all categorical funding programs and grants received by the school; identify opportunities for all students to meet the state's standards at the proficient and advanced levels of academic achievement; discuss effective methods and instructional strategies based on scientific research; and provide information to parents on the district's Uniform Complaint Procedures (UCP)
- (4) Provide parents/guardians with the academic standards students are expected to learn for each grade level and subject area in a format that is understandable to parents/guardians
- (5) Provide parents with the a-g requirements for graduation and criteria for acceptance into post-secondary education in a format that is understandable to parents/guardians

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

- b. Provide materials and training to help parents/guardians develop techniques and strategies to use at home that improve their children's academic achievement and to ensure their children's physical, social, and emotional well-being and healthy development in preparation for a productive future.

- (1) Provide technical assistance to schools in conducting workshops and meetings for parents/guardians including, but not limited to the above mentioned topics
- (2) Each school provides parents/guardians with an opportunity to review and comment on the California Healthy Kids Survey (CHKS) results as available, every other year
- (3) Each school provides parents/guardians with an opportunity to review and comment on the Safe School Plan which is updated and approved by School Site Council annually
- (4) Address the needs of parents of secondary students regarding the requirements for graduation and opportunities for post-secondary education including information on obtaining financial aid and assistance
- (5) Provide technical assistance to schools in the implementation of workshops, such as but not limited to, Project Inspire, Parent Institute for Quality Education (PIQE), and Parent Expectations Support Achievement (PESA)

- c. With the assistance of parents/guardians, educate staff in the value of parent contributions, how to communicate effectively with parents, and how to work with parents as equal partners to implement and coordinate parent/guardian programs, and build relationships between parents/guardians and the school.
  - (1) Offer workshops and provide technical assistance to sites regarding staff development on topics, such as but not limited to: Effectively Communicating with Parents, Family Friendly Schools, Socioeconomic Impact on Education, and Multiculturalism
  - (2) Offers staff development geared toward training teachers that reinforces the content of parent workshops
  - (3) Provides collaboration opportunities for teachers, staff, and parent advisory group representatives to work together as partners to ensure all students are supported
  - (4) Provide opportunities for parents to communicate with staff about the strengths and needs of the parent involvement program, to make suggestions for improvement, and to discuss concerns

(cf. 4231 - Staff Development)

- d. To the extent feasible and appropriate, coordinates and integrates parental involvement with other programs such as Head Start, Early Head Start, Infant/Toddler Care, State Preschool, Infant/Toddler Care, First 5 Full Day Preschool, and other programs and conducts other activities, such as parent resource centers, that encourage and support parents in more fully participating in the education of their children.
  - (1) Provide technical assistance to sites in the development of partnerships between program representatives to ensure integration of communication and involvement opportunities for parents/guardians of participating students
- e. Distributes to parents/guardians information related to school and parent programs, meetings, and other activities in a format and language that the parents understand to the extent feasible
  - (1) Utilize a variety of communication tools, such as but not limited to: Connect 5, District/School Website, Marquees, Banners, and Flyers
  - (2) Develop a master activity calendar with parent and community access such as, posting a copy of the calendar in the school office and publishing the calendar on the school and district websites as applicable
  - (3) To the extent feasible and/or required by law, information will be provided in a timely manner
  - (4) Ensure the accuracy of documents translated from English to Spanish
  - (5) Provide students with information to share with their parents on upcoming events, meetings, and activities by sending home flyers and/or having students write the information in their daily student agenda as applicable and feasible
- f. Provides reasonable support for parental involvement activities requested by parents/guardians.
  - (1) District will offer training to site level personnel in handling parent requests, coordinating activities, and collaborating with site personnel and parents/guardians to implement requests when feasible
- g. Informs parents/guardians and parent organizations of the existence and purpose of state parent information and resource centers that provide training, information and support to parents/guardians

of participating students and the District's Parent Information and Resource Center (PIRC) including the Project Inspire parental involvement workshops.

- (1) Information regarding the California State PIRC website including the link to participate in the online parental involvement survey is distributed to parents/guardians annually
  - (2) Information regarding the district's PIRC and Project Inspire is available to parents/guardians in various modes of publications, such as, information posted on the district website, brochures available at school sites, and flyers mailed to parents/guardians
  - (3) District's PIRC provides information on differentiated programs available to Fontana Unified School District students, i.e., Gifted and Talented Education (GATE), Special Education, English Learners, Opportunities Beyond High School, Financial Aid, Health and Safety, and Technology
  - (4) Provide a child-friendly activity area in the PIRC while parents/guardians access resources
  - (5) Provide access to Project Inspire Trainer-of-Trainer opportunities for parents, teachers, and staff to facilitate parental involvement workshops
  - (6) PIRC, Trainer-of-Trainer, parent graduates provide workshops for other parents throughout the Fontana Unified School District and San Bernardino County
4. Coordinate and integrate parent involvement strategies with Head Start, Early Head Start, Infant/Toddler Care, State Preschool, First 5 Full Day Preschool, and other programs (20 USC 6318)

(cf.6300 - Preschool/Early Childhood Education)

The Superintendent or designee may:

- a. Involve district and school site representatives from other programs to assist in identifying specific population needs and identify overlapping or similar requirements
  - b. Schedule joint meetings with representatives from related programs and share data and information across programs to develop a cohesive, coordinated plan focused on student needs and shared goals
  - c. Involve parent leaders in the coordination of parent involvement activities across programs with parents, teachers, administration and the community
5. Conduct, with involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the schools by addressing each of the following components a-c: (20 USC 6318)

The Superintendent or designee shall:

- a. Ensure that the evaluation include the identification of barriers to and opportunities for greater participation in parent involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background (20 USC 6318)
  - (1) Convene multiple meetings that affords the opportunity for parents/guardians and high school students from all backgrounds to provide feedback on parental involvement opportunities and barriers
  - (2) Parents/Guardians participate in the District Parental Involvement Policies and Instructional Programs Survey to further the identification of involvement opportunities and barriers
- b. Use the evaluation results to design strategies for more effective parent involvement and, if necessary,

to recommend changes in the parent involvement policy (20 USC 6318)

- (1) Convene an annual meeting with parents/guardians and high school students from all backgrounds to brainstorm strategies for continual progress toward achieving effective parental involvement programs district-wide that will positively influence student achievement
  - (2) Establish annual goals and objectives for the parent involvement program to implement the district parent involvement policy. Include these goals for parent involvement in each site's Single Plan for Student Achievement
- c. Assess the district's progress in meeting annual objectives for the parent involvement program, notify parents/guardians of this review and assessment through regular school communication mechanisms, and provide a copy to parents/guardians upon their request (Education Code 11503)
- (1) Use a variety of methods, such as focus groups, surveys, and workshops to assess the district's progress in meeting annual objectives
  - (2) Gather and monitor data regarding the number of parents/guardians participating in district activities and the types of activities in which they are engaged
  - (3) Utilize a variety of communication tools, such as but not limited to: the Blackboard Connect 5 phone notification system, District/School Website, Marquees, Banners, and Flyers
6. Involve parents/guardians in school activities: (20 USC 6318)
- The district recognizes that parent involvement comes in many forms and encourages school sites to acknowledge these efforts. The district offers technical assistance to school sites in the exploration of alternative engagement opportunities, such as but not limited to: setting high expectations, homework assistance, and attending extra-curricular activities.

The Superintendent or designee may:

- a. Establish processes to encourage parent/guardian input regarding their expectations and interests for their children
  - (1) Conduct community gathering between teachers, parents and administrators for the purpose of partnering to establish effective parent involvement programs to improve student achievement.
  - (2) Hold meetings at a variety of times, mornings and evenings to accommodate the varied schedules of parents/guardians.
  - (3) Include parent advisory committee officers in the development of parent advisory council agendas.
  - (4) Provide information to school sites to assist parents who are interested in volunteering, such as the procedures and guidelines for successfully completing the volunteer application process.
  - (5) Encourage ongoing two-way communication among classroom teachers and parents through technology and/or use of student agendas to inform parents about upcoming assignments, for parents to monitor homework/assignments completion, and for parents to ask questions or make comments.
  - (6) Provide parents with access to current student academic progress data for each class on a regular and ongoing basis that will include assignment completion information, tests scores, and current grades through use of technology and/or use of frequent progress reports.
  - (7) Provide parents with information about the expectations for student's completion of homework assignments and projects, including directions, due dates, and rubric or scoring methods to be used to grade the completed work.
  - (8) Provide parents with information about upcoming classroom, district, and state testing dates.

The district's Board policy and administrative regulation containing parent involvement strategies shall be incorporated into the LEA plan and distributed to parents/guardians of students participating in Title I and Non-Title I programs. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

#### School-Level Policies for Title I and Non-Title I Schools

At each school, a written policy on parent involvement shall be developed jointly with and agreed upon by parents/guardians. Such policy shall describe the means by which the school: (20 USC 6318)

##### 1. Involvement of Parents in the Instructional Program

- a. Convenes an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved
- b. Offers a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, childcare, and/or home visits may be provided as such services relate to parent involvement
- c. Involves parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of its Title I programs (as applicable) parent involvement programs, the school's parental involvement policy, and the joint development of the plan for school wide programs incorporated into the Single Plan for Student Achievement pursuant to 20 USC 6314
  - (1) The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.
- d. Develops and maintains consistent and effective communication between the home and school and provides parents/guardians of Title I students with timely information about Title I programs.
- e. Provides parents/guardians with an explanation of the school's curriculum, assessments, state academic standards, and proficiency levels students are expected to meet.

(cf. 6162.5 - Student Assessment)

(cf. 6146.5- Elementary School Graduation Requirements/Standards of Proficiency)

- f. Provides parents, if requested, with opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to the education of their children and, as soon as practicably possible, responses to the suggestions of parents/guardians
- g. If the school wide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district

##### 2. School-Family Compact

The School jointly develops with and distributes to parents/guardians, a school-family compact that outlines how parents/guardians, the entire school staff, and students will share the responsibility for improved student academic achievement. It also describes how the school and parents/guardians will develop a partnership to help students reach proficiency on the California content standards. The school-family compact describes the following items in addition to items added by parents/guardians and students:



- a. The school's responsibility to provide high-quality curriculum and instruction.
- b. The parents/guardians responsibility to support their children's learning.
- c. The importance of ongoing communication between parents/guardians and teachers through, at least annual conferences, reports on student progress, access to staff, and opportunities to volunteer and participate in and observe the educational program.
- d. The Principal or their designee reviews the school-family compact with student, parents/guardians, and teacher and obtains signatures from each. This may be completed during parent conferences or at another designated time.

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

3. Build the capacity of the school and parents/guardians for strong parent involvement by implementing the activities described in items #3a-g in the section "District Strategies for Title I and Non-Title I Schools" above
4. Parent Information and Resource Center (PIRC)

The Fontana Unified School District participates in PIRC1/Project Inspire which is the result of a partnership among the California Association for Bilingual Education, the San Bernardino County Superintendent of Schools, and the Alameda County Office of Education through 2011. A list of workshop topics and a brochure in English and Spanish that describes services are available at [http://www.bilingualeducation.org/programs\\_parent.php](http://www.bilingualeducation.org/programs_parent.php) Workshops are available in multiple languages.

Fontana Unified School District's Parent Information and Resource Center (PIRC) will be located at Building #14 at the District Office Complex. For more information about the PIRC or Project Inspire Parental Involvement Workshops, please contact the Categorical Program Department at (909) 357-7600 ext. 29175.

#### 5. Accessibility

The School provides opportunities for all parents/guardians to participate, including parents with limited English proficiency, parents with disabilities, and parents of migratory students 20 USC 6311(h) in a format and language such parents/guardians can understand. Each school's parent involvement policy shall be made available to the local community and distributed to parents/guardians in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

Each school shall annually evaluate the effectiveness of its parent involvement policy. Such evaluation may be conducted during the process of reviewing the school's single plan for student achievement in accordance with Education Code 64001.

The principal or designee, jointly with parents/guardians of participating students, shall periodically update the school's policy to meet the changing needs of parents/guardians and the school. (20 USC 6318)

*To request a copy of the District's Parent Involvement Policy, please contact the Categorical Department at (909)357-7600, ext. 29172.*

#### **Dress Code EC 35183**

Schools may adopt and enforce a reasonable dress code policy which prohibits the wearing of "gang-related clothing" or clothing that is unsafe either for the student or those around the student.

**Electronic Listening or Recording Device EC 51512**

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action.

**Employee Interactions with Pupils EC 44050; BP 5137 and 4119.21**

The Board of Education desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

**CODE OF ETHICS OF THE EDUCATION PROFESSION BP 4119.21****Preamble**

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurturing of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

**Principle I. Commitment to the Student**

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

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

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning
2. Shall not unreasonably deny the student access to varying points of view
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety

5. Shall not intentionally expose the student to embarrassment or disparagement
6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:
  - a. Exclude any student from participation in any program
  - b. Deny benefits to any student
  - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage
8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law

#### Principle II. Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation of the profession, the educator:

1. Shall not in any application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications
2. Shall not misrepresent his/her professional qualifications
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position
5. Shall not assist a noneducator in the unauthorized practice of teaching
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law
7. Shall not knowingly make false or malicious statements about a colleague
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action

Adopted by the Board of Education August 20, 2014

### **English Language Proficiency Assessments for California (ELPAC)**

The ELPAC is the state test that is used to measure how well students in kindergarten through grade twelve understand and use academic English when it is not their primary language. It identifies and monitors students who need help learning academic English, so they can get the extra support they need to do well in school and access the full curriculum. There are two parts to the ELPAC: initial assessment and summative assessment.

Within 30 days of enrolling into the Fontana Unified School District, the initial assessment is administered to students who have a primary language other than English and have not been classified as an English learner. The initial assessment is used to identify students as either an English learner who needs support to learn academic English or as proficient in English.

All English learners are required to annually take the summative assessment in the spring. The summative assessment is used to measure the academic English language skills of English learners. The results help inform the school and district of students' progress in learning academic English. Results also identify students who may be ready to be reclassified as proficient in academic English.

### **Entrance Health Screening HSC 124085, 124100, 124105**

State law requires each child's family to provide, within 90 days of entrance into the first grade, a certificate documenting that the child has received a health checkup within the previous 18 months.

Child Health & Disability Prevention (CHDP) Program physicals are available to all Fontana Unified School District students through age eighteen through our Comprehensive Health Department if your family meets specific income guidelines.

### **Epinephrine Auto-Injectors (Stock Epinephrine) EC49414**

Current law (SB 1266: BP/AR 5141) now requires schools to provide emergency epinephrine for individuals who may be experiencing anaphylaxis. Anaphylaxis is a severe allergic reaction which can occur after exposure to an allergen, an insect sting or even (rare) after exercise. Certain individuals may experience anaphylaxis that have no known previous history of an allergy and therefore, may not have their own prescription. A school nurse or trained school staff member will administer this emergency injection to any student believed to be suffering from anaphylaxis and will activate Emergency Management Services (911). Parent will be notified of the emergency and action taken.

### **Eric Paredes Sudden Cardiac Arrest Prevention Act**

AB 1639 requires that parents be provided an information sheet on sudden cardiac arrest symptoms and warning signs each school year before the pupil participates in an athletic activity. Parents must acknowledge that they received this information. The bill requires an athletic director, coach, athletic trainer, or authorized person to remove from participation a pupil who passes out or faints while participating in or immediately following an athletic activity.

### **Excused Absences EC 46014 and 48205**

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction.

No pupil shall have his or her grade reduced or lose academic credit for any excused absence or absences, if missed assignments and tests that can reasonably be provided and are satisfactorily completed within a reasonable period of time.

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to his or her illness.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California. SB 816 defines "immediate family" as parent or guardian, brother, sister, grandparent or any other relative living in the household of the pupil.
  - (5) For the purpose of jury duty in the manner provided for by law.
  - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
  - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a non-profit organization when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board. EC 48205
  - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Election Code.
  - (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC §§ 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
  - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. As the teacher of any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

"Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

When a student has had 14 absences in the school year for illness, any further absences for illness shall be verified by a physician (AR 5113)

### **Family Engagement AB 1661**

Family engagement is critical to student success. The district has family engagement programs at both the school and district level. Families are encouraged to participate to learn about state academic standards and assessments to develop knowledge and skills at home to support their children's academic efforts.

**Fighting PC 415**

Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of not more than four hundred dollars (\$400.), or both such imprisonment and fine:

- (1) Any person who unlawfully fights in a public place or challenges another person in a public place to fight.
- (2) Any person who maliciously and willfully disturbs another person by loud and unreasonable noise.
- (3) Any person who uses offensive words in a public place which is inherently likely to provoke an immediate violent reaction.

**Financial Responsibility for Damages EC 48904**

Parents or guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the student until restitution is paid.

**Foster Youth and Homeless Youth Educational Placement EC 48850 et seq, 49069.3, 49076 and 51225.1.**

Requires school district educational liaisons to ensure pupils in foster care receive:

- stable school placements which are in the best interests of the child
- placement in least restrictive educational programs
- access to academic resources, services, and extracurricular and enrichment activities available to all pupils
- full and partial credits for coursework taken, and meaningful opportunity to meet state pupil academic achievement standards.
- information about local graduation requirements and exemption if appropriate

Education Code 49069.3 and 49076 allows access to educational records without parental consent to foster family agency over currently enrolled or former pupil, short-term residential treatment program staff responsible for the education or case management of a pupil, caregiver with direct responsibility for the care of the pupil.

Under AB 1661, the district has collaborated with San Bernardino County Superintendent of Schools to develop a transportation agreement to maintain students in foster care at their school of origin when in the best interest of the child. The district has a Foster Youth Liaison who can assist.

**Free and Reduced-Price Meals EC 49510 et seq.**

Free or reduced-price school meals are available at school for pupils whose parents or legal guardians qualify, based on annual household income, and complete the required application form. Application forms may be obtained through your child's school site, at Fontana Unified School District Food Services Department – Building #25, and on the district's website at [www.fusd.net](http://www.fusd.net).

**Gifted and Talented Education (GATE) Program EC 52206**

Pursuant to Board Policy 6172, the Fontana Unified School District offers a program for identified academically gifted students in grades 3-12. As directed by Education Code 52206, students are provided an appropriate differentiated curriculum within the regular school day. It is the responsibility of the parent to notify the district/school upon enrollment if their child was identified as gifted in another district. The G.A.T.E. program office will review and screen results from outside the district to determine if a student meets criteria for identification in the Fontana Unified School District.

**Harm or Destruction of Animals EC 32255 et seq.**

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

**Hazing EC 32051**

No student, or other person in attendance, shall conspire to engage in hazing.

**Homeless Youth Education 42 US 11432**

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

Homeless students living in the district shall immediately be enrolled to district schools. Per Education Code 8483.95, Homeless and Foster Youth are given priority enrollment in to the after school program.

**Identification and Education under Section 504**

Section 504 of the Rehabilitation Act of 1973 requires districts to provide education and accommodations for any student who has an identified disability which substantially limits one or more major life activities, has record of such an impairment, or is regarded as a having such an impairment. A school-site committee of knowledgeable professionals shall meet to evaluate the student's eligibility under Section 504, and the student's parent/guardian shall be invited to participate on this committee. If the student is found to have a defined handicap that significantly interferes with his/her learning, he/she shall be eligible for reasonable accommodations under Section 504, and the school site committee shall develop a written accommodation plan for the student. This plan shall specify the accommodations which will be made in the regular education program in order to ensure the student a free and appropriate education; it shall also include a schedule for periodic review of the student's needs and indicate that his review may occur sooner at the request of the parent/guardian or school staff. If the committee determines that no accommodation is needed, the parent/guardian shall receive a record of the proceedings stating the basis for this decision. Parents/guardians shall also receive a copy of the procedural safeguards guaranteed under the Code of Federal Regulations, Title 34, Part 104.36.

**Immunizations EC 49403 and 48216, HSC 120335, 120365, and 120370**

Students are prohibited from attending school until required immunizations are met. As of January 1, 2016, exemptions based on personal beliefs, including religious beliefs, are no longer allowed. On and after July 1, 2016, the governing authority shall not unconditionally admit for the first time, or admit or advance any pupil to seventh grade level, unless the pupil has been immunized for his or her age as required. The school district shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

State law requires the following immunizations before a child may attend school:

- a. All new students, in transitional kindergarten through grade 12, to the Fontana Unified School District must provide proof of polio, diphtheria, pertussis, tetanus, measles, and mumps, rubella, and varicella immunizations.
- b. All transitional kindergarten and kindergarten students must also provide proof vaccination against hepatitis B.
- c. All seventh grade students must also provide proof of a second immunization for measles, mumps, rubella, and a pertussis booster vaccination.

Free immunizations are available to all Fontana Unified School District students through our District Clinical Services.

### **Independent Study Program EC 51745**

Independent Study is an optional instructional strategy by which students in K-12 and adult education may reach curriculum objectives and fulfill graduation requirements. Pursuant to Education Code 51745, a student may be enrolled in a program of independent study with the mutual agreement of the district, parent/guardian if a student is a minor, and the student. An independent study program may be established to complete days of attendance due to vacations or other emergencies. Students interested in independent study should contact their school principal or designee for a referral. Approval of independent study placement shall be based on the following criteria: (1) Evidence that the student can work independently; (2) Evidence that the student possesses the necessary skills to complete the program; (3) Availability of a certificated classroom teacher with adequate time to supervise the student effectively; (4) An acceptable reason for requesting independent study.

### **Instruction for Pupils with Temporary Disabilities EC 48206.3, 48207, 48208 and 48980(a)**

A pupil with a temporary disability which makes attendance in the regular day classes or alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individual instruction provided in the pupil's home or in a hospital or other residential health facility (excluding state hospitals) for one hour a day when recommended by a physician. This instruction applies to students incurring a physical, mental, or emotional disability after which they can reasonably be expected to return to regular day classes or an alternative education program without special intervention. It does not apply to students identified as individuals with exceptional needs pursuant to Education Code 56026 and 48206.3. A pupil with a temporary disability who is hospitalized is considered a resident of the school district in which the hospital is located. It is the primary responsibility of the parent or guardian to notify the school district of residence of the presence of the pupil in the qualifying hospital.

### **Interdistrict Attendance EC 46600 et seq.**

The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other school district.

School districts may enter into agreements, for the interdistrict transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers, and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an interdistrict transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled.



A pupil who has been determined by personnel of either the home or receiving district to have been the victim of an act of bullying, as defined in EC 48900 (r), shall, at the request of the parent or legal guardian, be given priority for interdistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement.

Some school districts may choose to become a district of choice, that is, a district that accepts transfer students from outside the district under the terms of a resolution. A school board that decides to become a district of choice must determine the number of transfers it is willing to accept and make sure that students are selected through a “random and unbiased” process, which generally means a lottery process. Students must request transfer into a district of choice by January 1 of the prior school year. A modified application process is available for relocated military personnel.

The Fontana Unified School District has 30 calendar days from the date the request for Interdistrict Transfer for current year requests. The district has 14 calendar days after the commencement of instruction for requests in the following year (AB 2826).

**The Fontana Unified School District is not a district of choice school district.**

**Intradistrict Open Enrollment EC 35160.5(b)**

Residents of the School District may apply to other schools within the District for their child to attend. Information on each school within the District is provided on the District website. Applications are accepted in the month of January for the following school year and will be considered based upon space availability at the school and grade requested.

Parents of high school athletes should check on CIF sports eligibility rules before pursuing open enrollment. Transportation to any other school is the responsibility of the parent. Application materials are available at any school site, the Child Welfare Attendance Office-Building B, and the District website at [www.fusd.net](http://www.fusd.net).

**Investing for Future Education EC 48980(d)**

It is advisable that all parents consider investing for future college, technical, or university education for their children as soon as possible. Educational costs are rising continually. By starting to save now, (Kindergarten if possible) it will help ensure the availability of the funds if your child chooses to attend college.

**Juvenile Court School Pupils: Graduation Requirements (EC 48645.7)**

Upon agreement between the county office of education and the pupil or the person holding the right to make educational decision for the pupil, to take coursework or other requirements adopted by the governing board of the county office of education, and to defer the granting of the diploma until the pupil is released from the juvenile detention facility. Upon release the pupil or the person holding the right to make educational decisions for the pupil to elect to decline the issuance of the diploma for the purpose of enrolling the pupil in a school operated by a local educational agency or charter school to take additional course work.

**Know Your Rights**

Assembly Bill 699 became effective January 1, 2018. A student cannot be denied educational access or opportunity due to immigration status or religious beliefs. Families are encouraged to “Know their Rights”. The

California Attorney General's website includes Know Your Rights at <https://oag.ca.gov/immigrant/rights>. SB 257, EC 48204.4.

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

The Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students of their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law. (Education Code 234.7)

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status (Education Code 200, 220, 234.1)

Unless authorized by the Family Educational Rights and Privacy Act pursuant to 20 USE 1232g, student information shall not be disclosed to immigration law enforcement authorities without parental consent, a court order, or judicial subpoena. The Superintendent or designee shall annually notify parents/guardians that the district will not release student information to third parties for immigration enforcement purposes, unless the parent/guardian consents or as required to do so by a court order or judicial subpoena.

Upon receiving any verbal or written request for information related to a student's or family's immigration or citizenship status, district staff shall:

- Notify the Superintendent or designee about the information request.
- Provide students and families with appropriate notice and a description of the immigration officer's request.
- Document any request for information by immigration authorities.
- Provide students and parents/guardian with any documents provided by the immigration enforcement officer, unless such disclosure is prohibited by a subpoena served on the district or in cases involving investigations of child abuse, neglect, or dependency.

Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination. (Government Code 8310.3)

District staff shall receive parent/guardian consent before a student is interviewed or searched by any officer seeking to enforce civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge or a valid, effective court order. A student's parent/guardian shall be immediately notified if

a law enforcement officer requests or gains access to the student for immigration enforcement purposes, unless the judicial warrant or subpoena restricts disclosure to the parent/guardian.

All visitors and outsiders, including immigration enforcement officers, shall register with the principal or designee upon entering school grounds during school hours. Each visitor or outsider shall provide the principal or designee with his/her name, address, occupation, age if less than 21, purpose in entering school grounds, proof of identity, and any other information required by law. (Penal Code 627.2, 627.3)

As early as possible, district staff shall notify the Superintendent or designee of any request by an immigration enforcement officer for access to the school or a student or for review of school documents, including service of lawful subpoenas, petitions, complaints, warrants, or other such documents.

In addition, district staff shall take the following actions in response to an officer present on the school campus specifically for immigration enforcement purposes:

1. Advise the officer that before school personnel can respond to the officer's request, they must first receive notification and direction from the Superintendent or designee, except under exigent circumstances that necessitate immediate action.
2. Request to see the officer's credentials, including his/her name and badge number, and the phone number of the officer's supervisor, and note or make a copy of all such information.
3. Ask the officer for his/her reason for being on school grounds and document the response.
4. Request that the officer produce any documentation that authorizes his/her school access.
5. Make a copy of all documents produced by the officer and retain one copy for school records.
6. If the officer declares that exigent circumstances exist and demands immediate access to the campus, comply with the officer's orders and immediately contact the Superintendent or designee.
7. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation, as follows:
  - a. If the officer has an Immigrations and Customs Enforcement (ICE) administrative warrant, district staff shall inform the agent that they cannot consent to any request without first consulting with the district's legal counsel or other designated district official.
  - b. If the officer has a federal judicial warrant, such as a search and seizure warrant or an arrest warrant signed by a federal judge or magistrate, district staff shall promptly comply with the warrant. If feasible, district staff shall consult with the district's legal counsel or designated administrator before providing the officer with access to the person or materials specified in the warrant.
  - c. If the officer has a subpoena for production of documents or other evidence, district staff shall inform the district's legal counsel or other designated official of the subpoena and await further instructions as to how to proceed.
8. Do not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, district staff shall document the officer's actions while on campus.
9. After the encounter with the officer, promptly make written notes of all interactions with the officer, including:
  - a. A list or copy of the officer's credentials and contact information
  - b. The identity of all school personnel who communicated with the officer
  - c. Details of the officer's request
  - d. Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant or subpoena, and whether the warrant or subpoena was signed by a judge

- e. District staff's response to the officer's request
  - f. Any further action taken by the officer
  - g. A photo or copy of any documents presented by the officer
10. Provide a copy of these notes and associated documents collected from the officer to the district's legal counsel or other designated district official.

The district's legal counsel or other designated official shall submit a timely report to the Governing Board regarding the officer's requests and actions and the district's responses. (Education Code 234.7)

The Superintendent or designee shall also email the Bureau of Children's Justice in the California Department of Justice (BCJ@doj.ca.gov) regarding any attempt by a law enforcement officer to access a school site or a student for immigration enforcement purposes.

#### Responding to the Detention or Deportation of Student's Family Member

The Superintendent or designee shall encourage students and their families to update their emergency contact information as needed throughout the school year and to provide alternative contacts, including an identified trusted adult guardian, in case a student's parent/guardian is detained or is otherwise unavailable. The Superintendent or designee shall notify students' families that information provided on the emergency cards will only be used in response to specific emergency situations and not for any other purpose.

(cf. 5141 - Health Care and Emergencies)

The Superintendent or designee shall also encourage all students and families to learn their emergency phone numbers and be aware of the location of important documentation, including birth certificates, passports, social security cards, physicians' contact information, medication lists, lists of allergies, and other such information that would allow the students and families to be prepared in the event that a family member is detained or deported.

In the event that a student's parent/guardian is detained or deported by federal immigration authorities, the Superintendent or designee shall release the student to the person(s) designated in the student's emergency contact information or to any individual who presents a caregiver's authorization affidavit on behalf of the student. The Superintendent or designee shall only contact child protective services if district personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

The Superintendent or designee shall notify a student whose parent/guardian was detained or deported that the student continues to meet the residency requirements for attendance in a district school, provided that the

parent/guardian was a resident of California and the student lived in California immediately before he/she moved out of state as a result of the parent/guardian's departure. (Education Code 48204.4)

The Superintendent or designee may refer a student or his/her family members to other resources for assistance, including, but not limited to, an ICE detainee locator, legal assistance, or the consulate or embassy of the parent/guardian's country of origin.

### **Laser Pointers Penal Code (PC) 417.27**

Possession of a laser pointer is prohibited by any student on any elementary or secondary school premise, unless possession is for valid instruction. A person shall not direct the beam of a laser pointer into the eyes of another or into a moving vehicle or into the eyes of a guide dog.

### **Leave of Absence for Pregnant or Parenting Pupils EC 46015 AB 2289**

A pregnant or parenting pupil is entitled to eight weeks of parental leave to care for and bond with the infant. If the pupil is 18 years of age or older, or if the pupil is under 18 years of age, the person holding the right to make educational decisions for the pupil, shall notify the school of the pupil's intent to exercise this right.

### **Library Media/Textbook Services EC 19911**

The Fontana Unified School District staffs a library media center at each elementary, middle and comprehensive high school site. Each school establishes routines and procedures for students to visit and utilize the library media center. Textbooks or instructional materials, including tablets and laptops, must be checked out by students for every class/course taken. Students are expected to return borrowed library and textbook/instructional materials in good condition, with no more wear and tear than usually results from normal use. Pursuant to Education Code 48904 the parent/guardian of a student shall be liable for district property on loan to a student and not returned upon demand of a district employee. Additionally, any person who willfully retains any library materials, or other property belonging to the district, for thirty days after written notice is given, is guilty of a misdemeanor.

The district is required by law to collect money in payment for willful or negligent damage or loss of textbooks and instructional materials. **California Administrative Code, Title 5, Section 9502**

### **Fee Schedule**

Overdue (Library Books Only)	\$ 0.10 per day, maximum fine \$5.00
Lost Library or Textbook Materials	100% replacement cost
Extensive damage rendering book useless (e.g., water-soaked, mold, ink stains)	100% replacement cost
Bindery Fee	\$13.00
Missing/Damaged Barcode Label	\$ 5.00
Damaged Cover	\$ 5.00
Torn Pages	\$ 1.00 per pages torn
Replacement of a page	\$ 3.00 per page replaced
Vandalized (graffiti, profanity, etc.)	100% replacement cost
Writing, highlights or other marks inside/outside of a book	\$ 1.00 per page, up to cost of item
Replacement cost of laptop device or charger	\$ 50.00
Laptop equipment damage repair fee	\$ 50.00

**Mass Communication**

The district uses an automated notification system to inform parents by telephone, text message, or email of emergency situations and school news. If you wish to opt-out of receiving school news, please contact your school site.

**Medical Assistance at School EC 49407**

The emergency card will be used to contact parents in the event of a medical emergency. It is important to note on the emergency card any specific directions regarding medical treatment and/or emergency care.

The school will act to provide appropriate medical treatment to a student in the absence of parent contact even if the parent cannot be contacted. This means the school may make available medical or hospital services for students while at or on the way to or from any school activity.

It is important to know that the school district, school district employee, school principal, physician, or hospital treating the pupil cannot be held liable for the reasonable treatment of a child when the child is ill or injured during regular school hours, and requires reasonable medical treatment, and the parent or guardian cannot be contacted, unless the parent or guardian has previously filed with the school district a written objection to any medical treatment other than first aide.

**Current law (SB 1266: BP/AR 5141) now requires schools to provide emergency epinephrine for individuals who may be experiencing anaphylaxis. Anaphylaxis is a severe allergic reaction which can occur after exposure to an allergen, an insect sting or even (rare) after exercise. Certain individuals may experience anaphylaxis that have no known previous history of an allergy and therefore, may not have their own prescription. A trained school staff member will administer this emergency injection to any student believed to be suffering from anaphylaxis and will activate Emergency Management Services (911). Parent will be notified of the emergency and action taken.**

**Medical or Hospital Service EC 49472**

The school district may provide or make available accident insurance or through policies of liability insurance for injuries to pupils arising out of accidents related to school activity or attendance. No pupil is required to accept such service without the consent of his/her parent or legal guardian.

**Medication Regimen EC 49423**

Students who are required to take physician prescribed medication during the regular school day, may be assisted by the school nurse or other designated school personnel if the school receives the following:

- (1) written statement of instructions from the physician detailing the method, amount, and time schedules by which such medication is to be taken and
- (2) a written statement from the parent or guardian of the student indicating the desire that the school district assist the pupil in the matters set forth in the physician's statement.

**Megan's Law PC 290 et seq.**

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

**Mental Health Services AB 2022**

Mental Health services are available in the community. Students and families are encouraged to seek an administrator if they are in need. Everyone matters. You can ask for help by contacting the National Suicide

Prevention Lifeline at 1 (800) 273-8255; The Crisis Text Line, which can be accessed by texting HOME to 741741; California Youth Crisis Hotline 1 (800) 843-5200. Fontana Unified School Police Services can also be contacted at (909) 357-5020.

### **News Media and Publications**

Schools are often visited by newspaper reporters, and sometimes by television crews. Photographs or video recordings of students may appear in newspapers, magazines, or other publications such as school and district newsletters, in school or district websites, on local cable television, and/or on broadcast television.

**Your child will not be photographed unless you give permission on the last page of this packet and return the information to the school office.**

### **Non-Discrimination/Harassment Policy (BP 5145.3)**

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.9 - Hate-Motivated Behavior)

(cf. 5146 - Married/Pregnant/Parenting Students)

(cf. 6164.6 - Identification and Education under Section 504)

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

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

The district provides annual training to prevent bullying and cyberbullying to all employees who work with students. AB 2291

Students and parents/guardians may meet with the Title XI officer to determine how best to accommodate or resolve concerns that may arise from the district's implementation of its nondiscrimination policies. The district will address any concerns in private.

**Prohibition of Discrimination EC 200-262.4**

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

Board Policy 5145.7 protects students at all grade levels.

The Board prohibits intimidation or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to student conduct, which may interfere with another student's ability to participate in or benefit from school services, activities or privileges. *California Code of Regulations, Title 5 Section 4600 through 4671, Board Policy 4145.3(a)*

Free inquiry and exchange of ideas are essential parts of a democratic education. The Governing Board respects students' rights to express ideas and opinions, take stands, and support causes, whether controversial or not. Student liberties of expression shall be limited on a nondiscriminatory basis only as allowed by law in order to maintain an orderly school environment and to protect the rights, health and safety of all members of the school community. Prior restraint shall be exercised only when student expression violates the limitations set forth in this policy.

In keeping with the California Education Code, the Board prohibits any expressions or materials, which are obscene, libelous or slanderous according to current legal definitions. The Board, likewise, prohibits expression or materials, which demonstrably incite students to commit unlawful acts on school premises, violate school rules, or substantially disrupt the school's orderly operation.

Printed materials or petitions shall be distributed only at reasonable times and places in reasonable ways:

1. Before school begins, during lunchtime, and after dismissal.
2. In locations that do not obstruct the normal flow of traffic within school or at entrances.
3. Without due noise, and without any use of coercion.
4. Materials are not left undisturbed or stacked for pickup while unattended at any place in the school or on school grounds.

**Appeals**

The Superintendent or designees shall resolve disputes regarding student free expression. Student and faculty members themselves shall attempt to resolve the problem before consulting the Superintendent. However, any student may appeal a decision concerning this policy to the Superintendent who shall render a decision within a reasonable time or no later than one (1) school day after receipt of the appeal. The appeal shall be based solely on the standards established in Education Code 4891.6. The Superintendent may call for a hearing to determine whether a deprivation of freedom of expression was justified under these rules. The hearing shall be held before the Board or an impartial person appointed by the Board as soon as possible after the hearing is requested. Both sides shall be given the opportunity to demonstrate that the policy in question was properly applied.

Complaints are handled through the office of:

Superintendent

9680 Citrus Avenue, Fontana, CA 92335

(909) 357-7600 x 29109



**Notice of Occurrence of a Violent Crime.** *(Amended by AB 2198, Ch. 735, Statutes of 2002)* **EC 35294.1**

Provides that the principal or designee may send a written notice of the occurrence and general nature of a crime to each pupil's parent or legal guardian, following verification with law enforcement of the occurrence of a violent crime on an elementary or secondary school site.

**Notification to Law Enforcement EC 48902**

The principal or designee must report to appropriate law enforcement violations of Penal Code Sections 245, 626.9, or 626.10 (assault with a deadly weapon, possession of firearm, and possession of a knife).

Notification to law enforcement is also required within one day of suspension for violations of Education Code Section 48900 (c) or (d) (controlled substance violations).

**Open Enrollment Act EC 48350 et seq.**

Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may seek to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index (API). Parents of high school athletes should check on CIF sports eligibility rules before pursuing a transfer under this option. Transportation to any other school is the responsibility of the parent. School districts are allowed to adopt specific, written standards for acceptance and rejection of applications as long as students are selected through a "random and unbiased" process. Unless the school board waives the deadline, requests for transfers are to be submitted by January 1 of the prior school year. To apply, parents must directly contact the school district to which they seek to transfer their student. The Open Enrollment List can be found on the California Department of Education website at <http://www.cde.ca.gov/sp/eo/op/>.

**Oral Health Assessment EC 49452.8**

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. A Pupil, while enrolled in kindergarten in a public school, or while enrolled in first grade in a public school if the pupil was not previously enrolled in kindergarten in a public school, no later than May 31 of the school year, shall present proof of having received an oral health assessment by a licensed dentist, or other licensed or registered dental health professional operating within his or her scope of practice, that was performed no earlier than 12 months before the date of the initial enrollment of the pupil.

**Parent Participation in School (Rules/Discipline/Attendance at Parent Conferences) EC 35291, 35291.5, 48900.1 and 48904**

Parents or guardians of students may participate and give advice in the formation of school rules and procedures and receive a written copy. They may appeal the discipline of a teacher or administrator by contacting the person's supervisor. They may request or be required to attend conferences regarding the discipline of their children; be required to spend a portion of the day in an unruly child's classroom; accept liability for willful conduct of their children which results in injury or death to another pupil or to school district personnel; assume liability (up to \$10,000.00) for damage to school property caused by their child's willful misconduct.

**Personal Beliefs EC 60650**

Tests, surveys, questionnaires, examinations or mental health treatment containing questions about the student's personal or family beliefs or practices in sex, family life, morality, and religion may not be given to pupils unless the parent or guardian is notified in writing and given written permission. The notification and consent form shall be in writing and shall contain specific items per Board Policy.

**Personal Property**

The District will not be held liable/responsible for the loss or theft of personal property to include: electronic devices, musical instruments, clothing, hats, etc. which are left or stored on district property.

**Pesticide Notification**

The Healthy Schools Act of 2000 was signed into law in September 2000 and requires that all schools provide parents or guardians of students with annual written notification of expected pesticide use on school sites. The notification will identify the active ingredient or ingredients in each pesticide product and will include the Internet address ([www.cdpr.ca.gov](http://www.cdpr.ca.gov)) for further information on pesticides and their alternatives. Parents or guardians may request prior notification of individual pesticide applications at the school site. People listed on this registry will be notified at least 72 hours before pesticides are applied. **If you would like to be notified every time we apply a pesticide, you may request a Pest and Parent Notice form by email [wilklc@fUSD.net](mailto:wilklc@fUSD.net) or by writing to Risk Management 9680 Citrus Avenue, Fontana Ca. 92335.** If you have any questions, please contact Larry Wilkie at (909) 357-7600 ext. 29033.

Each campus shall be inspected and/or serviced on a monthly basis, treatment may include any of the following products:

DuPont Advion Ant Gel	Suspend SC Insecticide
DuPont Advion Fire Ant Bait	Termidor SC Termiticide/Insecticide
DuPont Advion Cockroach Gel Bait	Wasp-Freeze

Each campus shall be inspected and/or serviced twice a month, product applied may include any of the following:

Fumitoxin	Omega Gopher Bait with Strychnine
Wilco Ground Squirrel Bait	

The following product may be used as needed when students are not present: Roundup

**Physical Examination – EC 49451**

A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied

**Pupil Insurance for Athletic Teams EC 32221.5**

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses.

Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling Silma Navarro at (909) 357-7600, extension 29318.

**Pupil Records EC 49063 and 49069, 34 CFR 99.7, 20 USC 12323g**

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. The District will protect the privacy of such records.

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

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

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

The Coordinator of Enrollment, Director of Multi-Tiered Student Support and the Director of Child Welfare and Attendance serve as the District Custodian of Records for currently enrolled students. The Coordinator of the Enrollment Center is the District Custodian of Records for student records that are archived. The site principal serves as site level Custodian of Records.

Parents/guardians have the right to:

- 1) Inspect and review the student's educational record maintained by the school.
- 2) Request that a school correct records which they believe to be inaccurate or misleading.
- 3) Have some control over the disclosure of information from educational records.

School officials with legitimate educational interests may access student records without parent consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another district in which a student seeks or intends to enroll, the District shall disclose educational records without parent consent.

Parents/Guardians have the right to request an inspection of any official records, files and data related to their children. The request must be in writing and the school has five (5) business days to respond to requests. A pupil 16 years of age or older, or has completed the tenth grade, a pupil 14 years of age or older that meets both of the following criteria:

- i. the pupil is a homeless child or youth, as defined in paragraph (2) of Section 725 of the federal McKinney-Vento Assistance Act (42 U.S.C. Sec. 11434a(2)) and
- ii. the pupil is an unaccompanied youth, as defined in paragraph (6) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a (6)), and an individual who completes items 1 to 4, inclusive, of the Caregiver's Authorization Affidavit, as provided in Section 6552 of the Family Code, and signs the affidavit for the purpose of enrolling a minor in school also have the right to request inspection of their records.

Parents may request removal of information, or include a statement disputing the material which is challenged. Requests to challenge school records must be made in writing to the Superintendent's Office. A response to the challenge will be made within 30 days. (AR 5125.3) A parent challenging school records must show that the records are:

- 1) Inaccurate

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

If the Superintendent denies the allegations, the parent/guardian may request in writing 30 days to appeal the decision to the Board of Education. The Board of Education shall meet in closed session with the parent/guardian and the employee (if still employed) who recorded the information in question. The Board shall then decide whether or not to sustain or deny the allegations. The decision of the Board shall be final.

Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605. Copies of records may be requested, and the school may make a reasonable charge to pay for the cost of furnishing copies of any pupil records.

**Pupils with a Temporary Disability: Individual Instruction: Terminally Ill: Honorary Diplomas AB 2109**

If a student is hospitalized for an extended time parents are encouraged to contact the Alternative Education Department (909) 357-5000 EXT 29086 for guidance on school related placement. A student who is terminally ill may receive an honorary diploma. Parents are encouraged to speak to the principal regarding the issuance of an honorary diploma.

**Records Access by Military Recruiters 20 USC 7908**

Federal law requires school districts to provide military recruiters the same access to secondary school pupils as is provided to post-secondary educational institutions or prospective employers. Parents may request that the district not release their pupil's name, address and telephone number without prior written consent. Written notice must be submitted to the school if the parent or legal guardian wishes to deny access to this information.

**Release of Information Pursuant to Court Order EC 48906**

School officials are required to take immediate steps to notify parents when a child is taken into custody by a peace officer except when the child is taken into custody as a victim of child abuse. In such cases, law enforcement would assume all notification responsibilities.

School officials are to assure that, during the process of investigation and apprehension, the safety and welfare of all students and personnel are of extreme importance and should be preserved at all times.

**Release of Students BP 5142**

Parents and guardians have permission to sign students out of school during the day. If someone on the Emergency Contact list comes to sign a student out the site will contact the parent/guardian for permission.

**The emergency card does not give permission for the contacts on the card to show up unannounced and pull students out of school for any reason.** If you are sending someone in your place to pick up your child during school hours, please take the following steps to avoid delays:

- Contact the front or attendance office at the site ahead of time informing them of the appointment and the person picking your child up. Be sure to speak to someone personally, do not leave a message, it may not be received in time.
- If communication is not done in person but rather by phone, the site will call you back using the provided contact information on the emergency card to verify it was you who called.
- Please make sure the person you send has an identification card.
- You as the parent or legal guardian may also be asked to present identification by school staff.

### **Religious Beliefs EC 51240**

Whenever any part of the instruction of health, family life education, or sex education conflicts with the religious training and beliefs or personal moral convictions of the parent/guardian of any student, the student shall be excused from such training upon written request of the parent/guardian.

### **Residency EC 48200 and 48204**

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located.

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The Student's parent/guardian resides within district boundaries (Education Code 48200)
2. The student is admitted through an Interdistrict attendance option. (Education Code 46600, 48204, 48301, 48356)
3. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state. (Education Code 48204.3)
4. The student's parent/guardian was a resident of California who departed the state against his/her will due to a transfer by a government agency that had custody of the parent/guardian, a lawful order from a court or government agency authorizing his/her removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of his/her parent/guardian's departure. (Education Code 48204.4)

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; *a pupil who is a foster child who remains in his or her school of origin*; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; or a pupil residing in a state hospital located within the boundaries of the school district; or the pupil's parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the pupil at the place of his/her employment within the boundaries of the school district for a minimum of 3 days during the school week (SB 200).

A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a minimum of 10 hours during the school week.

When establishing a student's residency for enrollment purposes, the Superintendent or designee shall not inquire into the citizenship or immigration status of students or their family members.

Government Code 244 establishes that there can only be one residence.

**Retention and Promotion of Students EC 48075.5e**

Parents will be notified when their pupil is identified as being at risk of retention. Notice shall be provided as early in the school year as practicable.

**Retroactive Diplomas AB 3022**

The district may grant a high school diploma to persons interned by order of the federal government to persons interned by order of the federal government during World War II, and to veterans of World War II, the Korean War, or the Vietnam War. A diploma may be issued if a student has departed California against his or her will, was enrolled in grade 12 and did not receive a diploma due to the interruption in education caused by the departure. The student must be in good academic standing.

**Safety Concerns**

Each school site examines safety issues and ensures a safe campus. If you have concerns about safety items at your school, contact your principal who can advise you of the proper way to address your safety concerns.

**School Accountability Report Card EC 33126**

The School Accountability Report Card (SARC) for each school in the Fontana Unified School District is available at the following link: <https://www.fusd.net/sarc/index2.stm>. A hard copy of the SARC is also available at the school site.

**School Accreditation EC 35178.4**

Requires a school board to give official notice, at a regularly scheduled meeting, if a school has elected to be accredited by the Western Association of Schools and Colleges or other accrediting agency, loses its accreditation status. Further requires written notification to parent(s) (guardian) of pupils in the school of the lost accreditation status and potential consequences.

**School Bus Safety EC 39831.5**

All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (i.e. a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing\_instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Procedures will be implemented and shared with riders to ensure that no one is left unattended on a school bus. Instruction also may include responsibilities of passengers seated next to an emergency exit. For more information, please contact the Transportation department at (909) 357-7510.

**School Rules EC 35291, 35291.5, and 35291.7**

School rules establish a standard of conduct which promote a safe, orderly, and positive school environment. School rules and procedures regarding student discipline have been developed by representative school committees. This information is communicated to students and parents/guardians annually and to new enrollees upon admission.

Students are required to conform to school regulations; obey all directions; be diligent in study and respectful to teachers and others in authority; and refrain from the use of profane and vulgar language. (*California Code of Regulations, Title 5, Section 300*)

**School Visitors EC 44810 and EC 44811**

No one, other than those designated on the emergency card, will be permitted to take your child from school.

All school visitors are required to check in at the school office as soon as they arrive. Parents must report to the office before going to a classroom.

Parents who have a complaint are to request an appointment with the staff member and/or the principal. No disruption of school activities or verbal/physical assaults will be tolerated by visitors on campus.

The site administrator or designee has the authority to direct non-students to leave campus (*Penal Code, Section 626.6*).

The site administrator or designee may also direct persons to leave campus whose presence interferes with school activities; unless such person is a parent of a child attending that school, is a student of the school, or has prior written permission of the school administration. (*Penal Code Section 626.8*)

Penal Code Section 290.4 requires Department of Justice to operate or provide service where members of public may provide list of six persons on approved form and inquire whether any of the persons is required to register as sex offender and is subject to public notification. Under Section 290.46, the Department shall also make information about certain sex offenders available to public via Internet.

**Search and Seizure Board Policy (BP) 5145.12 (a)**

The Fontana Unified School District Board of Education authorizes school officials to conduct searches where there are reasonable grounds or suspicion that the search will uncover evidence that the student is violating the law or rules of the school or school district.

Students shall not possess weapons or dangerous instruments of any kind on school grounds. Replicas of firearms or “look alike” are included in this policy. Possession of these weapons or devices on school campus may also be a violation of the Penal Code 12550 and 12556. Any violation of this regulation shall be reported immediately to the local law enforcement agency.

**Sexual Harassment EC 200, 212.5, 212.6, 230 and 48900**

Sexual Harassment is not tolerated in the programs operated by the Fontana Unified School District. A written policy regarding sexual harassment is available at your child’s school and is a part of any orientation for new students and is posted and distributed to all employees. Education Code limits disciplinary sanctions for sexual harassment as to students in grades K-3, but does not exclude students enrolled in grades K-3 from the protection of the District’s sexual harassment policy and complaint procedures. To ensure a healthy environment for all, training for supervisors will be provided to prevent harassment based on gender identify, gender expression, and sexual orientation as suggested by SB 396.

**To report any violations of the above policy, please contact:**

Title IX: For student and employee violations contact the Director of Personnel,  
(909) 357-7600, ext. 29045 Civil Right:

For student violations, contact the Associate Superintendent of Student Services,  
(909) 357-7600, ext. 29258

Civil Right: For employee violations contact the Associate Superintendent of Human Resources  
(909) 357-7600, ext. 29046

The responsibilities include:

- 1) Coordination and oversight of all sexual harassment complaints to ensure consistent district-wide practices and standards in addressing sexual harassment complaints, and
- 2) Monitoring District actions in response to allegations of sexual harassment including maintaining a confidential record keeping system of allegations of sexual harassment made by students and employees.

**Board Policy 5145.7**

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who files a complaint, testifies, or otherwise participates in district complaint processes.

(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 people of the same sex 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 district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
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 sexually harassed 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. An employee who receives such a complaint shall report it in accordance with administrative regulation.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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 Actions

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 4-12, 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

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)

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 the schools.

## **Special Education**

Special education services are available to meet the needs of students who have been identified as having one or more disabilities. The Special Education Department ( SELPA) ensures that all students with disabilities have available to them a free and appropriate public education in the least restrictive environment which emphasizes special education and related services designed to meet their unique needs. Contact the District Director of Special Education Services for specific information about services for special education students at (909) 357-7600 Ext. 29374.

## **Child Find (E.C. 56300-56301)**

The School District is responsible for seeking out all individuals who may be eligible for special education services, ages 0 through 21 years of age, who are residence of the School District. This includes students who

attend private school within the District boundaries. For more information contact special education at (909) 357-7600 Ext. 29374

### **Request for IEP Meeting**

The District will hold an IEP meeting within 30 days of receipt of a written request from a parent or guardian to review their student's existing IEP. The request should be submitted in writing to the school principal.

### **Complaint Procedures- Special Education**

Any individual, public agency or organization may file a written complaint with the Superintendent of Public Instruction alleging the Local Public Agency has violated a federal or state law or regulation that governs special education and related services. The violation must have occurred not more than one year prior to the date of the complaint is received by the California Department of Education (CDE). If the complainant files the written complaint with the Superintendent of the local public agency, the Superintendent shall immediately transmit the complaint to the State Superintendent of Public Instruction. Complaints alleging violation of federal and state education laws or regulation may be mailed to: California Department of Education, Special Education Division, Procedural Safeguards Referral Service, 1430 N Street, Suite 2401, Sacramento, CA 95814.

### **Due Process (34 CFR 300.562)**

A parent or guardian or a non-conserved student 18 years or older, may request a due process hearing and/or mediation if they are in dispute regarding the IEP which has been proposed. Requests for Due Process should be mailed to: Office of Administrative Hearings, Special Education Unit, 1102 Q Street, 4<sup>th</sup> Floor, Sacramento, California, 95814.

Under AB 2580 a hearing officer in a due process hearing related to special education, may grant an extension of a decision one for good cause.

**The District would like to work with you to resolve all complaints at the local level whenever possible. We invite you to meet with the SELPA Director to resolve your concerns informally before a complaint is filed. The Director will maintain confidentiality as permitted by law. Please contact Fontana SELPA at (909) 357-7600, x29374 for any assistance that you may need.**

### **Special Education: Age of Majority**

When your child reaches the age of 18, all rights under Part B of the IDEA will transfer to your child. The only exception will be if your child is determined to be incompetent under State Law. (34 CFR 300.520; EC 56041.5)

### **School Discipline and Placement Procedures for Students with Disabilities**

#### **May my child be suspended or expelled?**

School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of student conduct from his or her setting to:

- ❖ An appropriate interim alternative education setting, another setting, or suspension for not more than ten (10) consecutive school days, and
- ❖ Additional removals of not more than ten (10) consecutive school days in the same school year for separate incidents of misconduct

#### **What occurs after a removal of more than ten (10) days?**

After a child with a disability has been removed from his or her current placement for ten (10) school days in the same school year, during any subsequent days of removal the public agency must provide services to enable the child to continue to participate in the general education curriculum and progress toward meeting the goals

set out in the child's IEP. Also, a child will receive, as appropriate, a functional behavior assessment and behavioral intervention services and modifications, which are designed to address the behavior violation so that it does not recur.

If a child exceeds ten (10) days in such a placement, an IEP team meeting must be held to determine whether the child's misconduct is caused by the disability. This IEP team meeting must take place immediately, if possible, or within ten (10) days of the school district's decision to take this type of disciplinary action.

As a parent you will be invited to participate as a member of this IEP team. The school district may be required to develop an assessment plan to address the misconduct or, if your child has a behavior intervention plan, review and modify the plan as necessary.

### **What happens if the IEP team determines that the misconduct is not caused by the disability?**

If the IEP team concludes that the misconduct was not a manifestation of the child's disability, the school district may take disciplinary action, such as expulsion, in the same manner as it would for a child without a disability. *(20 USC 1415[k][1] and [7]; 34 CFR 300.530)*

If you disagree with the IEP team's decision, you may request an expedited due process hearing, which must occur within twenty (20) school days of the date on which you requested the hearing. *(20 USC 1415[k][2]; 34 CFR 300.531[c])*

Regardless of the setting the school district must continue to provide FAPE for your child. Alternative educational settings must allow the child to continue to participate in the general curriculum and ensure continuation of services and modifications detailed in the IEP. *(34 CFR 300.530; EC 48915.5[b])*

## **Private Non-Public School**

### **May students who are parentally placed in private schools participate in publicly funded special education programs?**

The school district must consult with private schools and with parents to determine the services that will be offered to private school students. Although school districts have a clear responsibility to offer FAPE to students with disabilities, those children, when placed by their parent in private schools, do not have the right to receive some or all of the special education and related services necessary to provide FAPE. *(20 USC 1415[a][10][A]; 34 CFR 300.137 and 300.138; EC 56173)*

If a parent or an individual with exceptional needs who previously received special education and related services under the authority of the school district enrolls the child in a private elementary school or secondary school without the consent of or referral by the local educational agency, the school district is not required to provide special education if the district has made FAPE available. A court or a due process hearing officer may require the school district to reimburse the parent or guardian for the cost of special education and the private school only if the court or due process hearing officer finds that the school district had not made FAPE available to the child in a timely manner prior to that enrollment in the private elementary school or secondary school and that the private placement is appropriate. *(20 USC 1412[a][10][C]; 34 CFR 300.148; EC 56175)*

### **When may reimbursement be reduced or denied?**

The court or hearing officer may reduce or deny reimbursement if you did not make your child available for an assessment upon notice from the school district before removing your child from public school. You may also

be denied reimbursement if you did not inform the school district that you were rejecting the special education placement proposed by the school district, including stating your concerns and intent to enroll your child in a private school at public expense.

Your notice to the school district must be given either:

- ❖ At the most recent IEP team meeting you attended before removing your child from the public school, or
- ❖ In writing to the school district at least ten (10) business days (including holidays) before removing your child from the public school. *(20 USC 1412[a][10][C]; 34 CFR 300.148; EC 56176)*

#### **When may reimbursement not be reduced or denied?**

A court or hearing officer must not reduce or deny reimbursement to you if you failed to provide written notice to the school district for any of the following reasons:

- ❖ The school prevented you from providing notice
- ❖ You had not received a copy of this Notice of Procedural Safeguards or otherwise been informed of the requirements to notify the district
- ❖ Providing notice would likely have resulted in physical harm to your child
- ❖ Illiteracy and inability to write in English prevented you from providing notice, or
- ❖ Providing notice would likely have resulted in serious emotional harm to your child *(20 USC 1412[a][10][C]; 34 CFR 300.148; EC 56177)*

#### **State Academic Assessment/Student Level of Achievement**

School districts shall provide each parent with information on the level of achievement of the parent's child in each of the state academic assessments required under the law. This information is mailed home annually upon receipt by the district office. 20USCS & 6311 (h) (6) (B)

#### **Student Conduct EC 44807**

Students must obey all school and classroom rules while at school, school activities, and on their way to and from school and school activities. Every teacher shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during breaks.

#### **Student Grievance Procedure Board Policy 5145.3(c-d)**

Any student who believes there is a practice, rule or policy involving sex discrimination as prohibited by Title IX may request a hearing.

Such informal hearing will initially be with the principal. If the problem is resolved and no further steps are needed, the case is closed.

If the problem is not resolved at this stage, the case should be put to the principal in writing, who will submit it to a review board consisting of two staff members and two students who will review the case and recommend to the principal. The principal will be an ex-officio member of the Title IX review board.

The principal will report the case, the review board recommendation, and his/her decision regarding the case to the district employees in charge of Title IX regulations, who will review the case. The Title IX officer will communicate their decisions in writing, to the student, building principal and other pertinent parties within 10 working days.

If the case is not resolved, the student and Title IX officer may submit the case in writing to the district Superintendent for review. The Superintendent will review the case and may meet with interested parties at his/her discretion. A decision will be communicated in writing to the student, principal, Title IX office and other pertinent parties within 15 working days.

At last resort, the student may through the Title IX officer and Superintendent, request a hearing with the Board. Such request will be accepted or denied by the Board within 30 working days.

#### 1. Notification

Students are to be apprised of the contents of Title IX, the prohibition against discrimination it affords, and the grievance procedure and officers under Title IX available to them.

Notices will be placed annually in the local newspapers that serve the community. Notification will also be distributed to students annually through the student newspaper and student bulletins.

In-service meetings shall be conducted to assist teachers with the ramifications of the legislation in their classrooms and to make them aware of available teaching materials.

Title IX Officer: Office of Human Resources  
9680 Citrus Avenue, Bldg. 4, Fontana, CA 92335  
(909) 357-7600 Ext.29046

#### **Sun Protective Clothing/Use of Sunscreen EC 35183.5**

Each school site shall allow for outdoor use during the school day, articles of sun protective clothing, including but not limited to hats. The law provides for use of sunscreen by students, during the school day, without a physician's note or prescription and authorizes sites to establish a policy regarding use of sunscreen.

#### **Suspension EC 48900**

A pupil may not be suspended from school or recommended for expulsion unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to one or more of EC 48900 subdivisions (a) to (t), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.  
(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. Please note that with the passage of AB 424 no one has the authority to grant permission to possess a firearm on school grounds.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings: (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
  - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
  - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
  - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
  - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

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

- (i) A message, text, sound, or image.
- (ii) A post on a social network Internet Web site including, but not limited to:
  - (I) Posting to or creating a burn page. “Burn page” means as Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
  - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
  - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the profile.
  - (iii) An Act of cyber sexual bullying.
    - (I) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (II) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.
- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
  - (1) While on school grounds.
  - (2) While going to or coming from school.
  - (3) During the lunch period whether on or off the campus.
  - (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) A superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.
- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

Particular Circumstances – Section 48915 (c5), as added, provides that a pupil shall be recommended for expulsion for possession of an explosive. Subdivision (h) as added, defines the term explosive as used in Section 48915. (*Amended by SB 166, Ch. 116, Statutes of 2001*).

### **Sexual Harassment EC 48900.2**

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5. For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

### **Hate Violence EC 48900.3**

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

### **Harassment EC 48900.4**

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

### **EC 48900.5**

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs, as defined in Section 56026, may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.

### **EC 48900.7**

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.



(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

#### **EC 48911**

A reasonable effort must be made by school officials to notify parents in person or by telephone at the time of suspension. Notification of suspension in writing is mandatory.

The student and parent is entitled to an informal meeting with the school principal. The principal's decision is final.

#### **EC 48915**

(a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

- (A) Causing serious physical injury to another person, except in self-defense.
- (B) Possession of any knife or other dangerous object of no reasonable use to the pupil.
- (C) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
  - i. The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
  - ii. The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
- (D) Robbery or extortion.
- (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(b) Upon recommendation by the principal, superintendent of schools or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel shall be based on a finding of one or both of the following:

- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

- (1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.

- (2) Brandishing a knife at another person.
  - (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
  - (4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
  - (5) Possession of an explosive.
- (d) The governing board shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:
- (1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.
  - (2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.
  - (3) Is not housed at the school site attended by the pupil at the time of suspension.
- (e) Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:
- (1) That other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
  - (2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.
- (f) The governing board shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study which meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e), if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or an elementary school, and that the only option for placement is at another comprehensive middle, junior, or senior high school, or another elementary school, the pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.
- (g) As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.
- (h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

### **Involuntary Transfers (EC 48929 and 48432.5)**

The Governing Board desires to enroll students in the school of their choice but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the district. As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at district schools, and the availability of support services and other resources.

A Student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5 (C) or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the

victim of the crime for which he/she was convicted (Education Code 48929). The school site will attempt to resolve the conflict before transferring the pupil.

If a high school student commits an act enumerated in Education Code 48900 or is or is habitually truant or is chronically absentee as defined, he/she may be transferred to a continuation school. (Education Code 48432.5)

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer. The placement is up for review with the Superintendent or designee one calendar year after placement. Parent has the right to appeal to the recommendation to transfer to the board of education.

### **Transfer of a Pupil Convicted of Violent Felony or Misdemeanor**

A student may be transferred to another school if convicted of a violent felony, as described in subdivision (C) of Section 667.5 of the Penal Code, or convicted of a misdemeanor listed in Section 29805 of the Penal Code if the pupil to be transferred and the victim of the crime for which the pupil was convicted are enrolled at the same school. School site will first attempt to resolve conflict before transferring a pupil. SB 1343.

### **Truancy EC 48260, 48262 and 48263.6**

A student is considered truant after three absences or three tardies of more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC 48205. Under AB 2685 a student may not have their driving privilege suspended, repealing Section 13202.7 of the Vehicle Code.

### **Uniform Complaint Policy and Procedures 5CCR 4622, EC 234.1, 32289 and 49013**

#### **Goal**

It is the goal of the Fontana Unified School District to ensure compliance with applicable state and federal regulations. The district has adopted policies and procedures for the investigation and resolution of complaints alleging failure to comply with applicable state and federal laws. The District is primarily responsible for compliance with federal and state laws and regulations.

#### **Responsibility for Uniform Complaint Procedures**

The Superintendent's Chief of Staff will monitor compliance with provisions outlined in the District's Uniform Complaint Procedure Process. Complaints and allegations regarding noncompliance with applicable state and federal guidelines should be submitted in writing to the Superintendent's Office.

#### **Scope of Complaint Procedures**

This procedure applies to the following programs administered by the State Department of Education:

- Adult Education
- Consolidated Categorical Aid Programs
- Migrant Education
- Career Technical and Technical Education and Training Programs

- Early Education Programs
- Child Nutrition Programs
- Special Education Programs

This procedure also applies to complaints which allege unlawful discrimination, harassment, intimidation, bullying, and charging pupil fees for participation in an educational activity.

#### Who May File a Complaint?

A complaint may be filed by any individual, including a duly authorized representative, interested third party, public agency, and/or organization. Individuals who may file complaints include District students, employees, and parents or guardians. Investigations are conducted in a manner that protects against retaliation and confidentiality or parties and the facts to the greatest extent possible.

#### Filing a Complaint

A written complaint alleging unlawful discrimination shall be filed by one who alleges that he or she has personally suffered unlawful discrimination, or by one who believes an individual or any specific class of individuals has been subjected to prohibited discrimination and evidence relevant to the complaint can be presented during the process. A complaint alleging unlawful discrimination shall be filed with the office of the Superintendent, 9680 Citrus Avenue, P.O. Box 5090, Fontana, CA 92335-5090, no later than six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination. A complainant may file a written request for an extension of time for filing a complaint of unlawful discrimination with the State Superintendent of Public Instruction. The District has 60 days from the date the complaint is received to investigate and render a decision.

#### Appeals

Any complainant(s) may appeal a District decision to the State Superintendent of Public Instruction by filing a written appeal with the Superintendent within 15 days of receiving the District decision. The complainant shall specify the reason(s) for appealing the District decision. The appeal shall include:

- A copy of the complaint; and
- A copy of the District decision

#### Civil Law Remedies

Please be advised that you are not required to exhaust the District Uniform Complaint Procedure prior to pursuing civil law remedies in Superior Court. Statutory authority for such actions includes, but is not limited to, the following:

1. California Education Code Section 200, et. seq. prohibition of sex discrimination.
2. California Government Code Section 11135 prohibition of discrimination in programs funded by the State.
3. Title VI Civil Rights Act of 1964 (42 U.S.C. section 2000d) prohibition of race, color, or national origin discrimination.
4. Title IX Education Amendments of 1972 (20 U.S.C. sections 1681, et. seq.) prohibition of sex discrimination.
5. Sections 504, Rehabilitation Act of 1973 (29 U.S.C. section 794) prohibition of disabled persons.
6. American with Disabilities Act (42 U.S.C. sections 12101, et. seq.) prohibitions of discrimination against disabled persons.

#### Direct State Intervention

A complaint may be filed directly with the California Department of Education, without first exhausting the District Uniform Complaint Procedure, if one or more of certain conditions exist (Title 5 California Code of Regulations Section 4650). For more information regarding the right to direct state intervention, please contact Howie DeLane, Categorical Complaints Management Unit, California Department of Education, P.O. Box 944272, Sacramento, CA 94244-2720; telephone (916) 657-3630.

### Questions

For more information regarding Uniform Complaint Procedures or assistance with the process, please call Fontana Unified School District, Associate Superintendent, Human Resources, 9680 Citrus Avenue, P.O. Box 5090, Fontana, CA 92335-5090. Copies of the District's complaint procedure are available free of charge by calling the above number, and the procedure is available on the internet at [www.fusd.net](http://www.fusd.net) [quick links].

California Department of Education  
Contacts for Programs and Services Covered Under  
The Uniform Complaint Procedures

Program	Contact	Telephone
<b>Adult Education</b>	Adult Education Office	(916) 322-2175
<b>Career and Technical Division</b>	Career Technical Education Regional Occupational Centers Programs	(916) 322-5050
<b>Child Development</b> , including: Alternative Payment      Protective Services CalWORKS Stages 2 & 3      Resource and Referral Exceptional Needs      School-Age (Latchkey) General      Severely Handicapped Family Child Care Homes      State Preschool Migrant	Child Development Office	(916) 322-6233
<b>Consolidated Categorical Aide</b> , including: Economic Impact Aide – State Compensatory Education (EIA/SCE) Economic Impact Aide–State Program for Students of Limited Proficiency (EIA/LEP) No Child Left Behind (Titles I-VI) (NCLB) School Improvement Tenth-Grade Counseling Tobacco-Use Prevention Education (TUPE) Peer Assistance and Review (PAR) School Safety and Violence Prevention Act	Categorical Programs Complaints Management Unit	(916) 319-0929
<b>Migrant and Indian Education</b>	Migrant, Indian, and International Office	(916) 319-0851
<b>Nutrition Services</b>	Nutrition Services Division	(916) 445-0850
<b>Special Education</b>	Procedure Safeguards Referral Services Unit	(800) 926-0648
<b>Facilities</b>	School Facility Planning Division	(916) 322-2470
<b>Office of Equal Opportunity</b> , including: Discrimination Harassment Civil Rights Guarantees	Office of Equal Opportunity	(916) 445-9174

For additional general information on uniform complaint procedures, contact the Categorical Programs Complaints Management Unit, California Department of Education, School and District Accountability Division, 130 N Street, Sacramento, CA 95814-5901; telephone (916) 319-0929, or visit their website at <http://www.cde.ca.gov/re/cp.uc>.

### **Victim of a Violent Crime 20 USC 7912**

A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, has the right to transfer to another school within the district.

### **Walking or Riding a Bike to School VC 21212**

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

**Williams Complaint Policy & Procedure EC 35186**

This notice is provided to inform you of the following:

1. Every school must provide sufficient textbooks and instructional materials. Every student, including English Learners, must have textbooks or instructional materials, or both to use in class and to take home or use after class.
2. School facilities must be clean, safe, and maintained in good repair. School restrooms must be cleaned and maintained regularly, fully functional and stocked at all times with toilet paper, soap and paper towels or functional hand dryers in accordance with Education Code 35292.5.
3. There should be no teacher vacancies or misassignment. Each class should be assigned a teacher and not a series of substitutes or temporary teachers. The teacher should have the proper credential and subject matter training to teach the class, including training to teach English Learners, if present.
4. Teacher vacancy means a position which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, at the beginning of a semester for a one-semester course. Misassignment means the placement of a certificated employee in a position for which the employee is not legally authorized.

To file a complaint regarding the above matters, complaint forms can be obtained at the Principal's Office or downloaded from the district website at [www.fusd.net](http://www.fusd.net).

**Withholding Grades EC 48904.3**

Any school district whose property has been cut, defaced, or otherwise injured, or whose loaned property has not yet been returned, may withhold grades, diplomas, and transcripts from the pupil or parent. The district must notify the parent in writing of the student's alleged misconduct. Any school district to which a pupil subject to the preceding statute has transferred to shall also withhold grades, diplomas, or transcripts upon receiving notice from the former district.

**Please fill out and sign the receipt form on the last page of the booklet. Please have your child return the last three pages of the booklet to his/her school promptly. Education Code 48982 requires an acknowledgment of receipt for each student.**



## Letter for Annual Notice

Dear Parents/Guardians:

The federal Family Educational Rights and Privacy Act (FERPA) gives parents the right to know about Fontana Unified School District's collection and sharing of student educational data. In general, the district must obtain your consent before it discloses personally identifiable information from your child's educational record to any individual or organization. This letter explains what student data the district collects and why, describes how the district protects the privacy of student data, and lists the student data that the district plans to share with programs and services that help students learn and achieve college and career goals. It is important you read this letter, sign at the bottom and return the signed document to your child's school.

### What Kinds of Student Data Do We Collect and Why?

**School Operations** – We collect data such as address, phone number, gender, and age as well emergency contact information. Additionally, we annually collect an image of your student for their identification badge. We collect these kinds of data to ensure student safety and to help run our schools efficiently.

**Student Participation** – We maintain data such as attendance and participation in school-sponsored extra-curricular activities to ensure that students have opportunities to learn and pursue their interests.

**Student Needs and Goals**– We administer assessments to students in order to measure children's growth and achievement. Teachers, administrators, and parents use such data to better address student needs and goals.

**Student Voice** – We sometimes conduct student surveys to collect student views on ways to improve our educational programs and services.

### How Is Student Data Protected?

The Fontana Unified School District follows student data privacy laws and adheres to security policies to safeguard student data. When we use online service providers that collect, process or store student data, we ensure that they adhere to applicable student data privacy laws and have security policies in place to protect student data.

### Why is Student Data Shared?

Primarily we share your student's data with online programs to help teachers provide students with instruction tailored to their needs.

**If you give consent to the district to share data about your child for these educational purposes, go to the end of the letter, complete the form, sign, and return this document to your child's school.**

If you do not give the district consent to share data about your child to participate in one or more online educational programs or services, then you may do so.

### 1. College Scholarships for 12<sup>th</sup> Grade Students

A new California law called AB 2160 requires the Fontana Unified School District to provide the grade point averages (GPAs) of 12<sup>th</sup> grade students to the California Student Aid Commission. The commission considers the GPAs in its review of applications for CalGrants that are submitted by 12 grade students. CalGrants are college scholarships.

In order to assist high school seniors in applying for CalGrants, the Fontana Unified School District plans to electronically submit your 12<sup>th</sup> grade child's GPA at the end of the fall semester to the California Student Aid Commission.

If you do not wish to give consent, then check the following box.

I do NOT wish FUSD to submit my 12<sup>th</sup> grade child's GPA to the Cal Grants Program.

### 2. College Enrollment and Graduation

Fontana Unified School District uses the services of The National Student Clearinghouse to obtain and provide data about the postsecondary experiences of our high school graduates. The district uses the information to improve our efforts to prepare your child for success in college.

The Fontana Unified School District plans to share the following information about your child with the National Student Clearinghouse so that it can collect and report on data about your child's postsecondary education:

- High School Name
- District Student ID or State Educational ID
- First and Last Name
- Date of Birth

If you do not wish to give permission, then check the following box:

I do NOT wish FUSD to release the information listed above about my child to the National Student Clearinghouse.

### 3. Student Directory Information

The federal Family Educational Rights and Privacy Act (FERPA) and California State Education Code 49073 allow the Fontana Unified School District to release "student directory" information upon request, unless the parent notifies the school that such information shall not be released. Students who are 18-years-old may opt out as well. Under Fontana Unified School District Board Policy 5125, the district defines "student directory" information as the following:

- Student's name
- Address
- Telephone number, Date, and place of birth
- Major field of study
- Participation in officially recognized activities and sports
- Weight and height of athletic team members
- Dates of attendance
- Degrees and awards received
- Most recent previous school attended

The district has determined that the following individuals, officials, or organizations may receive “student directory” information if requested: school personnel with legitimate educational interests, schools of intended enrollment, federal and state educational administrators, those who provide financial or student aide, employers, prospective employers, representatives of organized parent groups, and military representatives.

If you do not wish to give permission, then check the following boxes:

I do NOT wish to have any student directory information released to any individual or organization.

I do NOT wish to release any student directory information to those that I check below:

- PTA
- Health Department
- Elected Officials
- United States Armed Forces (20 USC 7908)
- Universities or Other Institutions of Higher Education

#### 4. Photos/Videos

The Fontana Unified School District may photograph or video-record your child for district-related educational purposes. For example, photographs may be needed for student identification badges, school yearbooks, and/or district brochures. As another example, video-recordings of students engaged in classroom activities may be shown to teachers learning a new instructional strategy.

If you do not give consent, then check one or both of the following boxes:

I do NOT wish to have my child’s photograph and/or any video of my child posted to any school or district website and/or social media platform.

I do NOT wish to have my child’s picture appear in any district publication, including the school newspaper, the school yearbook, and district informational materials.

#### **Student Information and Parent Signature**

Please provide the following information about your child, then sign this letter, and return it to your child’s school. Thank you for your consent.

School Name: \_\_\_\_\_ Grade \_\_\_\_\_

Student School I.D. Number (If not known you may leave blank) \_\_\_\_\_

Student Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Street Address \_\_\_\_\_ Apt Number \_\_\_\_\_

City \_\_\_\_\_ Zip Code \_\_\_\_\_

Home Telephone Number \_\_\_\_\_ Cell Number \_\_\_\_\_

Parent email address \_\_\_\_\_

Parent Signature \_\_\_\_\_ Date \_\_\_\_\_

If Student Is Under 18

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

If Student is 18 or older