



# 2024-2025 Parent and Student Information Handbook

## *Notice of Rights and Responsibilities*



## **PARENTS/GUARDIANS**

The Chino Valley Unified School District asks parents/guardians to partner with us in the support of the following:

### **Support School Rules and Procedures**

- To support student's academic success, encourage student to comply with school rules and classroom procedures. The school's handbook and the Parent and Student Information Handbook are valuable resources to review with student.
- To promote active learning, show interest in student's schoolwork and make sure homework completion is a priority.
- Monitor student's television, video gaming, and internet use. It is important to have discussions about cell phone safety where students can access social media sites with ease and outside the watchful eye of parents. Stay aware of student's social media activity.
- Observe and listen to student. Be alert to any signs of personal difficulties. If a student is experiencing personal loss or concern, be sure to notify a school staff member.
- Immediately contact school staff (or the police) to report any safety concerns or criminal activity near the school.

### **Child Abuse and Neglect**

- District employees are required by law to report cases of child abuse and/or neglect whenever there is reasonable suspicion. The identity of all persons who report child abuse shall be confidential and disclosed only among agencies. (PC 11167)

### **Conduct and/or Willful Disturbance**

- Students have a right to be educated in a positive learning environment free from disruptions. Students are expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities and while on District transportation.
- No outsider shall enter or remain on school grounds during school hours without first registering with the principal or designee, except to proceed expeditiously to the office for the purpose of registering. (PC 627.2)
- 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 \$500. (EC 32210)

### **Custody Disputes**

- Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to their student and/or school records. The only exception is when a signed restraining order or proper court documentation, specifically stating visitation limitations, is 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. Should any such situation become a disruption to the school, law enforcement will be contacted, and an officer requested to intervene. Parents are asked not to involve school personnel in custody matters. The school will make every attempt to contact the custodial parent when a parent or any other person not listed in Aeries Contacts attempts to pick up a student. (BP 5021)

### **Health Care and Emergencies**

- For the protection of a student's health and welfare, the District requires the student's parent/guardian to keep current their emergency contact information in Aeries Contacts through the Aeries Parent Portal. At the beginning of each school year during Aeries Data Confirmation, parents/guardians of each CVUSD student shall verify and update their home address/telephone number, business address/telephone number, cell phone number and email addresses of the parents/guardians, and the physician to call in case of emergency. Additionally required, are the name, address, and telephone number of an adult relative or adult friend to whom student may be released and who is authorized by the parent/guardian to care for the student in case of emergency or when the parent/guardian cannot be reached. Any time there is a change in information contained in Aeries Contacts, parent/guardian shall inform the school of the change by updating the information in the Aeries Parent Portal.
- In the event of an emergency, proper identification shall be required at the site. Student will be released to those listed in Aeries Contacts only if parent/guardian cannot be reached. Student will not be released to friends, neighbors, siblings, etc., unless they are listed in Aeries Contacts. To authorize additional individuals or daycare center personnel to pick up a student in the event of an emergency, parents/guardians must update student's contact information in Aeries Parent Portal. For security reasons, no phone authorizations will be accepted.

## PARENTS/GUARDIANS

### Misplaced, Lost, or Stolen Items

- Send only necessary educational materials to school. School staff are not responsible for misplaced, lost, or stolen items.

### Release of Students During the School Day

(AR 5142)

Students shall be released during the school day in the custody of an adult only if:

- the adult is the student's custodial parent/guardian
- the adult has been authorized in student's Aeries Contacts as someone to whom the student may be released when the custodial parent/guardian cannot be reached, and the principal or designee verifies the adult's identity
- the adult is an authorized law enforcement officer acting in accordance with law
- the adult is taking the student to emergency medical care, at the request of the principal or designee

### Tobacco-Free District

- "Tobacco-free" means the prohibition of the use of tobacco or tobacco products at any time in District owned or leased buildings, on District property, in District vehicles, or within 250 feet of a youth sports event. This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off District property. (HSC 104495, BP 3513.3)

### Traffic Laws and Motor Vehicles on School Grounds

- Parents/guardians and students must comply with traffic laws and regulations, including school and District parking regulations and established procedures. Drive carefully and cautiously when around CVUSD schools.
- Motor vehicle searches on school grounds are conducted when there is a reasonable suspicion a school rule has been violated. (BP 5145.12) Students are subject to suspension and expulsion proceedings for having dangerous, illegal, and/or inappropriate objects, material, or substances in their car. (AR 5144.1)

### Annual Nondiscrimination Statement and Notification

The Chino Valley Unified School District is committed to equal opportunity for all individuals in education and employment. The District prohibits discrimination, intimidation, harassment (including sexual and discriminatory), or bullying based on a person's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, immigration status, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics in its programs, activities, and provides equal access to the Boy Scouts and other designated youth groups. (CVUSD BP 410, 1312.3, 5131.2, 5145.3, 5145.7, 5145.9).

The following employees have been designated to handle questions and complaints of alleged discrimination:

Grace Park, Ed.D. | Deputy Superintendent

Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710

[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [grace\\_park@chino.k12.ca.us](mailto:grace_park@chino.k12.ca.us) | (909) 628-1202, ext. 1124

Antonia Hunt, Ed.D. | Coordinator, Equity, Diversity, and Support Systems

Title IX Coordinator; District Coordinator for Nondiscrimination; Equity Compliance Officer

Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710

[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [antonia\\_hunt@chino.k12.ca.us](mailto:antonia_hunt@chino.k12.ca.us) | (909) 628-1202, ext. 1745

Alpercy Bennett | Coordinator, Child Welfare and Attendance

District Section 504 Coordinator; Title II Coordinator (Students)

Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710

[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [al\\_bennett@chino.k12.ca.us](mailto:al_bennett@chino.k12.ca.us) | (909) 628-1202, ext. 1745

Students have the right to a free public education, regardless of immigration status or religious beliefs. More information about these rights is available from the California Attorney General, Know Your Rights Learn more about Title IX, Student Rights Under Title IX. For more information on Title IX, visit [www.chino.k12.ca.us/page/45440](http://www.chino.k12.ca.us/page/45440).

### Career Technical Education (CTE) Annual Notification

Chino Valley Unified School District does not discriminate on the basis of race, color, national origin, sex, or disability in its program or activities and provides equal access to the Boy Scouts and other designated youth groups. CVUSD offers classes in many career and technical education program areas. Districtwide, students have access to 22 different career pathways among ten different industry sectors under its open admissions policy. For more information about CTE course offerings and admissions criteria, contact the Director of Secondary Curriculum and Instruction:

## **PARENTS/GUARDIANS**

Eric Dahlstrom, Ed.D. | Director, Secondary Curriculum and Instruction  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [eric\\_dahlstrom@chino.k12.ca.us](mailto:eric_dahlstrom@chino.k12.ca.us) (909) 628-1202, ext. 1630

Lack of English language proficiency will not be a barrier to admission and participation in career and technical education programs. The following people have been designated to handle inquiries regarding the nondiscrimination policies:

Grace Park, Ed.D. | Deputy Superintendent  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [grace\\_park@chino.k12.ca.us](mailto:grace_park@chino.k12.ca.us) | (909) 628-1202, ext. 1124

Antonia Hunt, Ed.D. | Coordinator, Equity, Diversity, and Support Systems  
Title IX Coordinator; District Coordinator for Nondiscrimination; Equity Compliance Officer  
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[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [antonia\\_hunt@chino.k12.ca.us](mailto:antonia_hunt@chino.k12.ca.us) | (909) 628-1202, ext. 1745

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## SCHOOL DIRECTORY

District Office  
13461 Ramona Avenue  
Chino, CA 91710  
(909) 628-1202

Website  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us)

### **ELEMENTARY SCHOOLS**

Anna Borba	4980 Riverside Drive, Chino 91710	(909) 627-9638
Butterfield Ranch	6350 Mystic Canyon, Chino Hills 91709	(909) 591-0766
Howard Cattle	13590 Cypress Avenue, Chino 91710	(909) 591-2755
Chaparral	4849 Bird Farm Road, Chino Hills 91709	(909) 606-4871
Alicia Cortez	12750 Carissa Avenue, Chino 91710	(909) 627-9438
Country Springs	14145 Village Center Drive, Chino Hills 91709	(909) 590-8212
Levi H. Dickey	2840 Parco Avenue, Ontario 91761	(909) 947-6693
Doris Dickson	3930 Pamela Drive, Chino 91710	(909) 591-2653
Eagle Canyon	13435 Eagle Canyon Drive, Chino Hills 91709	(909) 590-2707
Glenmeade	15000 Whirlaway Lane, Chino Hills 91709	(909) 393-4087
Hidden Trails	2250 Ridgeview Drive, Chino Hills 91709	(909) 597-0288
Liberty	2730 S. Bon View Avenue, Ontario 91761	(909) 947-9749
Gerald F. Litel	3425 Eucalyptus, Chino Hills 91709	(909) 591-1336
E. J. Marshall	12045 Telephone Avenue, Chino 91710	(909) 627-9741
Newman	4150 Walnut Avenue, Chino 91710	(909) 627-9758
Oak Ridge	15452 Valle Vista Drive, Chino Hills 91709	(909) 591-1239
Edwin Rhodes	6655 Schaefer Avenue, Chino 91710	(909) 364-0683
Rolling Ridge	13677 Calle San Marcos, Chino Hills 91709	(909) 628-9375
Walnut	5550 Walnut Avenue, Chino 91710	(909) 627-9817
Michael G. Wickman	16250 Pinehurst Drive, Chino Hills 91709	(909) 393-3774

### **K - 8 SCHOOLS**

Lyle S. Briggs	11880 Roswell Avenue, Chino 91710	(909) 628-6497
Cal Aero Preserve Academy	15850 Main Street, Chino 91708	(909) 606-8531
Legacy Academy	16450 East Preserve Loop, Chino 91708	(909) 628-1201

### **JUNIOR HIGH SCHOOLS**

Canyon Hills	2500 Madrugada, Chino Hills 91709	(909) 464-9938
Magnolia	13150 Mountain Avenue, Chino 91710	(909) 627-9263
Ramona	4575 Walnut Avenue, Chino 91710	(909) 627-9144
Robert O. Townsend	15351 Ilex Drive, Chino Hills 91709	(909) 591-2161
Woodcrest	2725 South Campus Avenue, Ontario 91761	(909) 923-3455

### **HIGH SCHOOLS**

Ruben S. Ayala	14255 Peyton Drive, Chino Hills 91709	(909) 627-3584
Chino	5472 Park Place, Chino 91710	(909) 627-7351
Chino Hills	16150 Pomona Rincon Road, Chino Hills 91709	(909) 606-7540
Don Antonio Lugo	13400 Pipeline Avenue, Chino 91710	(909) 591-3902

### **ALTERNATIVE SCHOOLS**

Adult School	12970 Third Street, Chino 91710	(909) 627-9613
Alternative Education Center	15650 Pipeline Avenue, Chino 91709	(909) 591-3682
Boys Republic	3493 Grand Avenue, Chino Hills 91709	(909) 902-6690
Buena Vista	13509 Ramona Avenue, Chino 91710	(909) 628-9903
Chino Valley Learning Academy	15650 Pipeline Avenue, Chino 91709	(909) 628-1202

## LIST OF ABBREVIATIONS

PHRASE	ABBREVIATION
Administrative Regulation(s).....	AR
Assembly Bill.....	AB
Board Policy (ies) .....	BP
Board of Education .....	Board
Business and Professions Code.....	BPC
California Alternate Assessment .....	CAA
California Assessment of Student Performance and Progress.....	CAASPP
California Code of Regulations .....	CCR
California Community College.....	CCC
California Department of Education.....	CDE
California Education Code.....	EC
California Health and Safety Code .....	HSC
California Healthy Kids Survey .....	CHKS
California High School Proficiency Exam.....	CHSPE
California Next Generation Science Standards.....	CA NGSS
California Revenue and Taxation Code.....	RTC
California Science Tests.....	CAST
California State University.....	CSU
Chino Valley Unified School District .....	CVUSD, District or Chino Valley USD
Code of Federal Regulations .....	CFR
Common Core Standards .....	CCSS
Career Technical Education.....	CTE
Early Assessment Program.....	EAP
English Language Arts/Literacy .....	ELA
English Language Proficiency Assessments for California .....	ELPAC
Family Educational Rights and Privacy Act .....	FERPA
Individualized Education Plan .....	IEP
Individuals with Disabilities Education Act .....	IDEA
Local Educational Agency.....	LEA
Parent and/or Legal Guardian.....	Parent/Guardian
Penal Code.....	PC
School Accountability Report Card .....	SARC
School Attendance Review Board.....	SARB
Student and Teacher Excellence Program.....	STEP
United States Code.....	USC
United States Department of Agriculture .....	US
Welfare and Institution Code .....	WIC
Vehicle Code.....	VC



## **ACCESS AND EQUITY**

### **Parent and Family Engagement**

(BP/AR 6020, EC 11500, 11501, 11502, 11503)

CVUSD recognizes that parents/guardians are the student's first teachers. Creating a home-to-school connection is one of the many goals teachers and administrators have with families. Parents/guardians and community members are crucial partners with schools to support and enhance academic success. Parents/guardians are asked to take an active role in their student's education. Parent and Family Engagement Board Policy and Administrative Regulation 6020 recognize that parents/guardians have rights and responsibilities for their student's education. As a support to families in exercising their rights and responsibilities, each school in CVUSD has a *Home-School Partnerships* compact (an annual one-year action plan) and a school *Parent and Family Engagement Policy*. These documents are revised with meaningful parent/guardian and staff input and distributed to parents/guardians annually. *Partnerships for Learning Network (PFLN)*, a District program, guides schools in making the home-school connection through technical assistance, parent/guardian education and academies throughout the year. PFLN encourages school communities to learn from each other in implementing highly effective practices to engage parents/guardians and community members as true partners. School staff work hard to implement different types of parent/guardian and community engagement activities ranging from parents/guardians participating in programs to decision-making opportunities and engaging in learning at home ideas for families. For further information on this program visit <https://www.chino.k12.ca.us/page/8882> or contact Ibis Cordero, Coordinator of Family Engagement at [ibis\\_cordero@chino.k12.ca.us](mailto:ibis_cordero@chino.k12.ca.us), (909) 628-1202, ext. 5601. Another great resource for our families is our **CVUSD Family Engagement Center** located at the Adult School campus, Room 25, 12970 Third St, Chino, CA 91710. This center provides workshops, classes, and trainings for parents/guardians and staff. Visit the Family Engagement Center website for information: <https://www.chino.k12.ca.us/Page/8882>. We encourage parents/guardians to partner with student's teacher and school staff and take advantage of free workshops and resources available at the **Family Engagement Center**.

### **Parent Participation in School Meetings and Conferences – LC 230.8**

Parent may not be discriminated against for taking time off work up to 40 hours each year for child-related activities (for a child in grade K-12 or in a licensed childcare facility) if the employer has 25 or more employees. Prior to taking the time off, parent should plan for absence, not to exceed eight hours in any calendar month to address school or emergency needs. "Parent" may mean a parent, guardian, stepparent, foster parent, grandparent or a person who stands in loco parentis to a child. Emergency applies to prohibited attendance for behavior, discipline, unexpected closure or unavailability of childcare provider, natural disaster, or other means to put student in danger for lack of supervision. The employer may not discharge or threaten to discharge for any of the labor code protections. Therefore, parents may be allowed to come to IEP meetings, suspension or expulsion conferences, SART or SARB meetings, or Student Study Team meetings by following the labor code guidelines. With employees of workplaces with less than 25 employees, reasonableness applies regarding unpaid leave. It should not be considered an abandonment of the work position by walking off without explicit permission and should still not be justification for dismissal without cause. If you require written documentation from the school district to provide to your employer, please request this from the school principal or contact; Todd Finkbiner, Director of Access and Equity at (909) 628-1202 ext. 1330.

### **Bilingual Education**

(EC 52173; 5 CCR 11303)

The District is required to provide parents and guardians an opportunity for consultation prior to placement of student in a program of bilingual education. Notification is required by mail or in person to inform parents and guardians: 1) in a simple, nontechnical description of purposes, method, and content of the program; 2) that they have the right and are encouraged to visit classes and to come to the school for a conference to explain the nature and objectives of bilingual education; 3) of their right not to have their student enrolled in such a program; and 4) of the opportunity to participate in the school or school district advisory committee, or both. Written notice shall be provided in English and the primary language of the student.

### **Language Acquisition Program**

(EC 310, 5 CCR 11309)

EC 310: Parents or legal guardians may choose a language acquisition program that best suits their student. Schools in which the parents or legal guardians of 30 students or more per school or the parents or legal guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible, based upon the requirements of EC 305. If the school district implements a language acquisition program, the parent or guardian shall be provided with information on the types of language programs available to students enrolled in the school district, including, but not limited to, a description of each

program. The information shall be made part of the annual notice required pursuant to EC 48980 or upon enrollment. CVUSD offers the following language and language acquisition programs for student enrollment. Parents/Guardians may choose a language acquisition program that best suits their student (EC Section 310[a]). CVUSD offers two program choices:

- **Structured English Immersion Program:** A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered Designated ELD and provided access to grade level academic subject matter content with Integrated ELD.
- **Dual-Language Immersion (DLI) Program:** A Spanish and Mandarin language acquisition program also referred to as Two-Way Immersion that provides language learning and academic instruction for native speakers of English and native speakers of another language with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. This program begins in Kindergarten.

Although schools have an obligation to serve all EL students, parents or guardians of English learners have a right to decline or opt their children out of a school's EL program or out of particular EL services within an EL program. If parents or guardians opt their students out of a school's EL program or specific EL services, the students retain their status as English learners. The school remains obligated to take the affirmative steps required by Title VI of the Civil Rights Act of 1964 and the appropriate actions required by the Equal Education Opportunity Act of 1974 to provide EL students access to its educational programs (20 U.S.C. sections 1703[f], 6312[e][3][A][viii]).

### **How to Enroll Your Child in a Language Acquisition Program**

Schools in which the parents or legal guardians of 30 students or more per school or the parents or legal guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (20 U.S.C. Section 6312[e][3][A][viii][III]); EC Section 310[a]). Those interested in enrolling their child in the Dual Language Immersion program should visit the registration page on the District website at <https://www.chino.k12.ca.us/Page/26655>.

### **How to Request the Establishment of a New Program at a School**

Schools in which the parents or legal guardians of 30 students or more per school or the parents or legal guardians of 20 students or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC Section 310[a].) If interested in a different program from those listed above, contact Todd Finkbiner, Director of Access and Equity at (909) 628-1202 ext. 1330 to ask about the process.

### **About Language Acquisition Programs and Language Programs**

#### **Language Acquisition Programs**

The California Code of Regulations section 11309 requires that any language acquisition program provided by a school, district, or county shall:

- be designed using evidence-based research and include both Designated and Integrated English Language Development;
- be allocated sufficient resources by the Local Educational Agency (LEA) to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and
- within a reasonable period of time, lead to grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state-adopted academic content standards in that other language.

#### **Language Programs: (non-English Learners)**

- Language programs offer students who are not English learners opportunities to be instructed in languages other than English
- May lead to proficiency in languages other than English

Parents may provide input regarding language and language acquisition programs in the LEA or to be considered in the LEA during the development of the Local Control and Accountability Plan (EC Section 52062.) If interested in a different program from those listed above, contact Todd Finkbiner, Director of Access and Equity at (909) 628-1202 ext. 1330 to ask about the process.

## **Educational Equity: Immigration Status**

(EC 66251, 66260.6, 66270, and 66270.3)

This Education Code adds "immigration status" to the list of protected groups of individuals to ensure that discrimination does not occur. The Equity in Higher Education Act, states that all persons, regardless of their immigration status, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic such as hairstyles, equal rights and opportunities and adds this opportunity to apply for financial aid for higher education to also be equitable, and an application may not be denied of a student based on their immigration status. This does not guarantee any final eligibility, but simply an ability to apply for financial aid just like any other student, without discrimination.

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## **ATTENDANCE**

### **Attendance Policy**

(BP/AR 5112.1, EC 48200)

The most important way a student can achieve academic success is to attend school every day. In fact, research has shown the positive impact good school attendance has on academic achievement. The Chino Valley Unified School District's Board of Education (Board) believes regular attendance plays an important role in student achievement and recognizes its responsibility under the law to ensure that students attend school regularly. Minors between the ages of 6 to 18 are subject to compulsory full-time education and, unless otherwise provided by law, shall attend the school day or classes for the full-time designated as the length of the school day by the Board. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

### **How Absences are Counted**

Elementary: Absences are counted by the full day for elementary. If a student leaves 30 minutes or more before the end of the school day (early release), is tardy 30 minutes or more at the beginning of the school day or has any other partial day absence for more than 30 minutes without being excused, that absence is recorded and is included in the count towards the truancy report letters.

Secondary: Absences are counted by the full day for all periods missed in one day and counted by each period missed for partial day absences. Tardies for more than 30 minutes or any other partial day absence for more than 30 minutes without a valid excuse, or any combination thereof within a school year are also included in the count towards the truancy report letters.

### **Absence Verification**

(AR 5113, EC 46012, 5 CCR 306)

When a student who has been absent returns to school, the student must present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian or other person having control of the minor, or the student if age 18 or older.

CVUSD requests that parents/guardians clear their student's absence daily. Parents/guardians have five school days to clear absences with the school's attendance clerk. If not cleared within five school days, the absence becomes unverified and cannot be changed.

The following methods may be used to verify student absences:

1. Written note, fax, e-mail or voicemail from parent/guardian, parent representative, or student if age 18 or older.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative or student if age 18 or older. The employee shall subsequently record the following:
  - name of student
  - name of parent/guardian or parent representative
  - name of verifying employee
  - date(s) of absence
  - reason for absence

## Excused Absences

(BP/AR 5113, EC 46010, EC 46014, EC 48205, EC 48216, EC 48225.5)

Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, Board Policy (BP) and Administrative Regulations (AR). Class participation is an integral part of a student's learning experience. Parents/guardians and students are encouraged to schedule medical appointments during non-school hours.

Education Code 48205 states:

- (a) Notwithstanding Section 48200, a student shall be excused from school when the absence is:
  - (1) Due to the student's illness, including an absence for the benefit of the student's mental or behavioral health.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services or grieving the death of either a member of the student's immediate family, or of a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, so long as the absence is not more than five days per incident.
  - (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 student is the custodial parent, including absences to care for a sick child, for which the school shall not require a note from a doctor.
  - (7) For justifiable personal reasons, including, but not limited to, an attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the student's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the student's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
  - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - (9) For the purpose of spending time with a member of the student's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
  - (10) For the purpose of attending the student's naturalization ceremony to become a United States citizen.
  - (11) For the purpose of participating in a cultural ceremony or event.
  - (12) (A) For the purpose of a middle school or high school student engaging in a civic or political event, as provided in subparagraph (B), provided that the student notifies the school ahead of the absence.
    - (B) (i) A middle school or high school student who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
    - (ii) A middle school or high school student who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.
  - (13) (A) For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the student, or a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, has died, so long as the absence is not more than three days per incident.
    - (i) To access services from a victim services organization or agency.
    - (ii) To access grief support services.
    - (iii) To participate in safety planning or to take other actions to increase the safety of the student or an immediate family member of the student, or a person that is determined by the student's parent or guardian to be in such close association with the student as to be considered the student's immediate family, including, but not limited to, temporary or permanent relocation.
  - (B) Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.
  - (14) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

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

(c) For purposes of this section, attendance at religious retreats shall not exceed one school day per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) For purposes of this section, the following definitions apply:

(1) A “civic or political event” includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

(2) “Cultural” means relating to the practices, habits, beliefs, and traditions of a certain group of people.

(3) “Immediate family” means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the student.

(4) “Victim services organization or agency” has the same meaning as defined in paragraph (7) of subdivision (g) of Section 230.1 of the Labor Code.

### **Absence for Religious Purposes**

(BP/AR 5113, EC 46014, EC 48205)

In accordance with law, BP and AR, student absences for participation in religious exercises or to receive moral or religious instructions at their places of worship, or at other suitable places away from school property designated by a religious group, church, or denomination, may be considered excused and are subject to the following conditions:

- the student's parent/guardian shall provide written consent for the absence
- the student shall attend at least the minimum school day
- the student shall be excused for this purpose on no more than four days per school month
- the student's attendance at religious retreats shall not exceed four hours per semester

### **Confidential Medical Services/Medical Verification**

(BP/AR 5113, EC 46010.1)

School authorities may excuse any student in grades 7-12 from school for the purpose of obtaining confidential medical services, without the consent of parent/guardian.

- When excusing students for confidential medical services or verifying such appointments, District staff shall not ask the purpose of such appointments but may request a note from the medical office to confirm the time of the appointment.

If a student shows a pattern of chronic absenteeism due to illness, District staff may require verification of any further student absences.

### **Pregnant and Parenting Students**

(BP/AR 5146, EC 46015, EC 48205)

Pregnant and parenting students or students who give or expect to give birth or a parenting student who has not given birth and who identifies as the parent of the infant, are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. See also, "Reasonable Accommodations" under Health Services.

A pregnant and parenting student has the right to parental leave:

- up to eight weeks before childbirth if deemed medically necessary by the student's physician; and
- eight weeks immediately following childbirth which may be extended if deemed medically necessary by the student's physician.

The student (or if student is under 18 years of age, the person holding the right to make educational decisions for the student) must notify the school administrator of the student's intent to exercise this right.

Absences from school are excused until the student is able to return to the regular school program or, if desired, an alternative education program in which the educational programs, activities, and courses shall be equal to those the student would have been in if participating in the regular education program.

Student is not required to complete academic work or other school requirements while on parental leave and may return to the school and the course of study in which the student was enrolled in prior to taking parental leave. Upon student's return to school, the student is entitled to opportunities to make up work missed during the leave, including, but not

limited to, make up work plans and reenrollment in courses.

Student may remain enrolled for a fifth year of instruction in the school in which the student was previously enrolled when it is necessary for the student to be able to complete state and district requirements, unless the district makes a finding that the student is reasonably able to complete district graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.

A complaint of noncompliance may be filed with the district under the Uniform Complaint Procedures.

### **Educational Rights Available to Pregnant/Parenting Students**

(BP/AR 5146, EC 46015, EC 48205)

#### **Right to Access Education**

- Married, expectant, and parenting students shall have the same educational and extracurricular opportunities as all students.
- The District does not exclude or deny any student from any educational program or activity solely on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery there from and shall treat these conditions in the same manner and under the same policies as any other temporary disabling condition.
- For school-related purposes, married students under the age of 18 are emancipated minors and have all the rights and privileges of students who are 18, even if the marriage has been dissolved.

#### **Right To Enrollment and Participation**

- A student may elect to attend an alternative education option instead of returning to the school in which he or she was enrolled prior to parental leave. Alternative education options at CVUSD include:
  - Buena Vista Continuation High School  
Buena Vista provides individualized academic instruction in a safe, secure, supportive environment. Buena Vista has the same graduation requirements as the other high schools in the District and follows the same state and district standards for each course offered. Many students and parents have chosen Buena Vista due to its small size and the opportunity to recover credits rapidly. Buena Vista also offers the District's Infant and Toddler Center. This program offers free full-day childcare to teen students who attend school in the Chino Valley Unified School District.  
Contact Information: Kyle Shuler, Principal  
kyle\_shuler@chino.k12.ca.us  
(909) 628-1202 ext. 7970
  - Alternative Education Center (AEC)  
The AEC is a K thru 12 Independent Study/Home Base or Home School type program that offers both online and in-person learning.  
Contact Information: Dr. Preston Carr, Director  
preston\_carr@chino.k12.ca.us  
(909) 628-1201 ext. 5700
- Participation in special programs or schools shall be voluntary and shall be equal to the regular program.

#### **Right to Parental Leave**

- A pregnant or parenting student is entitled to eight weeks of parental leave, or additional leave if deemed medically necessary by the student's physician.
- During parental leave, absences shall be excused, and the student is not required to complete academic work or other school requirements.
- After returning from parental leave, a student may resume the course of study in which they were previously enrolled and is entitled to make up work missed.

#### **Right to Reasonable Accommodations**

When necessary, the District shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program. A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions.

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations and shall be provided with the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to:

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child may use an existing facility to meet the requirements

A student shall not incur an academic penalty as a result of use, during the school day, of the reasonable accommodations specified in this section, and shall be provided with the opportunity to make up any work missed due to such use.

Pregnant and parenting students are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children.

The following accommodations are rights of pregnant and parenting students:

- (a) A pregnant or parenting student is entitled to eight weeks of parental leave, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. If the student is 18 years of age or older, or, if the student is under 18 years of age, the person holding the right to make educational decisions for the student, notify the school of the student's intent to exercise this right.
- (b) A pregnant or parenting student who does not wish to take all or part of the parental leave shall not be required to do so.
- (c) A pregnant or parenting student is entitled to receive more than eight weeks of parental leave, if deemed medically necessary by the student's physician.
- (d) When a student takes parental leave, the supervisor of attendance shall ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program or an alternative education program.
- (e) During parental leave taken, the District will not require a pregnant or parenting student to complete academic work or other school requirements.
- (f) A pregnant or parenting student may return to the school and the course of study in which they were enrolled before taking parental leave.
- (g) Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during their leave, including, but not limited to, makeup work plans and reenrollment in courses.
- (h) A pregnant or parenting student may remain enrolled for a fifth year of instruction in the school in which the student was previously enrolled when it is necessary in order for the student to be able to complete state and any local graduation requirements, unless the District makes a finding that the student is reasonably able to complete the District's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.
- (i) A student who chooses not to return to the school in which they were enrolled before taking parental leave is entitled to alternative education options offered by the District.
- (j) A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
- (k) A student will not incur an academic penalty as a result of their use of the accommodations.
- (l) A complaint of noncompliance with the requirements of this section may be filed with the District under the Uniform Complaint Procedures.

### **Right to File Complaints**

Any complaints of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the District's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

Any complaint alleging District noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the District's procedures in AR 1312.3 - Uniform Complaint Procedures. A

complainant who is not satisfied with the District's decision may appeal the decision to the California Department of Education (CDE). If the District or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student.

#### **Absences**

- Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with board policy and Administrative Regulation 5113 - Absences and Excuses.
- Absences will be excused for parenting students (custodial parents) who are absent due to caring for a sick child. A note from a physician is not required.
- Students are granted a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by a physician. At the conclusion of the leave, the student will be reinstated to the status held when the leave began.

#### **Title IX Rights**

- CVUSD will not make pre-admission inquiry as to the marital status of an applicant for admission, including whether such applicant is "Miss" or "Mrs." Pre-admission inquiry as to the sex of an applicant for admission can be made only if the inquiry is made equally with applicants of both sexes and if the results of such inquiry are not used in connection with discrimination prohibited by Title IX.

#### **Annual Notifications**

- CVUSD annually notifies parents/guardians of students at the beginning of the regular school term of the rights and options available to pregnant and parenting students under the law.

The LEA shall notify pregnant and parenting students of their rights and options available under the law through the annual school year welcome packets and through independent study packets.

#### **Unexcused Absences**

(BP/AR 5113, BP/AR 6154)

Absences for reasons not listed above may be recorded as unexcused absences by the school. Unexcused absences may result in:

- referral to administrator for corrective and preventative action with parent/guardian notification
- student's grades being affected by excessive unexcused absences, in accordance with Board Policy

Students who miss schoolwork because of truancy or unexcused absences shall be required to make up missed work for reduced credit as described in the course syllabus. Teachers will assign such make-up work as necessary to ensure academic progress, not as a punitive measure.

#### **Excessive Absences**

(BP/AR 5121)

The Board desires to emphasize the importance of school attendance. Excessive absenteeism, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law (EC 48200) and take full advantage of educational opportunities provided by the District.

**Excessive excused absences:** Students with excessive excused absences may be required to submit a doctor's note to excuse subsequent absences. Parents/guardians and the student may be required to attend a School Attendance Review Team ("SART") meeting with school administration. The intent of the SART meeting is to create and implement a written plan (Attendance Review Contract) and to determine if there are any services the school may provide to assist the family with attendance concerns.

**Excessive unexcused/unverified absences:** Students with excessive unexcused or unverified absences (twenty-five percent absences per trimester or semester) may receive a failing grade and may not receive credit for the class(es). If a student is absent from class without an excuse and does not subsequently turn in homework, take a test or fulfill another class requirement which the student missed, the teacher may lower student's grade for nonperformance. Teachers who withhold class credit for this reason shall inform the students and parents/guardians at the beginning of the semester.

#### **Chronic Absence and Truancy**

(BP/AR 5113.1, EC 48260-48263.6, EC 48291, EC 60901)

"Chronic absentee" means a student who is absent for any reason, including excused absences, for ten percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was in session, exclusive of Saturdays and Sundays.



"Truant" means a student who is absent from school without a valid excuse for three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof.

"Habitual truant" means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and their parent/guardian.

"Chronic truant" means a student who has been absent from school without a valid excuse for ten percent or more of the school days in one school year, from the date of enrollment to the current date, provided the District has met the requirements of EC 48260-48263 and 48291.

### **Addressing Chronic Absence**

When a student is identified as a chronic absentee, school site personnel shall communicate with the student and their parent/guardian to determine the reason(s) for the excessive absences, ensure the student and parent/guardian are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

A chronic absentee student shall be referred to a Student and Teacher Excellence Program (STEP) or School Attendance Review Team (SART) meeting to assist in evaluating the student's needs and identifying strategies and programs that may assist the student.

### **School Attendance Review Board**

(EC 48263, EC 48264.5, EC 60901)

A student who is habitually truant, irregular in school attendance, a chronic absentee as defined in EC 60901, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a School Attendance Review Board (SARB) hearing, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the District's attendance supervisor.

### **Understanding the Truancy Process**

Truancy report letters are generated for students having unexcused or unverified absences, (for secondary students, it may be a full day or period absences), or tardy for more than 30 minutes, or early release for more than 30 minutes, or any other partial day absence for more than 30 minutes without a valid excuse, or any combination thereof within a school year.

1 TO 3 unexcused/unverified absences: after the third unexcused or unverified absence, the school shall send parents/guardians the 1st truancy report letter identifying student as a truant. This notification requests the help of parents/guardians with their student's attendance and warns of the consequences for further absences.

4 TO 6 unexcused/unverified absences: after the sixth unexcused or unverified absence, the school shall send parents/guardians the 2nd truancy report letter and require parent/guardian to attend a School Attendance Review Team ("SART") meeting at the school. The intent of the SART meeting is to create and implement a written plan (Attendance Review Contract) and to determine if there are any services the school may provide to assist the family with attendance concerns.

7 TO 9 unexcused/unverified absences: after the ninth unexcused or unverified absence, the school shall send parents/guardians the 3rd truancy report letter (habitual truancy). This letter informs the parents/guardians that the next absence will result in the family being served a summons to appear at a School Attendance Review Board (SARB) hearing/truancy mediation which is usually held in CVUSD's Board room at the District Office. Participants at this hearing may include, but are not limited to, school personnel, Child Welfare and Attendance team, the District Attorney of San Bernardino County and other inter-agency organizations. At this hearing, a SARB contract is created, signed and implemented for all parties to adhere to. Parents/guardians who fail to abide by the stipulations of the SARB contract may also receive a citation and summons to appear before a court of law.

CVUSD requests that parents/guardians clear their student's absence daily. Parents/guardians have five school days to clear absences with the school's attendance clerk. If not cleared within five school days, the absence becomes unverified and cannot be changed.

Truancy report letters are computer generated one week after a student's attendance meets truancy criteria and sent to parents/guardians. Parents/guardians may receive a truancy report letter at any time throughout the school year based on the number of unexcused and unverified absences that prompted the notification. Consequently, it is important that parents/guardians clear their student's absence daily and check the Aeries Parent Portal on a regular basis to review their student's attendance.

For questions regarding the District's attendance policy, truancy notifications and home visits, contact the school's

attendance office or a school administrator. CVUSD appreciates the efforts of parents/guardians and their students in assisting us in delivering a quality education to all students.

### **Truancy Report Letters**

(AR 5113, AR 5113.1, EC 46010.1, EC 46014, EC 48200, EC 48205, EC 48260)

According to the California Compulsory Attendance Law, minors between the ages of 6 to 18 are subject to compulsory full-time education. Parents/guardians and their students are responsible for regular school attendance for the length of each school day as established by the school district's Board of Education. It is the District's desire that all students attend school daily and on time, so that they may take full advantage of the educational opportunities provided to them by the District.

CVUSD understands that occasionally a student may be absent from school for excused reasons such as health, family emergencies and justifiable personal reasons as permitted by law. CVUSD requests that parents/guardians clear their student's absence daily. Parents/guardians have five school days to clear absences with the school's attendance clerk. If not cleared within five school days, the absence becomes unverified and cannot be changed.

CVUSD abides by all state attendance laws, including informing parents/guardians when their students have missed school or any part thereof. Truancy report letters will be sent in accordance with law when students have multiple unexcused or unverified absences or tardies. The District may conduct home visits by a verifying employee, or by any other reasonable method which establishes the fact that the student was absent for the reasons stated.

### **Home Visits to Verify Absences**

(AR 5113)

The District has the right to complete home visits by a verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated.

### **Closed Campus**

(BP/AR 5112.5, EC 44808.5)

To keep students in a supervised, safe, and orderly environment, the District has established a "closed campus." Students shall not leave the school grounds at any time during the school day without written permission of their parent/guardian and school authorities. However, high school principals may allow junior and senior students the privilege of leaving campus during lunch time provided they meet certain eligibility requirements. Students who leave school or who fail to return following lunch without authorization shall be classified as truant and subject to corrective action. The District, Board and district employees shall not be liable for the conduct and safety of students who leave school grounds during the lunch period.

## **CONDUCT**

(BP 5131, BP/AR 5144.1)

Students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on District transportation. Students must obey all school and classroom rules while at school, school activities, on their way to and from school and school activities, treat others with respect, and be diligent in their studies. Students must not visit other school campuses while in session unless a school official has given prior written permission. Students must also remain on campus through the end of the school day once they have arrived and must follow the rules regarding leaving campus.

Conduct is considered appropriate when students are diligent in study, careful with school property, and courteous and respectful towards their teachers, other staff, students, and volunteers. To address the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies. Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct or the students' presence causes a continuing danger to the student or others. Students who violate District or school rules and regulations repeatedly may be subject to progressive disciplinary action, including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or co-curricular activities in accordance with BP and AR. The full text of the Suspension and Expulsion/Due Process policy is available on the District website at <https://www.chino.k12.ca.us/page/4041>. (See BP/AR 5144.1)

### **Prohibited Student Conduct includes, but is not limited to:**

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

2. Discrimination, harassment, intimidation or bullying of students or staff, including sexual harassment, hate motivated behavior, cyberbullying, hazing or initiation activity, taunting, malicious teasing, insults, spreading rumors, destroying property, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, emotional suffering, or substantial disruption.
3. Conduct that disrupts the orderly classroom or school environment.
4. Willful defiance of staff's authority.
5. Damage to or theft of property belonging to the District, staff, volunteers, or students. Due to extensive damage done to school property, gum is not allowed to be sold, possessed, and/or chewed on school District property. The District shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.
6. Obscene acts or use of profane, vulgar, or abusive language.
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drug.
8. Possession or use of laser pointers, unless for a valid instructional or other school-related purpose. Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee. (PC 417.27)
9. Use of cellular/digital telephone, pager, or other mobile communication device during instructional time.
10. Plagiarism or dishonesty in schoolwork or on tests.
11. Inappropriate attire.
12. Tardiness or unexcused absence from school.
13. Failure to remain on school premises in accordance with school rules.
14. Student dance movements and mannerisms must fall within the standards of good taste and decency. Dancing that is lewd, lascivious, or deemed inappropriate based on District standards will not be tolerated. Physically dangerous dancing or movements will not be permitted. Students who engage in inappropriate behaviors will be stopped and warned on the first occasion. Parents will be contacted, and students will be asked to leave the dance should students continue the inappropriate behavior. School officials are given the right to make decisions on suitable dance movements.
15. Possession or use of electronic cigarette or smokeless non-tobacco cigarette; also known as an e-cigarette, personal vaporizer or PV, or any form of electronic inhaler that vaporizes a liquid solution into an aerosol mist, simulating the act of tobacco smoking, whether or not it contains nicotine. (See also, Tobacco Products section.)

### **Behavior Code for Senior Activities**

(BP 5144)

It is the intent of the Board that students be aware of District policy regarding behavior by any member (or guest) of the senior class. Restitution for damages caused by any type of vandalism will be required. During the second semester of a school year, any senior student who commits or participates in the commission of any act enumerated in the District Behavior Code, EC Sections 233, 48900(a-r), 48900(t), 48900.2, 48900.3, 48900.4, 48900.7, 48915(a) and/or 48915(c) while going to or coming from school, while at school or a school-sponsored activity, or during the lunch period, whether on or off campus, shall be subject to the following consequences:

1. Exclusion from the activity and turned over to the appropriate authority;
2. Suspension or expulsion from school; and/or
3. Exclusion from future activities for the remainder of the school year.
  - a. First violation: Exclusion from school activities, with the exception of the graduation ceremony, for the remainder of the school year. These activities include but are not limited to:
    - (1) junior/senior prom;
    - (2) senior field trip;
    - (3) senior week;
    - (4) baccalaureate; and
    - (5) grad night
    - (6) graduation ceremony
  - b. Second violation: Exclusion from the graduation ceremony.

Any violation occurring during senior week will result in the removal of the student from the graduation ceremony and

the remaining senior activities that week. An attempt shall be made by the principal or designee to notify the parents/guardians of such violations immediately. Appropriate disciplinary action shall be taken on the school day immediately following the activity if the incident occurred during non-school hours.

All senior students and their parents/guardians shall be required to sign the "Notification of Behavior Regulations for Senior Activities." In the event the student and the parents/guardians of the student refuse to sign the "Notification of Behavior Regulations for Senior Activities" form within ten school days of the beginning of the second semester, the student will be excluded from all senior activities until such time as the document is signed.

Any senior student's guest who commits or participates in the commission of an act enumerated in the District Behavior Code, EC Sections 233, 48900(a-r), 48900(t), 48900.2, 48900.3, 48900.4, 48900.7, 48915(a) and/or 48915(c) while attending a school activity will be removed from the activity and turned over to parents/guardians and/or the police.

### **Behavior on School Buses** (BP/AR 5131.1)

It is the District's intent to transport students as safely and comfortably as possible and ensure any behaviors that would endanger bus riders not be permitted. Riders shall always follow the instructions and directions of the bus driver. Unsafe behavior which compromises bus riders' well-being, including but not limited to student behavior at bus stops, will be subject to disciplinary action.

All students receiving school bus riding privileges are subject to the bus rider rules of conduct as outlined in the School Bus Rider's Handbook and in AR 5131.1. Citations for infractions (Bus Conduct Report to Parents) will be issued for those students who violate the bus rider rules of conduct. In the case of a severe violation or repeated offense, the rider may be denied transportation for a period of time up to the remainder of the school year and may also receive disciplinary action as deemed appropriate by the school principal.

### **Bullying/Cyberbullying** (BP 5131.2, AR 5145.7)

The District recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm while promoting mutual respect, tolerance, and acceptance. District employees shall establish student safety as a high priority and shall not tolerate bullying, intimidation, or harassment of any student whether it be direct or indirect through words or actions. No individual or group of individuals, regardless of disability, gender, nationality, race or ethnicity, religion, sexual orientation, immigration status, or any other characteristic, shall through physical, written, verbal, electronic or other means, harass, sexually harass, threaten, intimidate, retaliate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Bullying is characterized by aggression used within a relationship where the aggressor(s) has more real or perceived power than the target, and the aggression is repeated, or has the potential to be repeated, over time. Bullying can involve overt physical behavior or verbal, emotional, or social behaviors and can range from blatant aggression to more subtle and covert behaviors.

Cyberbullying, or bullying through electronic technology, includes the creation or transmission of harassing communications, offensive text messages or e-mails, rumors or embarrassing photos posted on social media, direct threats, or other harmful texts, sounds, or images on the Internet, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming the person's identity to damage their reputation or friendships. (See also, "Discipline" section.)

Students are encouraged to notify any school employee when they are being bullied or suspect that another student is being victimized. Any student who engages in bullying on or off the school premises in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to corrective action, which may include alternative means of correction, including and up to suspension or expulsion in accordance with BP 5131.2. Any complaint of bullying, whether it is discriminatory or non-discriminatory, shall be investigated and resolved in accordance with law and the District's Site-Level Grievance Procedure specified in AR 5145.7—Sexual Harassment.

A student who has been determined by CVUSD personnel to have been the target of an act of bullying shall, at the request of the person having legal custody of the student, be given priority to attend another school, even in another district. Placement at a requested school is contingent upon space availability. Transfer request applications are available at Student Support Services.

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Title IX Coordinator; District Coordinator for Nondiscrimination; Equity Compliance Officer  
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### **Prohibition of Electronic Listening or Recording Devices in Classrooms** (BP/AR 5131, EC 51512)

No electronic listening or recording device may be used in a classroom without the teacher and/or principal's permission.

### **Cellular Phones and Other Electronic Signaling Devices** (BP 5131, EC 48901.5, EC 48901.7)

Any personal electronic signaling device may be used before school begins and after the regular school day ends or during the lunch period when outside. The device shall not be used during class as a camera, calculator, and/or for email or text messaging and shall be turned off during class time and at any other time as directed by a District employee. The device may only be used for academic purposes with staff approval and shall not disrupt the education program or school activity. If a school employee finds it necessary to confiscate a device, the employee may either return it at the end of the class period or school day or keep it until the principal or designee has consulted with the student's parent/guardian. Electronic communication devices are the personal property of students and are voluntarily brought to school. The District assumes no liability for lost, damaged, or stolen personal property.

Student shall not be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes.

### **Consequences for Violations of Rules for Possession/Use of Mobile Communication Devices**

Failure to adhere to rules for possession/use of mobile communication devices will result in any or all of the following consequences:

#### **First Offense:**

- warning
- confiscation
- return to parent/guardian with signed contract for possession/use
- violation recorded in student discipline record

#### **Second Offense:**

- confiscation – return to parent/guardian
- suspension (1-3 days)
- record 48900(k) violation in student discipline record
- loss of privilege to possess device at school for one (1) semester

#### **Third Offense:**

- confiscation – return to parent/guardian
- suspension (1-3 days)
- record 48900(k) violation in student discipline record
- loss of privilege to possess device at school for one (1) year
- recommend to a discipline panel hearing with possible removal from the site

### **Dress Code**

(AR 5132, EC 35183.5)

It is the intent of the Board that students are dressed and groomed in a manner which will not interfere with or detract from a school environment conducive to academic learning or study, disrupt or threaten to disrupt the educational or instructional process, or create or present an unnecessary or unreasonable risk of injury or harm to any student.

Students are expected to give proper attention to personal cleanliness and to wear clothes suitable for the school activities in which they participate. Each school shall allow students to wear sun-protective clothing, including but not limited to, hats as approved by the principal, for outdoor use during the school day.

## **Specific Minimum Dress and Grooming Standards for Grades TK-12**

1. Shoes must be worn at all times.
  - a. Grades TK-6: Shoes must be worn at all times. Sandals must have heel straps. Thongs, thong-type, or backless shoes or sandals are not permitted. Platform shoes above 2 inches are not permitted. Roller shoes are not permitted.
2. Absence of undergarments is prohibited. Clothing shall always be sufficient to conceal undergarments. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, tube or strapless tops, bare midriffs, and skirts or shorts that show the buttocks are prohibited.
3. Bathing suits are not permitted as outer wear, except when in use for a P.E. activity or athletic activity.
4. Clothing, jewelry, and personal items (backpacks, fanny packs, gym bags, water bottles, etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane, or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions, and likenesses, or which advocate racial, ethnic, or religious prejudice.
5. Clothing or grooming that is obscene or defamatory, or that so incites students to create a clear and present danger of the commission of unlawful acts on school premises, or the violation of school regulations, or the substantial disruption of the orderly operation of the school is not permitted.
6. Clothes and belts must be the appropriate size and length when worn.
7. College logo apparel is permitted as designated by the school's policy.
8. Gang-related and/or obscene/profane/vulgar tattoos must be covered at all times.
9. Jewelry which creates a health or safety hazard is not permitted.
10. Accessories which advocate or cause disruption on campus and/or other acts of violence or may be used as weapons are not permitted.
11. Hair shall be clean and neatly groomed.
12. Hats, caps, and other head coverings shall not be worn indoors, unless they are worn for religious or medical reasons.
13. Approved hats may be worn during outside activities for sun protection.
14. Make-up is not permitted in grades TK-6.

Individual schools that have a gang presence may, in their safety plans, include school-wide dress codes which prohibit the presence of gang-related apparel at school or school activities.

### **School Uniforms**

CVUSD does not currently require school uniforms in any of its schools. Schools are required to provide six months' prior notice to parents/guardians before implementing a policy that requires students to wear a school-wide uniform. This policy is to address the availability of resources to assist economically disadvantaged students and to provide that no student will be penalized academically or otherwise discriminated against nor denied attendance to school if the student's parents chose not to have the student comply with the uniform policy. Compared to a uniform, a dress code is an outline of acceptable attire that isn't limited to one or two options.

### **Hate Violence**

(BP 5145.9, AR 5145.7)

Every student has the right to be protected from hate violence. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual based on their actual or perceived race, ethnicity, immigration status, culture, heritage, gender, sex, sexual orientation, physical/mental attributes, or religious beliefs or practices shall not be tolerated. Students who believe they are a target of hate violence shall submit a verbal or written complaint to the principal or a staff member. Complaints of hate violence shall be investigated and resolved in accordance with Site-Level Grievance Procedures specified in AR 5145.7–Sexual Harassment. A student who has been found to have demonstrated hate violence shall be subject to disciplinary action in accordance with law, BP and AR.

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## **Hazing**

No student shall conspire to engage in hazing, participate in hazing, or commit any act that causes or is likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to any fellow student or other person. Persons violating this policy shall be subject to disciplinary action in accordance with law, BP and AR.

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## **Nondiscrimination/Harassment of Students**

(Title VI Civil Rights Act of 1964, and Title IX of the Education Amendments Act of 1972, BP 5145.3)

The District desires to provide a safe school environment that allows all students equal access and opportunities in the District's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits unlawful discrimination at any District school or school activity, including discriminatory harassment, sexual harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, or gender expression or genetic information, or association with a person or group with one of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at:

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Unlawful discrimination, including discriminatory harassment, sexual harassment, intimidation, or bullying may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of education benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

School staff and volunteers shall carefully guard against segregation, bias, and stereotyping in the delivery of services, including, but not limited to, instruction, guidance, and supervision.

Harassing conduct may take many forms; including, but not limited to, verbal acts and name-calling, graphic and written statements-which may include use of electronic technology such as cell phones or the Internet-or other conduct that may

be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, or be directed at a specific target, or involve repeated incidents. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the school. When such harassment is based on race, color, national origin, sex, disability, or sexual harassment, it violates the civil rights laws that the Office of Civil Rights enforces.

All school personnel who witness an act of discrimination, harassment, sexual harassment, intimidation, or bullying must take immediate steps to intervene when it is safe to do so. Students who engage in discrimination, including harassment, sexual harassment, and retaliation in violation of the law, BP, and AR, shall be referred to a program that provides a behavior support approach or any other form of corrective action up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in harassment, sexual harassment, retaliation, or other prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

Students who feel subjected to discrimination, including harassment, sexual harassment, and retaliation, should immediately contact the principal or any other staff member. Any student or school employee who observes an incident of discrimination, including harassment, sexual harassment, and retaliation, should report the incident to the principal, whether or not the target files a complaint. Lack of English language skills will not be a barrier to admission or participation in District programs. Upon receiving a complaint of discrimination including harassment, sexual harassment and retaliation, the principal shall immediately investigate the complaint in accordance with the Site-Level Grievance Procedure specified in A.R. 5145.7-Sexual Harassment. Upon receiving a complaint of sexual harassment, the Title IX coordinator shall be contacted in accordance with BP/AR 5145.7 and 5145.71-Sexual Harassment and Title IX Sexual Harassment.

### **Sexual Harassment**

(BP/AR 5145.7, EC 212.5, 5 CCR 4916, 5 CCR 4964)

The Board is committed to maintaining a safe school environment that is free from harassment and discrimination and prohibits sexual harassment of students by other students, employees, or other persons, at school or at a school-sponsored or school-related activity. Retaliatory behavior or action against any persons who files a complaint, testifies, or otherwise participates in District complaint processes is also prohibited.

State and Federal law provide definitions of sexual harassment. For example, Education Code Section 212.5 defines sexual harassment as follows:

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Federal law defines sexual harassment in Title 34 Code of Federal Regulations Section 106.30 as follows:

*Sexual harassment* means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).



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

- unwelcome leering, sexual flirtations, or propositions
- unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
- graphic verbal comments about an individual's body or overly personal conversations
- sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
- spreading sexual rumors
- teasing or sexual remarks about students enrolled in a predominantly single gender class
- massaging, grabbing, fondling, stroking, or brushing the body
- touching an individual's body or clothes in a sexual way
- impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
- displaying sexually suggestive objects
- sexual assault, sexual battery, or sexual coercion
- electronic communications containing comments, words, or images described above

Students who feel they have been sexually harassed on school grounds or at a school-sponsored or school-related activity shall immediately contact a teacher or any other staff member. Concerns shall be kept confidential, except as necessary to carry out the investigation or to take other subsequent necessary action. It is important to know that California state law forbids retaliation against those who file a sexual harassment complaint, or to those who testify, assist, or participate in any manner, in an investigation or proceeding. Any student who engages in sexual harassment or sexual violence at school or at school-sponsored or school-related activity shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or recommendation for expulsion. In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which the complainant knew was not true. Upon receiving a complaint of sexual harassment, the principal shall immediately investigate the complaint in accordance with Site-Level Grievance Procedures specified in AR 5145.7—Sexual Harassment.

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For investigation of complaints of school employees or other adults toward students, contact:

Grace Park, Ed.D. | Deputy Superintendent  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [grace\\_park@chino.k12.ca.us](mailto:grace_park@chino.k12.ca.us) | (909) 628-1202, ext. 1124

## **Title IX**

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects male and female students and employees, as well as transgender students and students who do not conform to sex stereotypes, against discrimination based on sex, including sexual harassment. California law also prohibits discrimination based on gender, gender expression, gender identity, and sexual orientation. Under Title IX, students may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting students may not be excluded from participating in any educational program, including extra-curricular activities, for which they qualify.

Questions or concerns about possible discrimination based on sexual orientation and/or gender identity under state law may also be directed to their school's administrators or to the District's Title IX Coordinator, Antonia Hunt, Ed.D. CVUSD is committed to responding promptly and effectively when it learns of any form of possible discrimination based on sex. CVUSD staff responds to reports of sexual harassment, including sexual violence, as part of its efforts to stop the harassment and prevent the recurrence of possible sex discrimination. An individual who has questions or concerns

regarding possible discrimination based on sex should contact the Title IX Coordinator at their respective school or the District's Title IX Coordinator, Antonia Hunt, Ed.D.

All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when it is safe to do so. Students who engage in discrimination, including harassment and retaliation in violation of the law, BP and AR, shall be referred to a program that provides a behavior support approach or any other form of corrective action up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in harassment, retaliation, or other prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.

Antonia Hunt, Ed.D. | Coordinator, Equity, Diversity, and Support Systems  
Title IX Coordinator; District Coordinator for Nondiscrimination; Equity Compliance Officer  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [antonia\\_hunt@chino.k12.ca.us](mailto:antonia_hunt@chino.k12.ca.us) | (909) 628-1202, ext. 1745

## **DISCIPLINE**

(BP/AR 5144, 5144.1, 5144.2)

The Board desires to provide a safe, supportive, and positive school environment conducive to student learning and to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. High expectations for student behavior, use of effective school and classroom management strategies, and parent/guardian involvement can minimize the need for discipline.

When misconduct occurs, staff shall attempt to identify and address the causes of the student's behavior and, if necessary, implement appropriate corrective actions. Persistently disruptive students may be assigned to alternative programs or removed from school in accordance with law, BP and AR. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. Policies and standards of behavior have been established in order to promote learning and protect the safety and well-being of all students. When these policies and standards are violated, it may be necessary to use progressive discipline, up to and including suspension and/or expulsion. Staff shall immediately report any incidence of offenses specified in the law, BP and AR, as cause for suspension or expulsion.

To address the behavior of any student who is subject to discipline, the Superintendent or designee shall, to the extent allowed by law, first use alternative disciplinary strategies. Except for single acts of a grave nature or offenses for which suspension or expulsion is required by law, suspension or expulsion shall be used only when other means of correction have failed to bring about proper conduct or the students' presence causes a continuing danger to the student or others. Students who violate District or school rules and regulations repeatedly may be subject to disciplinary action, including, but not limited to, suspension, expulsion, transfer to alternative programs, or denial of participation in extracurricular or co-curricular activities in accordance with BP and AR. The full text of the Suspension and Expulsion/Due Process policy is available on the District website, <https://www.chino.k12.ca.us/page/4041>. (See BP and AR 5144.1)

### **Disciplinary Rules and Procedures (Grounds for Suspension and Expulsion)**

(EC 44807, 48900, 48900.2, 48900.3, 48900.4, 48900.6, 48900.7, 48915, 48918)

As mutually supportive and respective partners in educating students, the District provides the following disciplinary rules and procedures in accordance with EC 48900 and 48915. Teachers, staff, and officials shall hold students to a strict account for their conduct on the way to and from school, on the playground, and during recess and will fairly and equitably enforce the written policies of the District. Students may be suspended from school and/or recommended for transfer to another school or alternative school or recommended for expulsion. Students may be represented by legal counsel or by a non-attorney advisor in school expulsion proceedings.

Students who commit the following offenses relative to school activity or attendance while on school grounds, while going to or coming from school, during the lunch period whether on or off the campus, and during, or while going to or coming from, a school-sponsored activity may be recommended for expulsion.

### **Education Code 48900**

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

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person
- (2) Willfully used force or violence upon the person of another, except in self-defense.

- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object. "Knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade. "Explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of a controlled substance, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole, or attempted to steal, school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.
- (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.
- (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 student enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a student enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.  
(3) Except as provided in Section 48910, a student enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.  
(4) Except as provided in Section 48910, commencing July 1, 2024, a student enrolled in any of grades 9 to 12, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2029.  
(5) (A) A certificated or classified employee may refer a student to school administrators for appropriate and timely in-school interventions or supports from the list of other means of correction specified in subdivision (b) of Section 48900.5 for any of the acts enumerated in paragraph (1).  
(B) A school administrator shall, within five business days, document the actions taken pursuant to subparagraph (A) and place that documentation in the student's record to be available for access, to the extent permissible under state and federal law, pursuant to Section 49069.7. The school administrator shall, by the end of the fifth business day, also inform the referring certificated or classified employee, verbally or in writing, what actions were taken and, if none, the rationale used for not providing any appropriate or timely in-school interventions or supports.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. "Imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a student who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that student from being a witness or retaliating against that student 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. "Hazing" means a method of initiation or preinitiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. 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 student or group of students as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more students that has or can be reasonably predicted to have the effect of one or more of the following:

- (A) Placing a reasonable student or students in fear of harm to that student's or those students' person or property.
  - (B) Causing a reasonable student to experience a substantially detrimental effect on the student's physical or mental health.
  - (C) Causing a reasonable student to experience substantial interference with the student's academic performance.
  - (D) Causing a reasonable student to experience substantial interference with the student's ability to participate in or benefit from the services, activities, or privileges provided by a school.
- (2) (A) "Electronic act" means the creation or transmission originated on or off the 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, video, or image.
  - (ii) A post on a social network internet website, including, but not limited to:
    - (I) Posting to or creating a burn page. "Burn page" means an internet website created for the purpose of having one or more of the effects listed in paragraph (I).
    - (II) Creating a credible impersonation of another actual student for the purpose of having one or more of the effects listed in paragraph (I). "Credible impersonation" means to knowingly and without consent impersonate a student for the purpose of bullying the student and such that another student would reasonably believe, or has reasonably believed, that the student was or is the student who was impersonated.
    - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (I). "False profile" means a profile of a fictitious student or a profile using the likeness or attributes of an actual student other than the student who created the false profile.
  - (iii) (I) An act of cyber sexual bullying.
    - (II) "Cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a student to another student 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 (I). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.
    - (III) "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 (I) 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 student" means a student, including, but not limited to, a student with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the student's exceptional needs.
- (s) A student shall not be suspended or expelled for any of the acts enumerated in this section unless that act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A student may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
- (1) While on school grounds.
  - (2) While going to or coming from school.
  - (3) During the lunch period whether on or off the campus.

- (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A student 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 student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- (v) For a student subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the student's specific misbehavior as specified in Section 48900.5.
- (w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a student who is truant, tardy, or otherwise absent from school activities.
- (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help students gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

Education Code Sections 48900.2, 48900.3, and 48900.4 shall not apply to students enrolled in kindergarten or any of grades 1 to 3, inclusive.

**48900.2** In addition to the reasons specified in Section 48900, a student may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the student is enrolled determines that the student 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.

**48900.3** In addition to the reasons set forth in Sections 48900 and 48900.2, a student 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 student is enrolled determines that the student has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

**48900.4** In addition to the grounds specified in Sections 48900 and 48900.2, a student 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 student is enrolled determines that the student has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or students, 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 students by creating an intimidating or hostile educational environment.

#### **Education Code 48900.5**

An employee of a school district whose person or property is injured or damaged by the willful misconduct of a student 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 a 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 legal action against the student who caused the injury or damage, or the student's parent or guardian pursuant to Section 48904.

#### **Education Code 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 student to perform community service on school grounds or, with written permission of their parent/guardian, off school grounds, during student'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 student 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.

**Education Code 48900.7**

- (a) Made terroristic threats against school officials or school property, or both. (Applies to all grade levels.)
- (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 (\$1000), 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.

**Education Code 48900.8**

For purposes of notification to parents, and for the reporting of expulsion or suspension offenses to the department, each school district shall specifically identify, by offense committed, in all appropriate official records of a student each suspension or expulsion of that student for the commission of any of the offenses set forth in Section 48900, 48900.2, 48900.3, 48900.4, 48900.7, or 48915.

**Education Code 48909**

When a petition is requested in juvenile court or a complaint is filed in any court alleging that a minor of compulsory school attendance age or any student currently enrolled in a public school in a grade to and including grade 12 is a person who (a) has used, sold, or possessed narcotics or other hallucinogenic drugs or substances; (b) has inhaled or breathed the fumes of, or ingested any poison classified as such in Section 4160 of the Business and Professions Code; or (c) has committed felonious assault, homicide, or rape the district attorney may, within 48 hours, provide written notice to the superintendent of the school district of attendance, notwithstanding the provisions of Section 827 of the Welfare and Institutions Code, and to the student's parent or guardian.

**Education Code 48915**

- (a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a student for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:
  - (A) Causing serious physical injury to another person, except in self-defense.
  - (B) Possession of any knife or other dangerous object of no reasonable use to the student.
  - (C) Unlawful possession of any controlled substance, 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 student for medical purposes or medication prescribed for the student by a physician.
  - (D) Robbery or extortion.
  - (E) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
- (2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the student does not lose instructional time.
- (b) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a student expelled upon finding that the student committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a student for any of those acts shall be based on a finding of one or both of the following:
  - (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
  - (2) Due to the nature of the act, the presence of the student causes a continuing danger to the physical safety of the student or others.
- (c) The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a student 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 applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.
- (2) Brandishing a knife at another person.
- (3) Unlawfully selling a controlled substance.
- (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 student expelled upon finding that the student committed an act listed in subdivision (c), and shall refer that student to a program of study that meets all of the following conditions:
  - (1) Is appropriately prepared to accommodate students 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 student at the time of suspension.
- (e) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a student expelled upon finding that the student, at school or at a school activity off of school grounds violated subdivision (f), (g), (h), (i), (j), (l), or (m) of Section 48900, or Section 48900.2, or 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 student causes a continuing danger to the physical safety of the student or others.
- (f) The governing board of a school district shall refer a student who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a student 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 student may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.
- (g) As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 1/2 inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.
- (h) As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code.

The principal may use discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the student's specific misbehavior. The District's utilization of disciplinary responses and measures, which may include suspension and expulsion, shall occur on a case-by-case basis, considering the nature of the alleged offense(s), prior disciplinary history, and utilization of other means of correction.

### **Discipline at Other Grade Levels**

A student at any grade level who commits or participates in the commission of an act enumerated in the District Behavior Code, EC 48900, 48900.2, 48900.3, 48900.4, 48900.7, 48915(a) and/or 48915(c) may, in addition to the penalties enumerated in Education Code, be excluded from school activities if the principal or designee determines that:

- this action is the most effective way to bring about improved behavior;
  - other methods of correction are not feasible and have failed to bring about improved behavior; and
  - the student's participation in the activity presents a danger to oneself or others
- Such activities may include, but are not limited to:
- attendance at sports events
  - dances/proms
  - end of year celebrations
  - field trips

- student travel
- promotion exercises (grades 6 and 8)

The identification of the number of events from which the student is excluded is to be determined by the principal. Parents/guardians are to be notified verbally and in writing when a student is excluded from a school activity.

### **Recess Restriction (SB 291)**

Recess is defined as a period during the school day when students are given supervised but unstructured time to engage in physical activity, play, organized games, or social engagement with peers. Beginning in the 2024/2025 school year, an elementary student can no longer be denied recess unless their participation “poses an immediate threat to the physical safety” of the student or the physical safety of one or more of the student's peers. If a student’s recess is denied because a threat exists, staff must then “make all reasonable efforts to resolve such threats and minimize exclusion from recess to the greatest extent practicable.” Other means of correction are encouraged.

### **Property Damage**

(AR 5125.2, BP 6161.2, EC 48904, EC 48904.3, EC 49014)

When a student willfully cuts, defaces or otherwise injures real or personal property of the District or willfully does not return district property that has been loaned to the student, the student's parents/guardians may be required to pay the costs of all damages within the limits established pursuant to EC 48904. Until reparation has been paid or the student has completed voluntary work or other nonmonetary alternative offered by the District in lieu of monetary payment for damages, the District may withhold the student's grades, diploma, and/or transcripts. Prior to the withholding of grades, diploma, and/or transcripts, the parents/guardians shall be informed in writing of the responsible student's alleged misconduct and any reparation that may be due. Current or former homeless or foster youth students, unless emancipated at the time of debt, are exempt from reparation under EC 49014.

Should a student whose grades, diploma, and/or transcripts have been withheld, transfers from one district to another, the new district shall be notified. The decision to withhold shall likewise be enforced by the new district until notification is received in writing from the prior district that reparation has been made and the decision to withhold has been rescinded. The new district shall inform parents/guardians in writing that the decision to withhold by the prior district will be enforced by the new district.

### **Weapons and Dangerous Instruments**

(BP/AR 5131.7)

The District prohibits any person other than authorized law enforcement or security personnel from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, at any school related or school-sponsored activity away from school, or while going to or coming from school. Students are encouraged to promptly report the presence of weapons, injurious objects, or other suspicious activity to school authorities.

Students possessing, threatening/harassing others, or disrupting school activities with a weapon, dangerous instrument, or imitation firearm are subject to suspension and/or expulsion in accordance with law, BP and AR. Law enforcement authorities will be notified when any student possesses a weapon or commits any act of assault with a firearm or other weapons.

### **Alcohol and Other Drugs**

(BP 5131.6)

Students are not permitted to possess alcohol, drugs and/or related paraphernalia on or around school grounds. Use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences.

The District shall take appropriate action to eliminate possession, use or sale of alcohol and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. School authorities may search students and school properties for the possession of alcohol and other drugs in accordance with law, BP and AR.

### **Electronic Nicotine Delivery Systems (e-cigarettes)**

(HSC 119405, HSC 11014.5)

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



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

### **Tobacco Products**

(BP/AR 5131.62, EC 48900, EC 48901, BPC 22950.5)

Students shall not possess, smoke, or use tobacco, or any product containing tobacco or nicotine while on campus, while attending school-sponsored activities, or while under the supervision and control of District employees.

"Smoking" means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form, and includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

Tobacco products include: (1) a product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff; (2) an electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah; (3) any component, part, or accessory of a tobacco product, whether or not sold separately.

These prohibitions do not apply to a student's possession or use of student's own prescription products. However, student possession or use of prescription products in school shall be subject to the District's policy and regulation for addressing the administration of medications on campus.

## **ENROLLMENT**

### **Compulsory Education**

(EC 48200, EC 48231)

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 parent/guardian is located.

Students between 12 and 18 years of age who enter an attendance area from another state within 10 school days before the end of the school term during which such entrance occurs are exempt for the remainder of the school term.

### **Transitional Kindergarten Admission**

(AR 5111, BP 6170.1, EC 48000)

The Transitional Kindergarten (TK) program is the first year of a two-year kindergarten program that uses a modified kindergarten curriculum that is age and developmentally appropriate. The TK program assists students in developing academic, social, and emotional skills needed to succeed in kindergarten and beyond. CVUSD offers TK at a few school sites for eligible students who do not meet the minimum age requirements for kindergarten. There is no early entry into TK. The age requirements for entry into TK are as follows:

- for school year 2024-2025, student must have their fifth birthday between September 2 and June 2
- for school year 2025-2026, and in each school year thereafter, student must have their fourth birthday by September 1

TK is voluntary and offered free of charge to families. To enroll in the TK program, parents/guardians shall come to Student Support Services to preregister and present proof of student's age for age eligibility verification. Parent/guardian will be contacted by school site personnel regarding school assignment and registration instructions. Students who complete the TK program are eligible to continue in kindergarten the following school year at their residence attendance area school. Although attendance is not compulsory for most TK students, students are expected to attend school daily and on time and shall follow the District's attendance policies. The District does not provide transportation for TK students.

### **Kindergarten Admission**

(BP/AR 5111, EC 48000)

A student shall be admitted to kindergarten at the beginning of a school year, if student's fifth birthday is on or before September 1 of that school year.

### **Student Age Verification**

(BP/AR 5111, EC 48002)

Prior to admission of a student to transitional kindergarten, kindergarten, or first grade, the parent/guardian shall

present evidence of student's age for age eligibility verification.

## **Student Residency**

### **Determination of Place of Residence**

(Government Code 244)

In determining the place of residence, the following rules shall be observed:

- it is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which the student returns in seasons of repose
- there can only be one residence

### **Residency Requirements**

(EC 48200, EC 48204, EC 48204.3, EC 48204.4, EC 48207, EC 48301, EC 48356, EC 46600, EC 56155.5)

CVUSD admits all students who reside within District boundaries or who fulfill the District residency requirements through other means as allowed by law. Students are deemed to have complied with District residency requirements for enrollment in a District school if the student meets any of the following criteria:

- the student's parent/guardian resides in District boundaries
- the student is placed within District boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court ordered commitment or placement and shall present evidence to the school that the placement is pursuant to law
- the student is admitted through an interdistrict option

Students may alternatively comply with the residency requirements for school attendance in a school district, if they are any of the following:

- an emancipated student who resides within the boundaries of the school district
- a student living in the home of a caregiving adult that is located within the boundaries of the school district and the caregiving adult submits an affidavit to that effect
- a student residing in a state hospital located within the boundaries of the school district
- a student whose parent/guardian resides outside of the boundaries of that school district but is employed and lives with the student at the place of employment within the boundaries of the school district for a minimum of three days during the school week
- a student whose 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
- a student whose parent/guardian was a resident of California who departed the State against their 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 their 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 their parent/guardian's departure

### **Proof of Residency**

(BP/AR 5111.1, EC 48204.1)

Parents/guardians are required to provide documentation of student's residency upon admission to a District school. Residency verification is a state-required parent/guardian's responsibility and falsification of information may be grounds for immediate cancellation of enrollment.

Reasonable evidence of residency for a student living with parent/guardian shall be established by documentation showing the name and address of the parent/guardian within the school district, including, but not limited to, any of the following documentation:

- property tax payment receipts
- rental property contract, lease, or payment receipts
- utility service contract, statement, or payment receipts
- pay stubs
- voter registration
- correspondence from a government agency
- declaration of residency executed by the parent/guardian of a student

- if the student is an unaccompanied youth as defined in 42 USC 11434(A), a declaration of residency executed by the student
- if the student is residing in the home of a caregiving adult, within District boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

### **Investigation of Residency**

(BP 5111.1, EC 48204.2)

When District personnel have reason to believe the address provided by parent/guardian is incorrect, or falsely reported, school staff have the right and obligation to conduct a thorough investigation (due diligence) in order for the principal to take appropriate action. Methods of investigation may include, but are not limited to, interviewing students, contacting appropriate authorities, and conducting home visits to establish residency. In situations where a false address is suspected or may have been used, District staff will verify the address of students.

### **Denial or Revocation of Enrollment**

(BP 5111.1)

If, upon investigation, it has been determined that a student's enrollment or attempted enrollment is based on inaccurate or false evidence of residency, the superintendent or designee shall revoke student's enrollment and student must enroll at their residence attendance area school. However, before revocation of enrollment may occur, parent/guardian shall be sent written notification of the facts leading to the District's determination, be given ten school days to provide proof of residency to school administration and be informed that on the eleventh day student's enrollment shall be revoked if residency within school boundaries cannot be established. Said parent/guardian notice shall also include the appeal process and contact information for the hearing officer. Student's enrollment continues until the appeal process is completed. A student not currently enrolled in the District shall not be permitted to attend any District school unless the appeal is successful. This process is not intended to disrupt the educational program for students; however, it is instituted to protect the school, the District, and parents/guardians from potential fraud investigations related to State and District School of Attendance residency requirements.

If parent/guardian desires to appeal the District's determination, parent/guardian shall schedule a meeting with the hearing officer before the scheduled revocation date. At this meeting, parent/guardian can inspect supporting documents, rebut District evidence, question any District witnesses, and present oral and/or documentary evidence, including witnesses, on the student's behalf. The burden of proof is on the parent/guardian to show why the District's determination to deny enrollment should be overruled. For good cause shown, the hearing officer may extend the meeting date to permit parent/guardian to obtain required documentation.

After the appeal meeting is held, the hearing officer shall prepare a written decision based on the findings. If the hearing officer upholds the revocation, parent/guardian has ten days to appeal to the Board. The hearing officer's decision shall be final unless appealed to the Board. Except in cases where good cause is shown, the Board shall not reopen the record to consider evidence or argument which was not presented to the hearing officer. The Board's decision is final.

## **ENROLLMENT PRIORITIES AND TRANSFER OPTIONS**

(BP/AR 5116.1, BP/AR 5117)

The Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also balancing enrollment to maximize the efficient use of district facilities. Parents/guardians of students who reside within district boundaries may apply to enroll their student in any district school, regardless of the location of residence within the district. Interdistrict Attendance Permits are available for parents/guardians of students who desire to attend school in another district. No student currently residing within a school's residence attendance area shall be displaced by another student transferring into the school. For more information, contact Student Support Services, or visit the District's website, at <https://www.chino.k12.ca.us/page/21698>.

The District considers the needs and preferences of students and parents/guardians before making a transfer assignment but is not obligated to accept the school preference if the assignment is not feasible due to space constraints or other considerations. Therefore, submission of a transfer application does not guarantee placement at the school requested. Parents/guardians are required to enroll student in their residence attendance area school until notified of transfer approval. Students who are not enrolled in their residence attendance area school on the first day of school may be removed from the transfer process.

The District does not provide transportation for students attending school outside their residence attendance area while on an approved transfer. It is the responsibility of the parent/guardian to transport transfer students to school daily and on time.

## **Intradistrict Open Enrollment Transfers (School to School Within CVUSD) (BP/AR 5116.1)**

Intradistrict open enrollment transfer applications for the subsequent school year are only available in Student Support Services and on their website during the intradistrict open enrollment period. The intradistrict open enrollment period is held annually during the month of November. Applications must be completed by the student's parent/guardian and submitted to Student Support Services before the deadline to be eligible for the lottery. Only one application per student may be submitted. For more information, including intradistrict open enrollment and lottery dates, contact Student Support Services or visit the District's website <https://www.chino.k12.ca.us/page/21698>.

**Intradistrict Open Enrollment Priorities** – The first priority is for siblings of students who have already established residency through a prior transfer process within the school requested. For sibling preference to apply, siblings must both attend the same school in the same school year. The next priority is for students whose parent/guardian is employed by the Chino Valley Unified School District and assigned to the requested school as the employee's primary place of employment for the school year requested.

### **Lottery**

When applications for a given school exceed available space, all requests for admission shall be handled on a random, unbiased lottery basis. By law, a "first-come first-served" selection process does not constitute a random, unbiased process. The lottery is a one-day event held in January where all eligible intradistrict open enrollment applications submitted during the intradistrict open enrollment period are assigned a random, unbiased lottery number which establishes the rank order in which applications may be accepted. Parents/guardians are invited to attend the lottery, but attendance is not mandatory to receive a lottery number. Notification of the student's application lottery number will be mailed home soon after the lottery has been completed.

### **Waiting List**

After the lottery has been conducted, students shall be placed on a waiting list for the requested school and grade. As space becomes available, intradistrict open enrollment transfer applications shall be approved in numerical lottery number. The intradistrict open enrollment transfer waiting list expires on September 30<sup>th</sup> of each year.

### **Approval Process of Intradistrict Open Enrollment Transfers**

Parent/guardian shall be notified by school staff when the student's transfer application is approved. Parent/guardian shall have ten school days from the date of notification to confirm enrollment with the transfer's school staff at the transfer school. Failure to confirm enrollment within the ten days is considered abandonment of the request and the transfer application shall be voided, and the next student on the list is contacted. For information on student registration after enrollment is confirmed, contact the school staff.

### **Term Length**

Students accepted through the intradistrict open enrollment transfer process are approved through the highest grade served at the school. Intradistrict open enrollment transfers may not be revoked for any reason. Enrollment does not extend to the next feeder school.

### **Feeder Schools**

A new application is required for each grade span: K-6, 7-8, 9-12. Students who desire to continue within the feeder junior high or high school shall submit a new transfer application in the 6<sup>th</sup> grade, and again in the 8<sup>th</sup> grade, during the intradistrict open enrollment application period, provided the requested school is accepting applications. This election is subject to space availability and placement is not guaranteed.

### **Intradistrict Transfers**

#### **(School to School Within CVUSD)**

Intradistrict transfer applications are available throughout the school year in Student Support Services and on the District's website. Applications must be completed by the student's parent/guardian and submitted to Student Support Services in person, by fax, U.S. mail or email to [Student\\_Transfers@chino.k12.ca.us](mailto:Student_Transfers@chino.k12.ca.us). Only one application per student for a requested school year may be submitted and pending approval at a time.

### **Waiting List**

Intradistrict transfer applications are placed on the waiting list in the order received following the intradistrict open enrollment transfers.

### **Approval Process**

Unlike intradistrict open enrollment transfers, intradistrict transfer enrollment decisions are based on available space, student academic performance, attendance, and/or behavior concerns. School administration may request parent/guardian to submit the student's transcript or grades, attendance, and/or discipline records for review prior to determination.

- Approved transfers may be revoked due to overcrowding, unsatisfactory academic achievement, attendance, and/or conduct.

Intradistrict transfer applications are approved throughout the school year for the current school year. Through September 30<sup>th</sup> of each year (the time in which the open enrollment list is active), intradistrict transfer applications for the subsequent school year are not considered until all intradistrict open enrollment transfers for that school and grade level have been processed.

Parents/guardians shall be notified by school personnel when transfer applications are approved for enrollment to the requested school.

- Parents/guardians have ten school days from the date of notification to confirm enrollment with school personnel at the school of transfer. Failure to do so is considered abandonment of the request and the transfer application shall be voided.
- For information on student registration after enrollment is confirmed, contact school personnel.

### **Term Length**

Intradistrict transfer requests are approved for the remainder of the school year or through highest grade served at the school. Enrollment does not extend to the next feeder school.

- Students on transfers approved for the remainder of the current school year return to their residence attendance area school the following year.
- Students on transfers approved through the highest grade served, return to their residence attendance area school for the next grade span.

### **Feeder Schools**

A new application is required for each grade span: K-6, 7-8, 9-12. Students who desire to continue within the feeder junior high or high school shall submit a new transfer application in the 6<sup>th</sup> grade, and again in the 8<sup>th</sup> grade, during the intradistrict open enrollment application period, provided the requested school is accepting applications. This election is subject to space availability and placement is not guaranteed.

### **Appeal Process for Denial of Intradistrict Transfer**

Within ten workdays of receipt of notification that their student's intradistrict transfer request has been denied for attendance, grades and/or regarding student conduct, parent/guardian may submit a written appeal to the Coordinator of Child Welfare and Attendance in the department of Student Support Services. The appeal should state the special circumstances that warrant reconsideration of the denial and include documentation, if any, to support the appeal. Burden is on the appellant to show why the denial should be overruled. Denials based on lack of space availability will not be considered for appeal.

### **Students on an Intradistrict Open Enrollment or Intradistrict Transfer Who Desire to Return to Their Residence Attendance Area School**

Students on an approved intradistrict open enrollment transfer or an intradistrict transfer approved through the highest grade no longer have first-priority rights to enroll at their residence attendance area school. Students who desire to return to their residence attendance area school shall apply for such enrollment as available through the intradistrict open enrollment or intradistrict transfer process.

### **Change of Student Address for a Pending or Approved Transfer**

Any change of address on the student's record shall be made at the student's school of enrollment and parent/guardian shall provide proof of residency to school staff. If the student's address changes while their transfer application is pending, parent/guardian shall also notify Student Support Services' staff to update the application with the new address.

If the new address changes student's residence attendance area school, the parent/guardian must submit a new transfer application for their student. Filing this new transfer application does not guarantee student will be able to continue at the transfer school.

### **Interdistrict Attendance Transfers**

#### **(District to District)**

(BP/AR 5117, EC 46600-46610, EC 48307)

In accordance with an Interdistrict Attendance Agreement between the CVUSD Board of Education and the Board of Education of another district, an Interdistrict Attendance Permit authorizes a student of one school district to enroll in another school district, so long as both districts have approved the transfer. The process begins at the district office where student resides.

### **Students leaving CVUSD on an Interdistrict Attendance Permit**

The parents/guardians of students in grades TK through 12 who reside within the CVUSD boundary and who desire their student to attend school in another district shall first obtain an application for Interdistrict Attendance Permit ("permit request" or "permit") from Student Support Services or from their website at:

<https://www.chino.k12.ca.us/page/21698>. Return the completed form to CVUSD/Student Support Services in person, or by fax, U.S. mail or email to [Student\\_Transfers@chino.k12.ca.us](mailto:Student_Transfers@chino.k12.ca.us).

### **Students entering CVUSD on an Interdistrict Attendance Permit**

Students who reside outside the CVUSD boundary and desire enrollment in a CVUSD school, shall begin the process by obtaining the permit request from their school district of residence ("residence district") and returning the completed form to their district office.

### **Timeline for Processing an Application for Interdistrict Attendance Permit**

Permit requests may be submitted to Student Support Services at any time for the current or subsequent school year and shall be processed as follows:

- Current year requests: For permit requests received by CVUSD fifteen or fewer calendar days before the commencement of instruction in the school year for which the transfer is sought, CVUSD shall notify the parent/guardian of its final decision within thirty calendar days from the date the request was received.
- Future year requests: For permit requests received by CVUSD more than fifteen calendar days before the commencement of instruction in the school year for which the interdistrict transfer is sought, CVUSD shall notify the parent/guardian of its final decision as soon as possible, but no later than fourteen calendar days after the commencement of instruction in the school year for which transfer is sought.

### **Interdistrict Attendance Permit Process**

1. After the student completes the permit request and is released from their residence district, the original permit request is forwarded to the proposed school district of enrollment ("requested district") for determination.
2. The superintendent or designee of the requested district reviews the permit request and, subject to the terms and conditions of the Interdistrict Attendance Agreement between the districts, approves or denies the permit request.
3. School administration may request parent/guardian to submit the student's transcript or grades, attendance, and/or discipline records for review prior to their determination.
  - A permit request into CVUSD may be denied based on limited District resources, overcrowding at the relevant grade level, student's academic performance, attendance, and/or behavior concerns.
  - Approved permits into CVUSD are valid through the 12<sup>th</sup> grade and students are not required to reapply unless reapplication standards are otherwise specified in the Interdistrict Attendance Agreement.
4. A student whose parent/guardian is in active military duty shall not be prohibited from transferring out of their residence district, provided the requested district approves the application for transfer.
5. Priority for interdistrict attendance shall be given to a student who has been determined by staff of either district through an investigative process to be a victim of an act of bullying (as defined in EC 48900(r)) which was committed by a student of the district of residence.

### **Revocation of an Approved Permit**

- Approved permits may be revoked due to attendance, academic performance, and/or behavior concerns.
- Approved permits shall not be rescinded after completion of grade 10 or for any student entering grade 11 or 12 in the subsequent school year.
- Approved permits shall not be rescinded due to overcrowded facilities at the relevant grade level.

### **Interdistrict Appeal Process**

An appeal is primarily a review of the reasonableness of the district's determination of a permit request. If a permit request has been denied by either district, the student (if age 18 or older) or parent/guardian (hereinafter collectively referred to in this section as "appellant") may file an appeal with the school district that denied the request. Further, within 30 days of the district's final denial, appellant may file an appeal with the County Office of Education for the district that denied the permit request.

To appeal a denial for an interdistrict attendance permit from CVUSD, appellant shall first submit their written appeal to the Director of Student Support Services, or designee, within 10 workdays of receipt of notification of the denial. The appeal should state the special circumstances that warrant reconsideration of the denial and include documentation, if any, to support the appeal. Burden is on the appellant to show why the District's decision to deny the permit should be overturned. Failure to appeal within the required time frame is good cause for denial of an appeal.

Students who are under consideration for expulsion or who have been expelled may not appeal permit request denials or rescissions while the expulsion proceedings are pending or during the term of the expulsion.

For more information on the appeal process visit <https://www.chino.k12.ca.us/page/21698> or contact Student Support Services.

### **Involuntary Transfers**

(BP 5116.2, EC 48432.5, EC 48662, EC 48929)

The District 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. Whenever a student is involuntarily transferred, the District shall provide timely written notification as well as provide an opportunity for the student and their parent/guardian to meet with site administration to discuss the transfer.

A student may be transferred to another district school if student is convicted of a violent felony, as defined in PC 667.5(c), or a misdemeanor listed in PC 29805 and is enrolled at the same school as the victim of the crime for which student was convicted. If a high school student commits an act enumerated in EC 48900, or is habitually truant or irregular in school attendance, student may be transferred to a continuation school. If the student is expelled from school for any reason, is probation-referred pursuant to WIC 300 or 602 or is referred by a School Attendance Review Board (SARB), or another formal district process, student may be transferred to a community day school.

## **HEALTH SERVICES**

CVUSD's Department of Health Services provides student and family-related services for all schools. Services and supports include counseling, health services, and social support provided by school nurses and through the CVUSD Health Center, HOPE Family Resource Centers, Behavioral Health Center, Multi-tiered System of Supports for Behavior (MTSS-B) Program, and the Child Development Program. CVUSD's Health Center, located on the Adult School campus, provides sports physicals, school-entry physical exams, development screenings, on site temporary Medi-Cal for qualifying children, and other health related services to the CVUSD student population. HOPE Family Resource Centers are school-based sites dedicated to preserving and strengthening students and their families in need of support. The Behavioral Health Center provides counseling services to students based on their insurance. The MTSS-B program provides short-term individual and group counseling, classroom guidance lessons, and Positive Behavior Interventions and Supports (PBIS) implementation support at the school sites. The Child Development Program offers families paid and subsidized full day preschool programs and before and after school childcare.

### **Accident/Injury Insurance**

(BP 5143, EC 32221.5, EC 49472,)

The District has available accident insurance for injuries to students occurring during the regular school day at school, or elsewhere at a school-sponsored activity, or while in transit. The cost shall be paid by the parent/guardian. Students participating in interscholastic sports may access low-cost sports insurance. Contact the school's Athletic Director for appropriate forms. Under state law, school districts are required to ensure 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 students 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 the CVUSD Health Center or Medi-Cal Program office at (909) 628-1202, ext. 8918.

### **Affordable Health Coverage**

The CVUSD Health Center aims to increase access to health insurance through our Child Health and Disability Prevention (CHDP) and Gateway programs. CHDP Gateway, is an automated, pre-enrollment process for non Medi-Cal, uninsured children. CHDP Gateway serves as the entry point for these children to enroll in ongoing health care coverage through Medi-Cal. This program is based on federal law found in Titles XIX and XXI of the Social Security Act that allows states to establish presumptive eligibility programs for children/youth. Qualifying children are placed on 30 days of temporary Medi-Cal, further increasing access to health care services.

### **Alcohol or Drug Non-Punitive Intervention**

(BP 5131.6)

Students using alcohol or drugs should discuss the matter with their parents/guardians or with any staff member. Students who disclose their use of alcohol or other drugs when seeking help from an intervention or recovery program shall not be disciplined for such use. CVUSD continually provides a non-punitive intervention procedure that allows students, their parents/guardians, or friends to discuss substance abuse-related problems with staff without fear of punishment or humiliation.

## **Student Safety: Synthetic Drugs**

(EC 48985.5)

Dangers to the health and welfare of students can occur when an individual uses synthetic drugs, such as fentanyl, that are not prescribed by a physician. Further, this dangerous synthetic drug can be found in counterfeit pills. Families are encouraged to connect with their healthcare providers for more information.

## **Disease Prevention**

(BP/AR 5141.22)

The Board desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students. Prevention and education are the most effective means of limiting the spread of infectious diseases. Collaboration with parents/guardians and local health agencies and organizations is imperative in developing a comprehensive approach to disease prevention that promotes preventative measures and education of students and staff. CVUSD's Health Education Program provides information about the prevention of infectious diseases, including the nature of blood-borne pathogens and their transmission, as well as information to help prevent the spread of contagious diseases. Each school shall have sufficient infection prevention supplies that are easily accessible to staff.

Parents/guardians are encouraged to inform the school if their student has an infectious disease, so school staff may work cooperatively with the parents/guardians to minimize students' exposure. Student confidentiality rights are strictly observed in accordance with law.

## **Emergency Anaphylaxis Treatment**

(BP/AR 5141.21, EC 49414)

Current law 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. Without immediate administration of epinephrine and activating Emergency Medical Services (911), death could occur. Certain individuals may experience anaphylaxis that have no known previous history of an allergy and, therefore, may not have their own emergency epinephrine prescription. A school staff member will administer this emergency injection to any student reasonably believed to be suffering from anaphylaxis and shall activate Emergency Medical Services (911). Parent/guardian will be notified of the emergency and action taken. Parents/guardians who do not want their student to receive an emergency epinephrine injection, must notify the school in writing.

## **Health Care and Emergencies**

(AR 5141, EC 49408)

For the protection of a student's health and welfare, at the beginning of each school year during Aeries Data Confirmation, parents/guardians of each CVUSD student shall verify and update the following in Contacts:

- home address and telephone number
- parent/guardian's business address and telephone number
- parent/guardian's cell phone number and email address
- name, address, and telephone number of an adult relative or adult friend to whom the student may be released and who is authorized by the parent/guardian to care for the student in cases of emergency or when the parent/guardian cannot be reached
- local physician to call in case of emergency

The District requires parents/guardians to keep their contact information current using the Aeries Parent Portal. In the event of an emergency, proper identification shall be required at the site before student will be released. Student will be released to those listed in Aeries Contacts only if parents/guardians cannot be reached. Student will not be released to minors, friends, neighbors, siblings, etc., unless they are an adult and listed in Aeries Contacts. To authorize additional individuals or daycare center personnel to pick up a student in the event of an emergency, update student's contact information in the Aeries Parent Portal. For security reasons, no phone authorizations are accepted.

## **Health/Dental Screenings and Tests**

(BP/AR 5141.3, EC 49451, EC 49455, EC 49456, EC 49452.5, HSC 324.2, 124085, 124100, 124105)

State law requires that the parent/legal guardian of each student provide the school within 90 days after entrance to first grade documentary proof that the student has received a health screening examination by a doctor within the prior 18 months. To assist in meeting this requirement, *free health screenings* are available through the District's Health Services Department. Students may be excluded up to 5 days from school for failing to comply or not providing a waiver.

Parents/guardians can refuse to have their student take a physical examination (including vision and hearing screenings) if they file a waiver with the principal. However, if that student appears to be suffering from a recognized contagious or



infectious disease, that student will not be permitted to attend school until it is determined to the satisfaction of District representatives that a contagious or infectious disease does not exist.

The District must provide testing of all students in the areas of distance and near vision and hearing. Vision and hearing testing are performed in grades TK, K, 2, 5, 8 and 10. Color discrimination screening is performed for every male student in grade 1. Notification will be sent to parents/guardians for vision or hearing screen failure only, or any other condition discovered through the screening. Parents/guardians may annually request, in writing, that their student be excused from all health screenings.

### **Immunizations**

(BP/AR 5141.31, EC 48216, EC 49403, HSC 120325-120380)

Students must be fully immunized against certain communicable diseases to attend school. Only medical exemptions issued through the California Immunization Registry-Medical Exemption website will be accepted. See, <https://cair.cdph.ca.gov/exemptions/home>.

Beginning January 1, 2021:

- medical exemptions can only be issued through the California Immunization Registry – Medical Exemption website (CAIR-ME) by physicians licensed in California
- schools and childcare facilities may only accept from parents/guardians new medical exemptions that are issued using CAIR-ME

Students are prohibited from attending school until required immunizations are up to date. (EC 48216, HSC 120330, HSC 120335) Parents/guardians have the right to provide consent for the administration of an immunization to their child at school. (EC 49403) For the complete list of immunizations required before attending school, visit the Health Services' webpage at <https://www.chino.k12.ca.us/page/36031>.

### **Medical Information and Assistance at School**

(EC 49407, EC 49480)

Parent/guardian shall inform the school nurse or other designated certificated school employee of the medication regimen for a non-episodic condition including the name of the medication being taken, current dosage, and name of the supervising physician. With parent/guardian consent, the school nurse may communicate with the physician and may counsel with school personnel regarding possible effects of the drug on student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

In the event of a medical emergency:

- student's contact information in Aeries shall be used to reach parents/guardians
  - it is important to note any specific directions regarding emergency care, allergies, and any medical conditions or long-term medications used when completing the yearly Data Confirmation process
- school personnel shall act in the absence of parents/guardians to ensure appropriate medical treatment is provided, even if the parents/guardians cannot be reached
- school personnel may make available medical or hospital services for students while at or on the way to or from any school activity
- parents/guardians are responsible for the cost of emergency transportation for medical care

CVUSD, its Board members and District employees who treat any student shall not be held liable for the reasonable treatment of the student without the consent of a parent/guardian when the student is ill or injured or requires medical treatment during regular school hours or school activities, and the parent/guardian cannot be reached to give consent, unless the parent/guardian has previously filed with CVUSD a written objection to any medical treatment other than first aid.

### **Medical Insurance Billing**

The law allows school districts to bill Medi-Cal and private insurance for some of the health services provided to students, provided the district does not bill any insurance company for any services rendered in the District. For students enrolled in Medi-Cal insurance, the State Department (CMS) may submit billing for Medi-Cal covered services provided in school. Parent/guardian may receive notification that billing has been submitted but is not responsible for payment of any health services provided by the District. In addition, if the student has an Individualized Education Plan (IEP), the District will not bill private insurance when the service rendered is included as a part of the special education services plan.

## **Medication at School**

(BP/AR 5141.21, BP/AR 5141.31, EC 49423, EC 49480)

Parents/guardians should talk with their health care provider to arrange a medication schedule, so the student does not have to take medicine while at school. If student is regularly taking medicine for an ongoing health problem, even if only taking it at home, parent/guardian must notify the school nurse or other designated school employee at the beginning of each school year. For students on continuing medication for a non-contagious condition, parents/guardians shall inform school personnel of the medication type, dosage, and name of student's health care provider. With parent/guardian's consent, school nurse may communicate with the health care provider to determine possible effects of the medication on the student's behavior and symptoms of any adverse side effect.

Students who are capable of managing their own asthma medication, diabetic care, and/or emergency injections for severe allergies can arrange to carry their medication and related equipment once cleared by the school nurse. In order to self-administer, the District must receive the following information:

1. A written statement from the student's health care provider detailing the name of medication, method, amount, and time schedule by which the medication is to be taken, and confirming student is able to self-administer auto-injectable epinephrine.
2. A written statement from parent/guardian consenting to student's self-administration.
3. A release for the school nurse or other designated school personnel to consult with student's health care provider regarding any questions that may arise with regard to the medication.
4. A form releasing the District and school personnel from civil liability if the self-administering student suffers any adverse reaction as a result of self-administering medication. Orders for medication must be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes. A student may be subject to disciplinary action pursuant to EC 48900 if that student uses auto-injectable epinephrine in a manner other than as prescribed.
5. A self-carry contract must be completed by the school nurse, parent/guardian, and student prior to self-carrying to ensure knowledge of medication safety usage.

*Unauthorized use of medication at school.* All medication (prescribed and over the counter) must have physician and parent/guardian authorization, as well as clearance from the School Nurse. Unauthorized possession of medication on campus will result in an initial warning and subsequent disciplinary action, such as suspension and/or expulsion and law enforcement notification, if applicable (controlled substances), upon repeated offense(s).

## **Mental Health**

(EC 49428)

CVUSD is required to provide information regarding initiating mental health services access in school or the community, or both, twice per school year by notifications, website, electronic or hardcopy, social media, orientation packets, enrollment packets, or any of these means. In order to initiate access to available student mental health services, you may contact the following mental health provider: Care Solace (888) 515-0595 or visit <https://www.caresolace.com/chino>.

## **Mental Health/Student Identification Card**

(BP 5141.52, EC 215.5)

The Board recognizes that suicide is a major cause of death among youth. The National Suicide Prevention Lifeline is available to anyone 24/7, at (800) 273-TALK (8255) or the Crisis Text Line, which can be accessed by texting HOME to 741741, to anyone in suicidal crisis or emotional distress. The District has trained staff available during school hours. Contact school site personnel to be directed to a mental health provider for assistance.

Pursuant to Senate Bill 316, a public school that issues student identification cards for students in grades 7-12, shall include the National Suicide Prevention Lifeline Telephone Number, the Crisis Text Line, and the National Domestic Violence Hotline. The number for the Domestic Violence Hotline is (800) 799-7233.

The District takes all threats of harm to self and/or others seriously. The District is also committed to implementing nondiscriminatory practices and procedures. Accordingly, the District's homicide threat risk screening/assessment policies, procedures and forms have been revised to more thoroughly account for the needs of students with disabilities. In order to obtain more information about the revised policies, procedures and forms, contact the Behavior Intervention Coordinator, Special Education Department, Behavior Intervention Office (909) 628-1202 ext. 8907, or the Special Education Director (909) 628-1202, ext. 1400.

## **Multi-Tiered Systems of Support**

The K-12 Intervention Counseling program is dedicated to the social and emotional growth and well-being of all students through the delivery of data-driven, school-based behavioral interventions and supports that encourage the development of motivated, self-confident life-long learners. School counselors work in collaboration with school staff and families to provide a range of services and supports to all CVUSD students. For a list of supports available to students and how to access them, visit the Health Services/MTSS-B Program webpage at <https://www.chino.k12.ca.us/Page/48716>.

## **Second Step Curriculum**

Second Step is an evidenced-based, supplemental socio-emotional curriculum provided to support all Chino Valley Unified School District students in TK through 8th grade. The Second Step curriculum supports students in building social-emotional skills such as responsible decision-making, working with peers to solve problems, managing strong emotions, setting goals, and getting along with others. These skills can help children succeed academically and socially. The Second Step curriculum is provided through teacher-delivered classroom lessons using a digital platform approach. Parent/Guardian permission is required for students in grades transitional kindergarten through eighth to participate in the Second Step curriculum. For more information, visit <https://www.chino.k12.ca.us/Page/48719>

## **Student Athletics and Concussion**

(AR 6145.2, EC 49475, AB 25)

A concussion is a brain injury that can be caused by a bump, blow, 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 if not recognized and managed properly. A student must be immediately removed from a school-sponsored athletic activity for the remainder of the day if the athlete is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until the athlete is evaluated by, and receives written clearance from, a licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than seven days in duration under the supervision of 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/guardian before the athlete initiates 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.

## **Student Athletics and Opioids**

Students participating in athletics and their parents/guardians shall receive information annually regarding the risks and side effects of opioid use and shall sign and return the information sheet before student initiates practice or competition.

## **Emergency Naloxone**

California Education Code section 49414.3(a) states that school districts, county offices of education, and charter schools may provide emergency naloxone hydrochloride or another opioid antagonist to school nurses or trained personnel who have volunteered. Pursuant to subdivision (d), school nurses or trained personnel may use naloxone, hydrochloride, or another opioid antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. CVUSD has opted to make emergency naloxone hydrochloride or another opioid antagonist and trained personnel available at its schools, the procedures in CVUSD Administrative Regulation 5141.21 shall apply. CVUSD Risk Management shall arrange for staff training, tracking of doses, and dose distribution to trained staff.

## **Student Athletics and Sudden Cardiac Arrest**

(AR 6145.2, AB 1639)

Parents/guardians of students participating in athletics shall receive information on sudden cardiac arrest/death (SCA/SCD) annually and shall sign and return the information sheet before the student initiates practice or competition. If a student athlete is suspected of experiencing cardiac related symptoms, student shall be immediately removed from the activity for the remainder of the day. Student shall not be permitted to return to the activity until evaluated by a licensed health care provider and receives the health care provider's written clearance to return to the activity. Prior to participation in sports activities, parents/guardians of prospective athletes are required to sign acknowledgement that they are aware of the risk of sudden cardiac arrest and death and any preventative measures that may be taken. Contact school personnel to obtain the form.

## **Type I Diabetes Information**

Pursuant to California Education Code Section 49452.6, type I diabetes informational materials are to be provided to the parent or guardian of a student when the student is first enrolled in elementary school.

Type I diabetes in children is an autoimmune disease that can be fatal if untreated, and the guidance provided in this information sheet is intended to raise awareness about this disease.

### **What is Type I Diabetes?**

- The body turns the carbohydrates in bodies into glucose (blood sugar), which is the basic fuel for the body's cells
- The pancreas makes insulin. Insulin is a hormone that moves glucose from the blood into the body's cells.
- In type I diabetes, the body's pancreas stops making insulin, and the levels of glucose in the blood rise.
- Over time the glucose levels in the blood may become dangerously high. When this happens, it is called "hyperglycemia".
- If left untreated, hyperglycemia can result in diabetic ketoacidosis (DKA), which is a life-threatening complication of diabetes.
- Type I diabetes usually develops in children and young adults but can occur at any age.

### **Risk factors Associated with Type I Diabetes**

- Researchers do not completely understand why some people develop type I diabetes.
- Having a family history of type I diabetes can increase the likelihood of developing type I diabetes.
- Other risk factors may include environmental triggers, such as viruses.
- Type I diabetes is not caused by diet or lifestyle choices.

### **Warning Signs and Symptoms Associated with Type I Diabetes**

Warning signs and symptoms may develop quickly, in weeks or months. If your child displays the warning signs below, contact your child's health care provider to determine if screening your child for type I diabetes is appropriate:

- Increased thirst
- Unexplained weight loss
- Feeling very tired
- Blurred vision
- Very dry skin
- Slow healing of sores or cuts
- Increased hunger, even after eating
- Moodiness, restlessness, irritability or behavior changes
- Increased urination, including bed-wetting after toilet training

Diabetic ketoacidosis (DKA) is a complication of untreated type I diabetes, and is a medical emergency. Symptoms include:

- Fruity breath
- Dry/flushed skin
- Nausea
- Vomiting
- Stomach pains
- Trouble breathing
- Confusion

### **Types of Screening Tests for Diabetes Type I**

- **Glycated hemoglobin (A1C) test** A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5% or higher on two separate tests indicates diabetes.
- **Random (non-fasting) blood sugar test** A blood sample is taken without fasting. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes.
- **Fasting blood sugar test** A blood sample is taken after an overnight fast. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- **Oral glucose tolerance test** A test measuring the fasting blood sugar level after an overnight fast, with periodic testing over the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

## Type 1 Diabetes Treatments

There are no known ways to prevent type 1 diabetes. Once type 1 diabetes develops, medication is the only treatment. If your child is diagnosed with type 1 diabetes, their health care provider will be able to help develop a treatment plan. Your child's health care provider may refer your child to an endocrinologist, a doctor specializing in the endocrine system and its disorders, such as diabetes.

## Type 2 Diabetes Information

(EC 49452.7)

Type 2 diabetes in children is a preventable/treatable disease and the guidance provided in this information sheet is intended to raise awareness about this disease. Contact the school nurse, school administrator, or health care provider with any questions.

Growing Issue	Type 2 diabetes is the most common form of diabetes in adults. Until a few years ago, Type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens. According to the U.S. Centers for Disease Control and Prevention, one in three American children born after 2000 will develop Type 2 diabetes in their lifetime.
Description	Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy. The body turns carbohydrates in food into glucose, the basic fuel for the body's cells. <ul style="list-style-type: none"> <li>• The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.</li> <li>• Over time, the pancreas is not able to keep up and cannot make enough insulin to keep blood glucose levels normal.</li> <li>• In Type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.</li> <li>• Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.</li> <li>• Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.</li> </ul>
Screening Recommendations	It is recommended that students displaying or possibly experiencing risk factors and warning signs associated with Type 2 diabetes be screened (tested) for the disease.
Risk Factors	Researchers do not completely understand why some people develop Type 2 diabetes and others do not. However, the following risk factors are associated with an increased risk of Type 2 diabetes in children: <ul style="list-style-type: none"> <li>• Being overweight <ul style="list-style-type: none"> <li>• The single greatest risk factor for Type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children are overweight. Chances are more than double that an overweight child will develop diabetes.</li> </ul> </li> <li>• Family history of diabetes <ul style="list-style-type: none"> <li>• Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.</li> </ul> </li> <li>• Inactivity <ul style="list-style-type: none"> <li>• Being inactive further reduces the body's ability to respond to insulin.</li> </ul> </li> <li>• Specific racial/ethnic groups <ul style="list-style-type: none"> <li>• Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop Type 2 diabetes.</li> </ul> </li> <li>• Puberty <p>Young people in puberty are more likely to develop Type 2 diabetes than younger children; probably because of normal rises in hormone levels can cause insulin resistance during this stage of rapid growth and physical development.</p> </li> </ul>
Warning Signs and Symptoms	Warning signs and symptoms of Type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or Type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has Type 2 diabetes. <ul style="list-style-type: none"> <li>• Increased hunger, even after eating</li> <li>• Unexplained weight loss</li> <li>• Increased thirst, dry mouth, and frequent urination</li> <li>• Feeling very tired</li> <li>• Blurred vision</li> <li>• Slow healing of sores or cuts</li> <li>• Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms</li> </ul>

	<ul style="list-style-type: none"> <li>• Irregular periods, no periods, and/or excess facial and body hair growth in girls</li> <li>• High blood pressure or abnormal blood fats levels</li> </ul>
Prevention and Treatments	<p>Healthy lifestyle choices can help prevent and treat Type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.</p> <ul style="list-style-type: none"> <li>• Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.</li> <li>• Get more physical activity. Increase physical activity to at least 60 minutes every day.</li> <li>• Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat Type 2 diabetes with medication.</li> </ul> <p>The first step in treating Type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to Type 2 diabetes).</p>
Screening Tests	<ul style="list-style-type: none"> <li>• Glycated hemoglobin (A1C) test <ul style="list-style-type: none"> <li>• A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.</li> </ul> </li> <li>• Random (non-fasting) blood sugar test. <ul style="list-style-type: none"> <li>• A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.</li> </ul> </li> <li>• Fasting blood sugar test. <ul style="list-style-type: none"> <li>• A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.</li> </ul> </li> <li>• Oral glucose tolerance test. <ul style="list-style-type: none"> <li>• A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.</li> </ul> </li> </ul>

The California Department of Education developed this Type 2 diabetes information in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children's Hospital of Orange County.

## INSTRUCTION

The District has high standards for student achievement which challenge all students to reach their full potential and specifies what they are expected to know and be able to do at each grade level and in each area of study. These standards reflect the knowledge and skills students need to be adequately prepared for postsecondary education, employment, and responsible citizenship.

### Availability of Prospectus

(AR 5020, EC 49063, EC 49091.14, EC 51101)

The curriculum, including titles, descriptions, and instructional aims of every course offered by a public school are compiled at least once annually in a prospectus. The prospectus is available for review and reproduction upon request at the school site. The school may charge an amount not to exceed the cost of duplication.

### Courses of Study

(AR 6143)

The Board recognizes that a well-articulated sequence of courses fosters academic progress and provides for the best possible use of instructional time. The District's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful in school, college, and/or the workplace. The course of study at each grade level is based on the California State Content Standards.

### Academic Honesty

(BP 5131.9)

Academic honesty and personal integrity are fundamental components of a student's education and character development. Students, parents/guardians, staff, and administrators shall be responsible for creating and maintaining a positive school climate that encourages honesty. Students are expected not to cheat, lie, plagiarize, or commit other acts of academic dishonesty and shall be subject to discipline if found to have committed any of these acts.

## **Minimum and Student Free Staff Development Days**

Each school develops a schedule of minimum days and student-free staff development days for the school year; a copy may be obtained from school personnel. Calendars are also available on the District website <https://www.chino.k12.ca.us/Page/53244>. If any minimum or student-free staff development days are scheduled following the distribution of this notice, the District shall notify parent/guardian as early as possible, but not later than one month before the scheduled minimum or student-free day.

## **Gifted and Talented Program (GATE)**

(BP/AR 6172)

CVUSD offers instructional programs for students who qualify for gifted and talented education (GATE). All students in grade two are screened for GATE eligibility unless parents/guardians decline screening. Students in grades 3-8 may be considered by an educator or parent/guardian for possible GATE eligibility. A school staff member then screens the student(s).

GATE programs are provided for students meeting a specific set of criteria which qualifies them to participate in qualitatively different curricular experiences designed to recognize and nurture the special gifts and talents of individual students using depth, complexity, novelty, and/or accelerating the core curriculum. Elementary program options include participation in cluster classes or part-time groupings in the regular classroom. At the secondary level, GATE identified students may participate in honors classes, advanced placement classes, acceleration, leadership experiences, and/or opportunities to attend classes on a college campus.

*Enrichment.* In addition to the differentiated daily curriculum, GATE programs may be augmented by part-time pull-outs, before and after school opportunities, or Saturday enrichment activities. Enrichment opportunities may develop in the form of an after school academic competition team at the elementary or junior high school levels. These activities should be related to the core curriculum and provide opportunities for GATE students to work together on advanced learning activities.

## **Identification and Education under Section 504**

(BP/AR 6164.6, Section 504 of the Federal Rehabilitation Act of 1973, 34 CFR 104.33, 34 CFR 104.7)

Section 504 is a federal law that provides students identified with disabilities equal access to free appropriate public education that is available to all students. Students with a 504 plan shall receive regular educational services with reasonable accommodations necessary to meet individual educational needs as adequately as the needs of students who are nondisabled.

Section 504 protects qualified individuals with disabilities from discrimination in programs and activities that receive federal funding. Specifically, Section 504 prohibits school districts from excluding individuals with disabilities from the participation in, be denied the benefits of, or be subjected to discrimination, under any District program or activity.

Parents/guardians who believe their student may have a disability are to contact the school's principal or District Section 504 Coordinator for identification as a student with a disability under Section 504. The following position serves as the District's 504 Coordinator to implement the requirements of Section 504 of the Federal Rehabilitation Act of 1973:

Alpercy Bennett | Coordinator, Child Welfare and Attendance, District Section 504 Coordinator  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [al\\_bennett@chino.k12.ca.us](mailto:al_bennett@chino.k12.ca.us) | (909) 628-1202, ext. 1745

## **Teacher and Paraprofessional Qualifications/Information**

The Elementary and Secondary Education Act (ESEA) was developed to ensure that every student achieves. ESEA was reauthorized on December 10, 2015, as the Every Student Succeeds Act (ESSA), <https://www.ed.gov/ESSA>. Certificated teachers are expected to meet the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes. As provided by ESEA Section IV(b)(6)(A), upon parent/guardian request, the District will provide in a timely manner information regarding the professional qualifications of the student's classroom teachers, including:

1. Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. Whether the teacher is teaching in the field of discipline of their certification.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Parents/guardians of CVUSD's students who wish to request information about the qualifications of their student's teacher may direct their request to:

Grace Park, Ed.D. | Deputy Superintendent  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [grace\\_park@chino.k12.ca.us](mailto:grace_park@chino.k12.ca.us) | (909) 628-1202, ext. 1124

### **Alcohol and Other Drugs**

(EC 51260)

Instruction shall be given in the elementary and secondary schools by appropriately trained instructors on drug education and the effects of the use of tobacco, alcohol, narcotics, and dangerous drugs, as defined in HSC 11032 and other dangerous substances.

### **Anabolic Steroids**

(BP/AR 5131.63, EC 49030)

Use of anabolic steroids and other performance-enhancing drugs presents a serious health and safety hazard. As part of the District's drug prevention and intervention efforts, staff shall make every effort to ensure students do not begin or continue the use of anabolic steroids and other performance-enhancing drugs. Students in grades 7-12 shall receive a lesson on the effects of anabolic steroids as part of their science, health, physical education, or drug education program, or as a condition of their participation in school athletics or activities.

Students participating in interscholastic athletics are prohibited from using steroids and dietary supplements banned by the U.S. Anti-Doping Agency, as well as the substance synephrine. Prior to participating in athletics, student and parent/guardian must sign an agreement that the student will abide by the District's steroid prohibition. In addition,

California Interscholastic Federation (CIF) bylaws require participating schools to prohibit school personnel and coaches from selling, promoting, and distributing performance-enhancing supplements to students and ban schools and districts from accepting sponsorships from such companies. All coaches have completed a coaching education program, including training on the harmful effects of steroids. Warning signs will be posted in every locker room.

### **Competitive Athletics**

(EC 221.9)

Each public elementary and secondary school, including each charter school, which offers competitive athletics, shall publicly make available at the end of the school year all of the following information: 1. The total enrollment of the school, classified by gender. 2. The number of students enrolled at the school who participate in competitive athletics, classified by gender. 3. The number of boys' and girls' teams, classified by sport and by competition level. Schools shall make the information identified above publicly available by posting it on the school's website. If the school does not maintain its own website, the school can submit the information to its school district or charter operator to have the information posted on the district or operator's website; the information shall be disaggregated by the school site. "Competitive athletics" means sports where the activity has coaches, a governing organization, and practices, and competes during a defined season, and has competition as its primary goal.

### **Comprehensive Sexual Health and HIV/AIDS Prevention Education**

(BP 6142.1, EC 51930-51939)

The Board of Education recognizes that the purpose of the District's sexual health and HIV/AIDS prevention is to provide students with the knowledge and skills necessary to protect them from unintended pregnancy and sexually transmitted infections and to encourage students to develop healthy attitudes concerning adolescent growth and development, body image, dating, marriage, and family.

### **Notification of Comprehensive Sexual Health and HIV/AIDS Prevention Education**

(EC 51240, EC 51930-51939)

The District will provide instruction in Comprehensive Sexual Health and HIV/AIDS Prevention Education once in junior high and once in high school, and/or will conduct assessments on student health behaviors and risks. This section of the Parent and Student Information Handbook serves as District notification to parents/guardians that they may request their student not receive the instruction. Additionally, parents/guardians may:

1. Inspect the written and audiovisual educational materials used in the Comprehensive Sexual Health and HIV/AIDS Prevention Education.
2. Request in writing that their student does not receive the Comprehensive Sexual Health and HIV/AIDS Prevention Education.



- a. A student so excused by their parent/guardian shall be given an alternative educational activity.
  - b. A student shall not be subject to disciplinary action, academic penalty, or other sanction if the student's parent/guardian declines to permit student to receive the instruction.
3. Request copies of EC 51930-51939, California Healthy Youth Act.
4. Be informed whether the Comprehensive Sexual Health and HIV/AIDS Prevention Education will be taught by District personnel or outside consultants.
  - a. If schools use outside consultants or guest speakers, they must provide parents/guardians with the name of the provider's organization and the date of instruction at the beginning of the school year or no fewer than fourteen days prior to the date of instruction.

### **Opt-Out Rights FAQ's**

(EC 51240)

1. Can parents opt their student out of Comprehensive Sexual Health and HIV/AIDS Prevention Education? **YES**
2. Can parents opt their student out of HIV/AIDS Prevention Education? **YES**
3. Can parents opt their student out of instruction or materials that discuss gender, gender identity, gender expression, and sexual orientation? **NO**, the opt out provision does not apply to instruction or materials that may be in the context of comprehensive sexual health or HIV/AIDS education. A parent would need to opt out of the entire Comprehensive Sexual Health and HIV/AIDS Prevention Education.
4. Can parents opt their student from the entire Health course? **NO**

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 parent/guardian, student shall be excused from such training upon written request of the parent/guardian.

### **Refusal to Harm or Destroy Animals**

(AR 5145.8, EC 32255, et seq.)

Students who have a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, shall have the right to refrain from participating in instruction which involves such activities and shall not be discriminated against because of a decision to exercise this right. The right to refrain from instruction involving harmful or destructive use of animals shall apply to all TK-12 courses, except classes and activities conducted as part of agricultural education that provide instruction on the care, management, and evaluation of domestic animals. Students who wish to refrain from such instruction shall notify their teacher and provide a note from their parent/guardian substantiating the objection. If the teacher believes an adequate alternative project is possible, the teacher may work with the student to develop an alternative project which would provide the knowledge, information or experience required by the course study. In order to receive course credit, students who participate in an alternative project shall pass all course examinations. If a regular examination requires the harmful or destructive use of animals, students may request an alternative test.

### **Promotion/Retention of Students**

(BP 6146.5, EC 48070.5)

Students shall meet District requirements for promotion based on grades, assessments, behavior, or other indicators as specified in Board Policy. Eighth grade students with less than a 2.0 overall grade point average shall not participate in promotion ceremonies.

Students are expected to progress through each grade within one school year. Instruction should accommodate the varying interests and growth patterns of individual students, as well as the variety of ways that students learn, and include strategies for addressing academic deficiencies. Students shall progress through grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

School staff and teachers shall identify students who are at risk of being retained or should be retained, as early as possible in the school year and throughout a student's school career. Students shall be identified on the basis of multiple measures of student achievement of grade level standards, primarily in reading, English language arts, and mathematics.

Multiple measures shall include at least the following indicators of academic achievement:

- district reading, math, and writing assessments
- grades
- California Assessment of Student Performance and Progress (CAASPP)
- other contributing factors

## Junior High Math Options

To ensure our students remain competitive in an increasingly complex and challenging global society, the District continues to evaluate its programs and increase the rigor of the instructional path towards a high school diploma. As a result, the following are the junior high math offerings:

- two courses are offered to 7<sup>th</sup> grade students: Grade 7 Mathematics or Accelerated Grade 7 Math
- two courses are offered to 8<sup>th</sup> grade students: Grade 8 Mathematics or Integrated Math I

## Career Counseling and Course Selection

(EC 221.5)

Commencing grade 7, school personnel shall assist students with college and career counseling, exploring career possibilities or courses leading to careers based on the interest and ability of the student and not based on student's gender. Parents/guardians may participate in such counseling sessions and decisions.

## California College Guidance Initiative and Annual Parent Notification

(EC 60900.5)

California College Guidance Initiative (CCGI) is a platform that provides college-going students with a more streamlined experience. CCGI provides students a set of college and career planning tools and exploration, including Californiacolleges.edu tool. CCGI allows students to plan and apply directly to California public colleges and universities. This notification provides parents and guardians with the understanding that CCGI shares student data from California Student Achievement Data System (CALPADS). The data shared will be used to provide students and families with direct access to online tools and resources and will enable a student to transmit information shared with CCGI to postsecondary education institutions for the purpose of admissions and academic placement. Additionally, the Student Aid Commission for the purpose of determining eligibility for, and increasing uptake of, student financial aid.

## Career Technical Education (CTE)

Students may explore career options through Career Technical Education. CTE provides students with academic and technical skills, knowledge, and training necessary to succeed in future careers and to become lifelong learners. The internet address for the California Department of Education where students can learn more about CTE is <https://www.cde.ca.gov/ci/ct/sf/>. The CTE curriculum offered by the District can be found on the District's website at <https://www.chino.k12.ca.us/page/11203>.

## High School Graduation Requirements

All students receiving a high school diploma from the Chino Valley Unified School District shall:

1. Achieve a cumulative G.P.A. of 2.0
2. Complete the course requirements as follows:

Subjects	Units of Credit
English/Reading	40
Mathematics	30
Integrated Math I (If taken at the high school level)	10
Other Higher Level Math	20
Physical Education	20
Visual and Performing Arts (VAPA)/Foreign Language	20
One VAPA course may be replaced with an "a-g" approved Career Technical Education/CTE Course	
Science	20
Biological Science/Biology and the Living Earth	10
Earth/Physical Science/Other Higher Level Science	10
Social Science	30
World History, Culture and Geography, AP European History or AP Human Geography	10
U.S. History and Geography	10

Principles of American Democracy	5
Economics or Consumer Economics	5
Health	<b>5</b>
Electives	<b>60</b>
<b>Total units of credit:</b>	<b>225</b>

Students who complete Integrated Math I with a grade of "C" or better in junior high school shall be required to successfully complete only two years of mathematics (20 units) at the high school level in order to qualify for a diploma. Students who take Integrated Math I in junior high school will not receive high school graduation credit for that level of math and shall be required to complete 225 total units of credit in grades 9-12.

Students who complete the course requirements, but who have failed to meet one of the additional requirements for a diploma shall receive a Certificate of Credit instead of a diploma and shall be allowed to participate in graduation ceremonies pursuant to BP 5127 Graduation Ceremonies and Activities. Students who are eligible for a Certificate of Credit are those who meet all course requirements but have failed to achieve a cumulative GPA of 2.0. Students who have not completed all course requirements are not eligible for a certificate and shall not participate in graduation ceremonies.

### College Admission Requirements and Higher Education Information

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for students who wish to continue their education after high school. In order to attend a community college, student needs to be a high school graduate or 18 years of age. In order to attend a CSU, student must take specific high school courses, have appropriate grades and test scores, and be a high school graduate. Test scores are not required if student's GPA is 3.0 or above. In order to attend a UC, student must meet coursework, GPA and test score requirements, or rank in the top four percent at a participating high school or qualify by examination alone. Student may also transfer to a CSU or UC after attending a community college. For more information on college admission requirements, visit the following web pages:

- <https://www.cccco.edu> This is the official website of the California Community College system. It offers links to all of the California Community Colleges.
- <https://www.assist.org> This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.
- <https://www.csumentor.edu> The CSU, with 23 campuses, is a leader in supplying graduates with the necessary technical and personal skills to be successful in the working world. This website offers information regarding admission requirements, deadlines, online application, and links to all CSU campuses.
- <https://www.universityofcalifornia.edu> University of California (UC)  
The UC system is among the world's greatest research universities with 10 campuses across California. This website offers information regarding admission requirements, deadlines, online application, and links to all UC campuses.

A parent/guardian and/or student may meet with a school counselor to choose courses that will meet college admission requirements or enroll in career technical education courses, or both.

### UC/CSU Entrance Requirements (A – G Requirements)

English	4 years
Math	3 years or more (Algebra I, Geometry, Algebra 2)
Social Science	2 years or more (World History, U.S. History, U.S. Government)
Foreign Language	2 years or more (same language)
Lab Science	2 years or more (Biology; Earth Science (CSU Only), Chemistry or Physics)
Visual/Perf Art	1 year or more
Elective	1 year or more

Seven of the required academic classes must be in grades 11 or 12. Courses must be taken from the approved UC list. (Refer to <https://hs-articulation.ucop.edu/guide/> for "A-G" list)

- **SAT or ACT:** May be required for 4-year colleges /universities. Subject tests may also be required by particular colleges/programs. Check with individual colleges for entrance exam requirements and deadlines.
- **GPA:** Grades in required classes must be a C or better. Only grades from 'A-G' courses in the sophomore and junior years are used in the GPA calculation.

### **Foster Youth**

(AR 6173.1, EC 48853(h), EC 48853.5, EC 49069.5(e), WIC 300, WIC 309, WIC 361, WIC 602, WIC 727)

Foster Youth are provided specific services related to education to support their educational performance and personal achievements. Foster youth are guaranteed immediate enrollment in school. A student who is a foster youth and remains in their school of origin is deemed to have met the residency requirements for school attendance in the District. The student is not required to complete a request for transfer. All educational and school placement decisions shall be made to ensure the student is placed in the least restrictive educational program and has access to academic resources, services, and extracurricular and enrichment activities that are available to all students. In all instances, educational and school placement decisions shall be based on the best interests of the student. The District shall compile the complete educational record of the student, including a determination of seat time, full or partial credits earned, current classes and grades, immunizations, other records and, if applicable, a copy of the student's 504 plan or Individualized Education Plan (IEP).

"Foster youth" means a child who has been removed from their home pursuant to WIC 309, is the subject of a petition filed under WIC 300 or 602 (jurisdiction of juvenile court) or has been removed from their home and is the subject of a petition filed under WIC 300 or 602. "Person holding the right to make educational decisions" means a responsible adult appointed by a court pursuant to WIC 361 or 727. "School of origin" means the school that the student attended when permanently housed or the school in which student was last enrolled. For a foster youth who is an individual with exceptional needs, "school of origin" also includes a placement in a certified nonpublic, nonsectarian school. If the school the foster student attended when permanently housed is different from the school in which the foster student was last enrolled, or if there is some other school that the foster student attended with which the foster student is connected and that the foster student attended within the immediately preceding 15 months, the educational liaison, in consultation with, and with the agreement of, the foster student and the person holding the right to make educational decisions for the foster student, shall determine, in the best interests of the foster student, the school that shall be deemed the school of origin.

If the foster youth, or a person with the right to make educational decisions for the foster youth, disagrees with the liaison's enrollment recommendation, the student may appeal to the Superintendent. The Superintendent shall decide within thirty calendar days of receipt of the appeal. Within thirty calendar days of receipt of the Superintendent's decision, the complainant may appeal the decision to the Board, who will hear the matter at the next Board meeting. The Board's decision shall be final. If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute.

The Foster Youth Services Program helps improve the student's educational performance and personal achievement. It offers services that meet a wide range of needs specific to foster youth, including referrals for counseling, tutoring, mentoring, any special education services and services under Section 504 of the Federal Rehabilitation Act of 1973, health services, after-school services, post-secondary education, and transition. The Foster Youth Services Program is administered under the direction of the Director of Student Support Services.

Assembly Bill (AB) 740 (2023) extends the parental notification requirements in place under current law for a student's involuntary transfer to a continuation school, suspension, including in school suspensions, IEP meetings, or expulsion, in the case of a foster child, to the foster child's attorney and social worker, and, in the case of an Indian child, the child's tribal social worker and county social worker. This law will also provide a foster child's and Indian child's attorney and social worker with the same rights as parents during the involuntary transfer, suspension, or expulsion process.

Karissa Kelly | Foster Youth Counselor/Program Liaison  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
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Stephanie Johnson | Director, Student Support Services; District Foster Youth Liaison  
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Antonia Hunt, Ed.D. | Coordinator, Equity, Diversity, and Support Systems  
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### **McKinney-Vento/Children's Academic Recovery Education (CARE) Program** (AR 6173, 42 USC 11431-11435)

The McKinney-Vento Homeless Assistance Act is federal legislation that ensures the educational rights and protections of children and youths experiencing homelessness. It requires public school districts to ensure that homeless students have access to the same free, appropriate public education, including public preschools, as provided to other children and youths. The McKinney-Vento Homeless Education CARE Program is the District's program that provides support for students who qualify as homeless under the federally mandated McKinney-Vento regulations.

The term "homeless children and youth" is defined as individuals who lack a fixed, regular, and adequate nighttime residence. This includes:

- sharing of housing due to loss of housing, economic hardship, or a similar reason.
- motels, hotels, mobile home parks, or shelters
- a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings
- cars, parks, public spaces, campgrounds, abandoned buildings, substandard housing, bus or train stations, or similar setting

This includes the following categories of children:

- unaccompanied youths
- migratory children who qualify as homeless because they are living in similar circumstance listed above

If a student qualifies as homeless, the student is immediately enrolled in school and provided transportation support, if feasible. The District liaison will assist in obtaining records necessary for enrollment into or transfer out of district schools, including immunization, medical and academic records. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in the school of origin, unless parent/guardian requests otherwise. The student is not required to complete a request for transfer. If parent/guardian disagrees with the liaison's enrollment decision, an appeal may be made to the Superintendent or designee and a determination made within five working days. If the parent/guardian chooses to appeal the district's placement decision, the District liaison shall forward all written documentation and related paperwork to the homeless liaison at the County Office of Education. The student may continue attending the school of origin for the duration of the homelessness or, if the student moves into permanent housing, until the end of any academic year. Additional support services are available for homeless students through the District's HOPE Program such as referrals for counseling, tutoring, mentoring, any special education services and services under Section 504 of the Federal Rehabilitation Act of 1973, health services, after-school services, post-secondary education, and transition.

The McKinney-Vento Program is administered under the direction of the Director of Health Services. For more information, contact:

Hope Family Resource Center/McKinney-Vento/CARE Program  
12970 Third Street, Chino, CA 91710 (Room "H"); (909) 628-1202, ext. 8960  
McKinney-Vento Information <https://www.chino.k12.ca.us/page/1011>

Katrina Gomez, DSW | Director, Health Services and Child Development  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
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### **Former Juvenile Court School Student** (EC 48645.5, EC 51225.1, EC 51225.2, EC 51225.3)

The District collaborates with the County Superintendent of Schools and the county probation department to facilitate the transition of students from juvenile court school into regular schools of the District. Such collaboration may include, but not be limited to, the development of data-sharing systems, communication strategies, and other structures that aid

in the enrollment, placement, and continuous educational progress of students. A former juvenile court school student transferring into a regular school district shall be immediately enrolled in school. The District shall not deny enrollment to a student solely on the basis of an arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. If a student completes District graduation requirements while being detained in a juvenile facility, the District shall issue the student a diploma from the school the student last attended, unless the County Superintendent issues the diploma. Contact student's school counselor to review options for graduation.

### **Military Families**

(BP/AR 6173.2, EC 48204.3, EC 49701, EC 51225.1, EC 51225.2, EC 51225.3, 10 USC 1209 or 1211, 20 USC 1400-1482)

The District recognizes challenges to the academic success of children of military families caused by frequent moves or deployments of their parents/guardians in fulfillment of military service. In making decisions about children of military families, including decisions regarding their enrollment, placement, eligibility for extracurricular activities, or waiver of any graduation requirement, the District shall be flexible to the extent permitted by law, BP and AR.

Children of military families are school-aged children in the household of:

- members who are in full-time duty status in the active uniformed service of the United States, including any member of the National Guard and Reserve on active duty pursuant to 10 USC § 1209 or 1211
- members or veterans of the uniformed services who are severely injured and medically discharged or retired, for one year after their medical discharge or retirement
- members of the uniformed services who have died while on active duty or as a result of injuries sustained on active duty, for one year after their death

Students of active-duty military personnel comply with residency requirements if parent/guardian is transferred or pending transfer to a military installation within California while on active military duty pursuant to an official military order. Parent/guardian shall provide proof of residence in the school district within ten days after the published arrival date provided on official documentation. Parent/guardian may use any of the following addresses as related to their military move: (a) a temporary on-base billeting facility; (b) a purchased or leased home or apartment; (c) Federal government or public-private venture off-base military housing.

CVUSD shall initially honor the placement of any child of a military family in educational courses and programs based on student's enrollment and/or assessment in their previous school and, to the extent permitted by BP and AR, waive course or program requisites, preconditions, and/or application deadlines when making decisions regarding placement and their eligibility for extracurricular academic, athletic, and social activities.

### **Migratory Student**

(EC 48204.7, EC 54440-54445)

"Current migratory child" means a student who has moved with a parent/guardian, or other person having custody, from one school district to another, either within the State of California or from another state within the 12-month period immediately preceding their identification as a migratory student, in order that the student, a parent/guardian, or other member of the immediate family might secure temporary or seasonal employment in an agricultural or fishing activity, and whose parents/guardians have been informed of the child's eligibility for migrant education services. Current migratory child includes a child who, without the parent or guardian, has continued to migrate annually to secure temporary or seasonal employment in an agricultural or fishing activity.

"Former migratory child" means a student who was formerly eligible to be counted and served as a currently migratory child within the past five years, but who is no longer a currently migratory child, and who lives in an area served by an ESEA Title I Migrant Education project, and whose parents have been informed of the child's eligibility for migrant education services but have not removed the child from the program.

A migratory student is allowed to continue attending their school of origin, or a school within the school district of origin regardless of any change of residence of the student. Additionally, a migratory student and parent/guardian shall be informed of the impact of remaining in the school of origin on the eligibility of that student to receive migrant education services.

### **Free Application for Federal Student Aid (FAFSA) and California Dream Act Application (CADAA)**

The State of California seeks to expand access to Cash for College by way of the FAFSA and CADAA. Beginning in the 2022-2023 academic year, local education agencies are required to confirm that all high school seniors have completed a FAFSA or a CADAA, expanding access to financial aid to thousands of students, who may have otherwise not been aware of this opportunity. This requirement went into effect October 1, 2022. (Education Code Section 51225.7). Local

Educational Agencies are required to assist students and their parents/ed rights holders with completing either of these two applications OR submitting an opt-out form indicating they will not be completing either of the applications. To access the form, contact your high school.

### **Acceptance of Coursework**

(AR 6173, AR 6173.1, AR 6173.2, EC 51225.1, EC 51225.2, EC 51225.3)

Acceptance of coursework for foster youth, homeless youth, former juvenile court school students, students who are children of a military family, migratory students, or students participating in a newcomer program, applies as follows:

- The District shall accept and issue full credit for any coursework student satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency, and shall not require student to retake the course. For purposes of coursework completed by a student who is a child of a military family, "public school" includes schools operated by the U.S. Department of Defense.
- If the entire course was not completed, student shall be issued partial credit for the coursework completed and student shall be required to take the portion of the course that was not completed while at the previous school.
- The District may require student to retake the portion of the course completed if, in consultation with the educational rights holder for the student, the District finds that the student is reasonably able to complete the requirements in time to graduate from high school.
- Whenever partial credit is issued, student shall be enrolled in the same or equivalent course, if applicable, so that student may continue and complete the course. California SB 532 requires that beginning in academic year 2023-2024, the transferring school or entity shall issue those credits on their respective official transcript for the student, as specified. The new school or entity that enrolls a student with a transcript that it knows does not include any of the credits to contact the transferring school within two business days and the transferring school to issue the appropriate credits and provide all academic and other records to the new school within two business days of the request.
- The educational record must also include a determination of days of enrollment or seat time and an official transcript with full and partial credits earned, or any measure of full or partial coursework begin satisfactorily completed.
- In no event shall the District prevent students from taking or retaking a course to meet the eligibility requirements to the California State University or the University of California.
- A complaint of noncompliance with the requirements of this section may be filed with the District under the Uniform Complaint Procedures.

Contact your student's school site counselor for questions relating to acceptance of coursework.

### **Applicability of Graduation Requirements for Foster Youth, Homeless Youth, Former Juvenile Court School Students, Students who are Children of a Military Family, Migratory Students, or Students in a Newcomer Program**

(AR 6173, AR 6173.1, AR 6173.2, AR 6174(a), EC 51225.1, EC 51225.2, EC 51225.3)

Foster youth, homeless youth, former juvenile court school students, students who are a child of a military family, or migratory students, who transfer between schools any time after the completion of the student's second year of high school, or students participating in a newcomer program, as defined in EC 51225.2, and who are in their third or fourth year of high school, may qualify for exemption from all district-adopted coursework and other district-established graduation requirements that are in addition to the statewide coursework requirements specified in EC 51225.3.

Within thirty calendar days of student's transfer, the District shall notify the following individuals of the exemption availability and whether student qualifies for the exemption:

- the foster youth, the person holding the right to make educational decisions for the student, and the foster youth's social worker or probation officer
- the homeless youth, the person holding the right to make educational decisions for the student, and the District's appointed liaison for homeless youth
- the former juvenile court school student, the person holding the right to make educational decisions for the student, and the student's social worker or probation officer
- the student of a military family and student's parent/guardian
- the migratory student and student's parent/guardian
- the student participating in the newcomer program and the student's parent/guardian

If the District fails to provide timely notification, student shall be eligible for the exemption upon notification, even if the notification occurs after the student no longer meets the definition of a foster youth, homeless youth, former juvenile

court school student, student who is a child of a military family, migratory student or student participating in a newcomer program.

To determine whether a foster youth, homeless youth, former juvenile court school student, student who is a child of a military family, or migratory student, is in their third or fourth year of high school, the district shall use either the number of credits student has earned to the date of the transfer or the length of the student's school enrollment, whichever qualifies student for the exemption. In the case of a student participating in a newcomer program, enrollment in grade 11 or 12 may be used to determine whether the student is in their third or fourth year of high school.

If a foster youth, homeless student, former juvenile court school student, student who is a child of a military family, migratory student, or a student participating in a newcomer program, is not exempted from local graduation requirements or has previously declined the exemption, the District shall exempt the student at any time if an exemption is requested by the student and the student qualifies for the exemption.

If a foster youth, homeless youth, former juvenile court school student, student who is a child of a military family, migratory student, or a student participating in a newcomer program is granted the exemption from local graduation requirements:

1. The District will consult with the student and parent/educational rights holder about the option to remain in school for a fifth year if the District determines the student is reasonably able to complete the District's graduation requirements within the student's fifth year of high school.
2. The District shall notify the student and the person holding the right to make educational decisions for the student of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.
3. If the exempted student completes the statewide coursework requirements specified in Section 51225.3 before the end of their fourth year of high school and that student would otherwise be entitled to remain in attendance at the school, the District shall not require or request that the student graduate before the end of their fourth year of high school.
4. The District shall not revoke the exemption.

A foster youth, homeless youth, former juvenile court school student, student who is a child of a military family, migratory student, or student participating in a newcomer program, who is eligible for the exemption from local graduation requirements pursuant to this section and would otherwise be entitled to remain in attendance at the school shall not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses for which student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements.

The District shall not require a transfer nor accept a transfer request solely for the purpose to qualify for an exemption. If the District determines that a foster youth, a homeless youth, a former juvenile court school student, student who is a child of a military family, migratory student, or student in a newcomer program, is reasonably able to complete district graduation requirements within their fifth year of high school, the District shall:

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for the student, of the available option to remain in school for a fifth year to complete the District's graduation requirements and how that will affect their ability to gain admission to a postsecondary educational institution.
2. Provide information to the student about transfer opportunities available through the California Community Colleges.
3. Upon agreement with the student or, if the student is under 18 years of age, with the person holding the right to make educational decisions for the student, permit the student to stay in school for a fifth year to complete the District's graduation requirements.

Any complaint alleging noncompliance with the requirements of EC 51225.1 or EC 51225.2 may be filed in accordance with the District's procedures in AR 1312.3 – Uniform Complaint Procedures. A complainant who is not satisfied with the District's decision may appeal the decision to the California Department of Education (CDE) pursuant to 5 CCR 4600 and shall receive a written decision from the CDE regarding the appeal within sixty days of the Department's receipt of the appeal. If the District or the CDE finds merit in an appeal, the District shall provide a remedy to the affected student.

Contact student's school counselor for questions relating to Applicability of Graduation Requirements.



## **INTERNATIONAL STUDENT PROGRAM**

(AR 5111.2, 8 USC 1184, 8 CFR 214.3, 22 CFR 41.61)

On a case-by-case basis, the Superintendent or designee may accept for admission into any of grades 9-12 any nonimmigrant foreign student with or seeking an F-1 visa. Any such student shall be admitted for a maximum of one year and shall pay the District the full, unsubsidized per-student cost of attendance at the school. In determining whether to admit the student, the Superintendent or designee shall consider whether the following conditions exist:

- a suitable program exists at the school the student has selected
- the student's English proficiency is sufficient for successful study at that school
- space is available
- the student has provided proof of financial responsibility

In addition to fulfilling all other requirements of school entry, student shall submit evidence of having been fully immunized, in accordance with California law. For more information regarding the International Student Program, contact the Alternative Education Center at (909) 591-3682.

## **NUTRITION SERVICES**

Good nutrition and learning go hand in hand. The Nutrition Services department is made up of a team of food and nutrition professionals that are dedicated to students' health, well-being, and their ability to learn. We support learning by promoting healthy habits for lifelong nutrition and fitness practices.

Meals, foods and beverages served or sold in our schools meet State and Federal requirements which are based on the USDA Dietary Guidelines. We provide students with access to a variety of appealing foods that meet the health and nutritional needs of students.

### **California Universal Meals**

The California Department of Education (CDE) has approved free breakfast and lunch meals for all students attending in person learning regardless of household income. All students attending a school in the Chino Valley Unified School District will have access to free, healthy, and nutritious meals in the school year 2024/2025.

#### **Breakfast Program**

Breakfast is currently available before school at every school site. You may contact your student's school or the Nutrition Services Department for inquiries on the breakfast program and mealtimes at your school.

#### **Lunch Program**

Lunch is available at all school sites every school day including minimum days and during testing.

#### **Community Eligibility Provision (CEP)**

CEP is a method that allows School Nutrition Program sponsors to reduce paperwork and other administrative burdens at the local level by simplifying the traditional procedures for processing meal eligibilities and meal counting. Enrollment in this provision allows schools to eliminate the meal application process and still serve breakfast and lunch at no charge to all students enrolled at their school. Since enrollment in this provision eliminates the need for meal applications, meal applications will no longer be accepted for any site in the Chino Valley Unified School District.

Enrollment in CEP also simplifies how state funding is provided to the district's general fund. Schools using this provision must still collect income data, using an income alternative form, for all eligible students for the purpose of district funding. The district appreciates your support in this matter.

### **Second Meals**

Due to strict California regulations on second meals, Chino Valley Unified does not sell second meals or second entrees to students. Fruits/fruit juice, vegetables, and milk will still be available for purchase in all grade levels. In the event a student is served a second meal, it will be billed to the household at the full adult price; \$7.00 for Lunch and \$5.00 for Breakfast.

### **Summer Food Service Program**

You may contact the Nutrition Services Department for assistance with finding a neighboring school or site that offers a summer feeding program. You may also visit the following website for a list of sites nearby <https://www.cde.ca.gov/ds/sh/sn/summersites.asp>.

### **Earned Income Tax Credit Information Act Communication**

The California Revenue and Taxation Code (RTC) Section 19853(b) requires local educational agencies (LEA) that operate the National School Lunch Program (NSLP) to annually notify households about the Earned Income Tax Credit (EITC)

Information Act. For more information, visit <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit>.

### **Wellness Policy** (BP 5030)

The District promotes student wellness by ensuring all foods prepared and served by the District meet USDA guidelines and all foods available to students during the school day must meet wellness policy guidelines. Nutrition and fitness education are provided to students to promote the adoption of life long healthy habits.

### **Participation in the Wellness Policy**

To participate in the development, implementation, and periodic review and update of school wellness policies, or to request a copy of the policy, contact the Director of Health Services at (909) 628-1202, ext. 8918, or visit the Health Services Department Monday through Friday between the hours of 7:30 a.m. and 4:30 p.m. For more information, see Board Policy 5030 at <https://www.chino.k12.ca.us/page/4041> and visit <https://www.chino.k12.ca.us/Page/3971>.

### **Additional Information**

Additional information pertaining to meal programs, menus, and Community Eligibility can be accessed through the Nutrition Services district webpage: <https://www.chino.k12.ca.us/domain/2231> or <http://www.schoolnutritionandfitness.com/index.php?sid=2207141829244148>

### **Non-Discrimination Statement**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **Mail:**  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or
2. **Fax:**  
(833) 256-1665 or (202) 690-7442; or
3. **Email:**  
[Program.Intake@usda.gov](mailto:Program.Intake@usda.gov)

This institution is an equal opportunity provider.

### **PRIVACY AND INFORMATION RIGHTS**

(BP/AR 5125, BP/AR 5125.1, EC 49061, EC 49063, EC 49064, EC 49068,  
EC 49073, EC 49074, EC 49076, EC 49076.5, 20 USC 1232g, 34 CFR 99.7)

### **Student Education Records**

Keeping accurate, comprehensive student records is required by law. "Student Education Records" includes any item of information directly related to an identifiable student, other than directory information, which is maintained by a school district or required to be maintained by an employee in the performance of their duties whether recorded by handwriting, print, tapes, film, microfilm, or other means. The District will protect the privacy of such records in accordance with state and federal law.

## **Family Educational Rights and Privacy Act (FERPA)**

(20 U.S.C. § 1232(g); 34 CFR Part 99)

FERPA is a federal law that protects the privacy of student education records and affords parents/guardians and students over 18 years of age ("eligible students") certain rights with respect to the student's educational rights.

Parents/guardians and eligible students have the right to:

- inspect and review student's education records within five business days of the day the District receives a request for access. Parents/guardians or eligible students should submit to the school principal (or appropriate school official) a written request identifying the record(s) they wish to inspect. The principal shall make arrangements for access and notify parent/guardian or eligible student of the time and place where the records may be inspected.
- request amendment of student's education records the parent/guardian or eligible student believes are inaccurate or misleading. Parent/guardian or eligible student should write the school principal, clearly identify the part of the record they want changed and specify why it is inaccurate or misleading. If the District decides not to amend the record as requested by the parent/guardian or eligible student, the District will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.
- consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel), a person serving on the school Board, a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist), or a parent/guardian or student serving on an official committee, or assisting another school official in performing their tasks. A school official has a legitimate educational interest if the official needs to review an educational record to fulfill their professional responsibility. Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
- file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202-4605.

## **Directory Information**

(BP/AR 5125.1, 34 CFR Part 99, EC Sections 49061, 49063, 49064, 49068, 49073, 49074, 49076, 49076.5)

"Directory information" is information contained within a student's record that would not generally be considered harmful or an invasion of privacy if disclosed. The Board of Education recognizes the importance of maintaining the confidentiality of directory information and, therefore, authorizes the release of such information only in accordance with law, BP and AR.

CVUSD has identified student directory information to include:

- student's name
- address
- telephone number
- email address
- date of birth
- major field of study
- participation in officially recognized activities and sports
- weight and height of athletic team members
- dates of attendance
- degrees and awards received
- most recent previous public or private school attended

Directory information does not include the student's citizenship status, immigration status, place of birth, or any other information indicating national origin. The District will not disclose any such information without the parent/guardian's written consent or court order.

The main purpose of directory information is to allow the District to include certain information in school and/or District

publications (e.g., a playbill showing your child's role in a drama production, the annual yearbook, honor roll or other recognition lists, graduation programs, sports activity sheets, school or District website) and is released primarily to the school sites, PTA, or District office to print a student's name in reference to an award or class activity.

As noted in EC 49073 and AR 5125.1, the District may disclose directory information without prior written consent from the parent/guardian to colleges, employers, prospective employers, military recruiters, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Employers and media are rare situations but are possibilities depending on the circumstances. Directory information shall not be disclosed to any other private profit entity not listed herein.

Private schools and colleges may be given the names and addresses of 12th grade students, and students who are no longer enrolled provided they use this information only for purposes directly related to the institution's academic or professional goals. For grades 11-12, military recruiters shall have access to a student's name, address and telephone numbers, unless the parent/guardian has specified that the information is not to be released, in accordance with law, BP and AR.

Directory information regarding any student identified as a foster youth or homeless youth shall not be released without the express written consent of the eligible student, parent/guardian or educational rights holder authorizing release of the information.

#### *Parent Consent Items:*

The categories of directory information the District plans to release, and the recipients thereof are set forth in the preceding paragraphs.

Unless the District has received written notice from parent/guardian to not release their student's directory information, the District may release directory information without parent/guardian's prior written consent (with the exception of foster or homeless youth), or student, if age 18.

- Parent/guardian may give written consent to allow or deny the release of their student's directory information during Aeries Data Confirmation or by providing a request in writing to the school principal no later than the 10th day after commencement of the first day of school. If notification is not timely submitted, directory information may be disclosed without prior consent.
- If the parent/guardian denies having their student's directory information released, their student's information and photograph will not be included in the yearbook.

#### **Media Release Information**

CVUSD is proud of the many accomplishments of its students and staff. CVUSD requests permission to reproduce, through audio or visual means, activities related to a student's education. CVUSD uses photographs and video footage of students and/or their work in District-produced materials including printed publications, video productions, website posts, and official District social media platforms.

There are times when schools may be featured in various news media. News reporters, photographers and/or film crews from TV, radio stations, newspapers, magazines, online publications, other media, businesses or organizations may wish to interview, photograph and/or film a student in relation to a story about our schools or students such as a school performance, a sports competition, or other newsworthy events.

#### *Parent Consent Items*

These events and interviews are almost always needed on a spur-of-the-moment basis; therefore, the District requests parent/guardian permission for each school year, rather than on a case-by-case basis. Parent/guardian may give written consent to allow or deny the release of a student's image, whether a still photograph or video, during Aeries Data Confirmation. Parent/guardian may subsequently submit a request in writing to school personnel to change their permissions. Media release does not include the yearbook. For yearbook participation, see Directory Information.

#### **School Accountability Report Card (SARC)**

(BP 0510, EC 35256, EC 33126)

Each school is required annually to issue a School Accountability Report Card which informs parents/guardians and the community about the conditions, needs, and progress at each District school and to provide data by which parents/guardians can make meaningful comparisons between schools. The process of gathering and analyzing data also provides opportunities for school and district staff to review achievements and identify areas for improvement. This information is available upon request to school personnel and on the District's website at <https://www.chino.k12.ca.us/domain/2333>.

## **Student Fees**

(BP/AR 3260)

Students shall not be required to pay a student fee for participation in any educational activity offered by the school. A student fee is a fee, deposit, or other charge imposed on students, or a student's parents/guardians. Educational activities are required to be provided free of charge to all students without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

## **Student Surveys**

(EC 51513, 20 USC 1232(h))

No test, questionnaire, survey, or examination containing any questions about a student's personal beliefs or practices in sex, family life, morality, and religion, or any questions about the student's parents/guardians' beliefs and practices in sex, family life, morality, and religion, shall be administered to any student in kindergarten or grades 1-12, inclusive, unless the parent/guardian is notified in writing that this test, questionnaire, survey, or examination is to be administered and gives written permission for the student to take the test, questionnaire, survey, or examination.

A student shall not be required, as part of any applicable program, to submit to a survey, analysis, or evaluation without the prior written consent of the parent/guardian, or without consent of the student (if the student is an adult or emancipated minor), that reveals information concerning:

- political affiliations or beliefs of the student or the student's parent/guardian
- mental or psychological problems of the student or of the student's family
- sexual behavior or attitudes
- illegal, anti-social, self-incriminating, or demeaning behavior
- critical appraisals of other individuals with whom respondents have close family relationships
- legally recognized privileged or analogous relationships such as those of lawyers, physicians, and ministers
- religious practices, affiliations, or beliefs of the student or student's parent/guardian
- income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

If a student participates in a survey addressing any of the above beliefs, practices or behaviors, school officials and staff members shall not request or disclose the student's identity. The District may administer the required California Healthy Kids Survey (CHKS) to students in grades 5, 7, 9, and 11 in an anonymous and voluntary manner, if parents/guardians have been (1) provided with prior written or electronic notification, and (2) provided with an opportunity to request their student not participate in the anonymous survey. (Survey questionnaires are routinely posted on the District's website for preview.) The District requires permission from parents/guardians for 5<sup>th</sup> grade participation in the CHKS, provided they are given written notice and an opportunity to request the student not participate.

The Parent and Student Information Handbook serves as written notice to parents/guardians regarding the routine administration of the California Healthy Kids Survey to students in grades 5, 7, 9, and 11.

## **SCHOOL SAFETY**

### **Bicycle Helmet Law**

(VC 21212)

Persons under 18 years of age may not 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.

Bicycle riding is not allowed on campus. Bicycles are to be kept in the designated bike rack area and are stored at the student's own risk. It is the responsibility of parent/guardian to work with school personnel to promote bicycle safety whenever possible. The District is not liable for any damage to bicycles or lost or stolen items.

### **Civility on School Grounds**

(EC 32210)

Insults and abuses directed at school employees will not be tolerated and are illegal. Violations will be reported to law enforcement officials and violators may be arrested and/or prosecuted. 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).

### **Contraband Detection Dogs** (BP/AR 5145.12)

In an effort to keep schools free of dangerous contraband, the District uses specially trained nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law, BP and AR. Random canine searches will be conducted on and around CVUSD campuses throughout the school year. The dogs may sniff the air around lockers, desks, or vehicles on District property or at District-sponsored events.

### **Emergency Procedures**

Emergency procedures depend on the circumstances and specifics of the incident. In the event of an emergency, the District receives direct input from public safety officials. Schools may be directed to evacuate, lock down, or initiate shelter-in-place. The goal is protection for students and staff members. Should a national, local, or school emergency occur during school hours, parents/guardians are asked to cooperate with public safety officials, District, and school personnel. Notification regarding reunification will come via the school site's office, District personnel, or the District's website.

Proper identification will be required at the school site and students will be released to those listed in Aeries Contacts only if parent/guardian cannot be reached. Students will not be released to friends, neighbors, siblings, etc., unless they are listed in Aeries Contacts. To authorize additional individuals or daycare center personnel to pick up student in the event of an emergency, update the student's contact information in Aeries Parent Portal. For security reasons, phone authorizations are not accepted.

### **Environmental Safety** (BP/AR 3514, 15 USC 2643, 40 CFR 763.84, 40 CFR 763.93)

The District is obligated to provide a safe and healthy environment at school facilities for students, staff, and community members. An Asbestos Management Plan for each school site shall be maintained and regularly updated to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, re-inspection, and response action activities. The Asbestos Management Plan shall be available for inspection in the District and school offices during normal business hours and parents/guardians, teachers, and employee organizations are annually informed of the availability of these plans.

### **Pesticides and Pesticide Use** (EC 17612, AR 3514.2, Food and Agricultural Code Section 13184)

The District expects the following products to be applied at the school site during the upcoming school year. If any other product(s) will be used, the school site administration shall notify parents/guardians with at least a 72-hour notice. For more information on pesticides and pesticide use reduction, visit <https://www.cdpr.ca.gov>.

Chemical	Nature of Use	Active Ingredient
4-Speed-xt	Herbicide	Isooctyl-Ester-Triclopyr
Acelepryn	Insecticide	Chlorantraniliprole
Advion Ant Gel	Insecticide	Indoxacarb
Advion Roach Gel	Insecticide	Indoxacarb
Alligare MSO Gold	Surfactant	Methylated soybean oil, alkylphenol ethoxylate
Amdro	Pesticide	Hydramethylnon
Amine 2, 4-d	Herbicide	Dimethylamine Salt
Archer	Insect Growth Regulator	Pyriproxyfen
Atrimmec	Plant Growth Regulator	Dikegulac-sodium
Avalon RCO	Gophers	Strychnine Alkaloid
Best Dimension 270 G	Herbicide	Dithiopyr
Best Turf Plus Trimec	Fertilizer/Herbicide	Dichlorophenoxyacetic
Boothill Bait Blocks	Rodenticide	Bromadiolone
Contrac All-Weather Blox	Rodenticide	Bromadiolone
Criterion	Grubs and Larvae	Imidacloprid
Deadline M-Ps	Pesticide	Metaldehyde
Demand-CS	Insecticide	Lambda-cyhalothrin
Distance	Pesticide	Pyriproxyfen
Drive XLR8	Herbicide	Dimethylamine Salt of Quinclorac
Dupont Advion	Pesticide	Indoxacarb
Dupont Fire Ant Bait	Fire Ants	Indoxacarb
Extinguish Plus	Fire Ants	Hydramethylnon
Final All-Weather Blox	Rodenticide	Brodifacoum

Chemical	Nature of Use	Active Ingredient
Fipronil-Plus-C	Insecticide	FIPRONIL
Fumitoxin	Gophers and Moles	Aluminum Phosphide
Fusilade DX	Herbicide	Dithiopyr
Fusilade II	Herbicide	Fluazifop-P-butyl
Gastoxin	Gophers	Aluminum Phosphide
Gentrol	Insect Growth Regulator	Hydroprene
Gordon's Trimec	Crabgrass plus lawn weed killer	2, 4-D dimethylamine salt Quinclorac Dicamba Dimethylamine salt
Green Gobbler 20% Vinegar	Organic Weed Killer	Acetic Acid: 20% (EPA Reg. No. 85208-1-93489)
In2Care	Mosquito Control Solutions	Pyriproxyfen
JT Eaton Bait Block	Rodenticide	Diphacinone
Kleen-Up Pro	Herbicide	Glyphosate
Krovar DF	Herbicide	Bromacil, Divron
Lesco Pre-M Aquacap	Herbicide	Pendimethalin
Lifeline	Herbicide	Glufosinate-Ammonium (EPA Reg. No. 70506-310)
Manage	Herbicide	Methyl 5
Maxxthor	Fire Ants	Bifenthrin
Monterey Florel Brand	Herbicide Growth Regulator for Trees	Ethephon (2-chloroethy) phosphonic acid EPA Reg. No. 54705-8
MSO Gold	Adjuvant	Methyl Ester of Soya Oil
NutSedge Hammer	Herbicide	Halosulfuron-methyl
Omega Gopher Grain Bait	Gophers	Strychnine Alkaloid
P.I.	Insecticide	Pyrethrins
PCQ	Pelleted Rodent Bait	Diphacinone
Pendulum Aqua Cap	Herbicide	Pendimethalin
Pendulum Pre-Emergent	Herbicide	Pendimethalin
Phantom Specimen	Termiticide / Insecticide	Chlorfenapyr
Precor 2000 Plus	Fleas	Methoprene Permethrin Phenothrin
Quali-Pro T/I 2.5G	Herbicide Pre-emergent	Trifluralin / Isoxaben
Raid Deep Reach Fogger	Insecticide	Cypermethrin
Ramik Green	Rodenticide	Diphacinone
Ramik Oats	Rodents	Diphacinone
Ranger Pro	Herbicide	Isopropylamine salt of glyphosate
Remuda	Weed & Grass Killer	Glyphosate, Isopropylamine Salt EPA Reg. No. 19713-526-54705
Riptide	Mosquitoes, Flying & Crawling Insects	Pyrethrin ULV Waterbased
Round-up Pro	Herbicide	Glyphosate
Rozol	Rodenticide	Chlorophacione-liphadione
Sluggo	Slug & Snail Bait	Iron Phosphate
Snaspsnot 2.5 TG	Herbicide	Trifluralin
Specticle Total	Non-Selective Herbicide	Indaziflam, Diquat Dibromide, Glyphosate
Speed Zone	Herbicide for Turf	Carfentrazone-Ethyl / 2, 4-D, 2-Ethylhexyl Ester
SureGuard SC	Herbicide	Flumioxazin
Suspend SC	Fire Ants	Deltamethrin
Talon G	Rodenticide	Brodiacoum
Talpid	Moles	Bromethalin
Talstar PL	Insecticide	Bifenthrin
Talstar Xtra	Fire Ants	Bifenthrin
Taurus SC	Termiticide/Insecticide	Fipronil
Tekko Pro	Insect Growth Regulator Concentrate	Pyriproxyfen
Temprid SC	Insecticide	Imidacloprid
Termidor SC	Termiticide / Insecticide	Fipronil
Timbor	Termites	Disodium Octaborate Tetrahydrate
T-Nex I AQ	Turf Growth Management	Trinexapac-Ethyl
Tribute Total	Turf Weeds	Foramsulfuron, Halosulfuron-Methyl, Thiencazone-Methyl EPA Reg. No. 432-1519
Turflon Ester	Herbicide	Triclopyr
Uld bp 100	Ants and Cockroaches	Pyrethrins
Wisdom TC Flowable	Termites	Bifenthrin
ZP Rodent Oat Bait Ag	Rodents	Zinc Phophide

## **Release of Students During the School Day**

(BP/AR 5142)

Students shall be released during the school day in the custody of an adult only if the adult is:

- the student's custodial parent/guardian
- listed by parent/guardian in Aeries Contacts as someone to whom the student may be released when the custodial parent/guardian cannot be reached, and the principal or designee verifies the adult's identity
- an authorized law enforcement officer acting in accordance with law
- taking the student to emergency medical care, at the request of the principal or designee

## **Safe School Plans**

(BP/AR 3516, EC 32281)

All District staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. Therefore, each CVUSD school has a comprehensive school safety plan relevant to the needs and resources of that particular school, and regularly conducts practice emergency drills. To view a copy of the school's safety plan, and/or a description of its major elements, contact the school's principal.

## **School Safety: Homicide Threats**

(E.C. 49390 – 49395)

Parents and legal guardians are responsible for keeping firearms out of the hands of children as required by California law. Nationwide statistics demonstrate that students found to be in possession of firearms, primarily procured them from their own homes. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

Please take some time to evaluate your own personal practices to assure that you and your family are in compliance with California law:

- With limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor never actually accesses the firearm.

The district must respond to criminal incidents related to individuals with guns on school campuses. District staff who are alerted to or observe any threat or perceived threat must immediately report the threat or perceived threat to law enforcement. A threat or perceived threat means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

The investigation and threat assessment may include a search conducted at the school site, if the search is justified by a reasonable suspicion that it would produce evidence related to the threat or perceived threat. Reasonable suspicion means articulable facts, together with rational inferences from those facts, warranting an objective suspicion. Staff must immediately conduct an investigation and threat assessment to include a review of the firearm registry of the Department of Justice.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

## **Search and Seizure**

(BP/AR 5145.12)

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



School officials may search any individual student, their property, or District property under their control when there is a reasonable suspicion that the search will uncover evidence that student is violating law, BP, AR, or other rules of the District or school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on District property, cellular phones, or other electronic communication devices. All student lockers and desks are the property of the District. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned. Searches of individual students shall be conducted in the presence of at least two District employees, and one of those employees must be a district administrator. Whenever possible, at least one of the employees shall be of the same gender as the student. The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

### **School Bus Safety**

(AR 3543, AR 5131.1, EC 39831.5)

Upon issuance of a bus pass, parents/guardians of students not previously transported in a school bus shall receive written information on school bus safety via the School Bus Rider's Handbook. Prior to departure on a school activity trip, all students riding on a school bus or school activity bus shall receive safety instructions that include, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction may also include responsibilities of passengers seated next to an emergency exit.

For information on bus passes, contact the Bus Pass Office at (909) 628-1201 ext. 1525, Monday through Friday between the hours of 7:30 a.m. to 4:30 p.m., or visit <https://www.chino.k12.ca.us/page/21722>.

### **Sex Offender Information (Megan's Law)**

(BP/AR 3515.5, PC 290 *et seq.*, 42 USC 14071)

Information about registered sex offenders in California can be found on the California Department of Justice's website at <https://www.meganslaw.ca.gov>. The website provides information on registered sex offenders pursuant to PC 290.46 so that members of the public can better protect themselves and their families. Also, pursuant to PC 290.46, not all registered sex offenders are posted on this website.

### **Student Released to Law Enforcement**

(BP 5145.11, EC 48906)

When a site administrator releases a student into the custody of a law enforcement officer, the administrator shall immediately attempt to notify the parent/guardian or responsible relative of the student's release and the place to which the student is reportedly taken, except in cases of suspected child abuse. If the student is suspected of being a target of child abuse and is being removed from the school premises, school personnel shall give the telephone number and address of the student's parent/guardian to the law enforcement officer. The officer then has the responsibility of immediately notifying the parent/guardian.

### **Use of Surveillance/Video Cameras on District Property**

(BP/AR 3515)

The District uses video monitoring equipment on District property to achieve its goal of maintaining the health, welfare, and safety of all persons, and to safeguard District property. Video monitoring equipment may be used in locations deemed appropriate by the Superintendent, or designee(s), and as authorized by law. While the use of surveillance equipment is to serve as a deterrence, video and/or photographs taken by the District's surveillance equipment may be viewed and arrangements may be made with law enforcement for possible criminal investigations, which may lead to arrest and referral for prosecution. The District does not provide video surveillance to students/parents/guardians and or legal representation or advocates, representing students/parents/guardians.

Furthermore, events recorded from the District's various surveillance systems may be used as evidence in specific student discipline matters. Records evidencing student misconduct shall be maintained in the student's file and maintained in a manner in accordance with law, BP and AR.

### **Use of Video Cameras on School Buses**

School buses are equipped with electronic surveillance to maintain the safety of students and staff. Such equipment, including video cameras, may be used to assist in the management of student behavior and ensure that students are complying with relevant District safety and student conduct rules. Students found to be in violation of the District's rules governing safety and student conduct shall be subject to discipline in accordance with BP and AR for student conduct. To the extent that video and/or images taken by school bus surveillance equipment is used for student discipline, the underlying video and/or images will be maintained, accessed, and disclosed in accordance with law, BP and AR.

## **Visitors/Outsiders**

(BP/AR 1250, PC 627.2, EC 32211)

All school visitors, including parents/guardians, before entering a school building or classroom shall:

- register with the principal or designee upon arrival, including but not limited to, adherence to the Raptor Visitor Management School Security System
- properly identify themselves and present one of the following for scanning through the Raptor Visitor Management System:
  - a valid driver's license from any state
  - an official state photo identification card from any state
  - a military identification card

Any person refusing to produce such identification may be asked to remain in the office or leave the school site if their identity cannot be verified.

School principals and site administrators may allow limited access based on their personal understanding of the situation and/or knowledge of the person in question. Such persons, however, should be manually entered into the Raptor Visitor Management System by the campus administrator and have their name and date of birth checked against the database.

1. Approved visitors shall be given a Visitor's Pass/Identification Card which is to be returned to school office staff before exiting the school.
2. Visits during school hours should first be arranged with the teacher and principal or designee.
3. Parents/guardians who have a complaint are requested to schedule a conference with the employee and school principal.
4. Conferences should be scheduled during noninstructional time.

The principal has complete authority to exclude from the school premises any person whom the principal has reason to believe:

- are disrupting the educational programs in the classroom or in the school
- are disrupting the teachers, other staff, or students on the premises
- are on the premises for the purpose of committing an illegal act
- when in the principal's judgment, the person's continual presence may pose a threat to students or staff due to inappropriate conduct or a previous incident on campus involving students or staff

## **SITE-LEVEL GRIEVANCE PROCEDURE**

(BP/AR 5131.2, BP/AR 5145.7, 5 CCR 4964)

To accommodate the investigation of sexual harassment, harassment, discrimination or bullying complaints, the District shall initiate a formal process to assure prompt and consistent action occurs to reach resolutions congruent with legal standards and considered fair to the complainant and the respondent. All complaints of sexual harassment, harassment, discrimination, bullying, or any behavior prohibited by the district's Nondiscrimination Policy – 5145.3, and Bullying Policy – 5131.2, shall be handled in accordance with the following procedure.

### **Definitions:**

- "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, harassment, discrimination, or bullying.
  - "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, harassment, discrimination, or bullying.
  - "Formal complaint" means a document filed by a complainant alleging sexual harassment, harassment, discrimination, or bullying against a respondent and requesting that the District investigate the allegation.
  - "Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.
1. Notice and Receipt of Complaint: Students who believe they have been subjected to or have witnessed sexual harassment, harassment, discrimination, or bullying may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the principal or district coordinator for nondiscrimination/Title IX (Title IX Coordinator). In addition, any school employee who observes any incident of sexual harassment, harassment, discrimination, or bullying involving a student shall, within 24 hours, report this

observation to the principal or Title IX Coordinator, whether or not the victim files a complaint.

2. **Initiation of Investigation:** The principal or Title IX Coordinator shall initiate an impartial investigation of an allegation of sexual harassment, harassment, discrimination or bullying within five school days of receiving notice of the allegation, regardless of whether a formal complaint has been filed. The District shall be considered to have "notice" of the need for an investigation upon receipt of information from the complainant, the complainant's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

Any principal or the Title IX Coordinator who receives an anonymous complaint or media report about alleged sexual harassment, harassment, discrimination, or bullying shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged behavior.

3. **Initial Interview with Complainant:** When a complainant has provided information about sexual harassment, harassment, discrimination or bullying, the principal or Title IX Coordinator shall describe the District's grievance procedure and discuss what actions are being sought. Complainant shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide evidence to support the allegation, and put the complaint in writing. Students who request confidentiality, shall be informed that such a request may limit the District's ability to investigate the complaint.

4. **Investigation Process:** The principal or Title IX Coordinator shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action.

The principal or Title IX Coordinator shall interview and obtain written statements from individuals who are relevant to the investigation, including, but not limited to, the complainant, the respondent, anyone who witnessed the reported sexual harassment, harassment, discrimination or bullying, and anyone mentioned as having relevant information. The principal or Title IX Coordinator may take other steps such as reviewing any records, notes, or statements related to the allegation or visiting the location where the incident is alleged to have taken place.

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

5. **Supportive Measures:** The principal or Title IX Coordinator shall determine whether supportive measures are necessary during and pending the results of the investigation such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. **Optional Mediation:** For student-on-student sexual harassment, harassment, discrimination, or bullying, when complainant and respondent so agree, the principal or Title IX Coordinator may arrange for them to resolve the complaint informally with the help of a counselor, teacher, or administrator. Complainant shall never be asked to work out the problem directly with the respondent unless such help is provided and both parties agree. Complainant shall be advised of the right to end the informal process at any time.

7. **Factors in Reaching a Determination**

(a) In reaching a decision about the complaint, the principal or Title IX Coordinator may consider:

- (i) Statements made by the persons identified above
- (ii) The details and consistency of each person's account
- (iii) Evidence of how the complainant reacted to the incident
- (iv) Evidence of any past instances of sexual harassment, harassment, discrimination or bullying by the respondent
- (v) Evidence of any past sexual harassment, harassment, discrimination, or bullying complaints that were found to be untrue

(b) To judge the severity of the alleged misconduct, the principal or Title IX Coordinator may take into consideration:

- (i) How the misconduct affected one or more students' education
- (ii) Type, frequency, and duration of the misconduct
- (iii) Identity, age, and sex of the complainant and respondent, and the relationship between them
- (iv) Number of persons engaged in the misconduct and at whom the sexual harassment, harassment,

discrimination or bullying was directed

(v) Size of the school, location of the incident(s), and context in which they occurred

(vi) Other incident(s) at the school involving different students

8. Written Report on Findings and Follow-Up: No more than thirty days after receiving the complaint, the principal or Title IX Coordinator shall conclude the investigation and prepare a written findings report. This timeline may be extended for good cause. If an extension is needed, the principal or Title IX Coordinator shall notify the parties and explain the reasons for the extension.

Administration will make findings of fact, base conclusions, explain rationale, and determine whether policy has been violated based upon the preponderance of evidence standard, i.e., "it is more likely than not" the allegation did or did not occur. The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that misconduct occurred, the report shall also state that corrective actions have been taken to address the misconduct and prevent any retaliation or further sexual harassment, harassment, discrimination, or bullying. This report shall be presented to the complainant, respondent, their respective parents/guardians, and the Superintendent or designee.

In addition, the principal or Title IX Coordinator shall ensure that the complainant, respondent and their parent/guardian are informed of the procedures for reporting any subsequent problems. The principal or Title IX Coordinator shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

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

1. Removing vulgar or offending graffiti
2. Providing information to students, staff, and parents/guardians about how to recognize sexual harassment, harassment, discrimination, or bullying, and how to respond.
3. Disseminating and/or summarizing the District's policy and regulation regarding sexual harassment, harassment, discrimination, or bullying
4. Communicating the school's response to parents/guardians and the community which are consistent with the laws regarding the confidentiality of student and personnel records
5. Taking appropriate disciplinary action

Disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment, harassment, discrimination or bullying which the complainant knew was not true.

If the matter is not resolved for sexual harassment, harassment, or discrimination at the Chino Valley USD level, complainant may contact, San Francisco Office, Office for Civil Rights, U.S. Department of Education, 50 United Nations Plaza, Mailbox 1200, Room 1545, San Francisco, CA 94102. Telephone: (415) 486-5555; FAX: (415) 486-5570; TDD: (800) 877-8339; Email: [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov)

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Antonia Hunt, Ed.D. | Coordinator, Equity, Diversity, and Support Systems  
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## **TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES**

(AR 5145.71, BP/AR 1312.3, BP/AR 5144, BP/AR 5144.1, BP/AR 5145.7,  
34 CFR 106.30, 34 CFR 106.44, 34 CFR 106.45, EC 48900.2, EC 48915)

The complaint procedures shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student, while in an education program or activity in which the district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment:

1. A District employee conditioning the provision of a District aid, benefit, or service on the student's participation in sexual conduct
2. Sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the District's education program or activity

3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291  
All other sexual harassment complaints shall be investigated and responded to in accordance with AR 1312.3 – Uniform Complaint Procedures.

A report of sexual harassment shall be submitted directly to or forwarded to the District's Title IX Coordinator.

Antonia Hunt, Ed. D. | Coordinator, Equity, Diversity, & Support Systems

Title IX Coordinator; District Coordinator for Nondiscrimination; Equity Compliance Officer

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Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint. A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email or by any other method authorized by the District. Even if the complainant chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. Parties are prohibited from knowingly making false statements or knowingly submitting false information during the complaint process and may be subject to disciplinary action if found to have done so.

### **Supportive Measures**

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Such measures shall be nondisciplinary, nonpunitive, and will not unreasonably burden the other party. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the District's ability to provide the supportive measures.

### **Emergency Removal from School**

On an emergency basis, the District may remove a student from the District's education program or activity, due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations. Any employee who permits or engages in sexual harassment or other prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.

### **Dismissal of Complaint**

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the District's education program or activity or did not occur against a person in the United States and may dismiss a formal complaint if the complainant notifies the District in writing that the complainant would like to withdraw the complaint, or the respondent is no longer enrolled in the district. Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties. If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures.

### **Informal Resolution Process**

When a formal complaint of sexual harassment is filed, the District may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The District shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. Privacy rights of all parties to the complaint shall be maintained in accordance with the applicable state and federal laws.

The District may facilitate an informal resolution process provided that the District:

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

### **Formal Complaint Process**

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following:

1. The District's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and

the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

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

### **Investigation Procedures**

During the investigation process, the District shall:

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response
9. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

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

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

### **Written Decision**

The written decision shall include the following:

1. Identification of the allegations potentially constituting sexual harassment
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the District includes hearings as part of the grievance process
3. Findings of fact supporting the determination

4. Conclusions regarding the application of the District's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the District to the complainant
6. The District's procedures and permissible bases for the complainant and respondent to appeal

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct. The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. The written decision shall be issued within 60 calendar days of the receipt of the complaint. The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. In making this determination, the District shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees.

### **Appeals**

Either party may appeal the District's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias. An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of date of the most recently alleged misconduct. A written decision shall be provided to the parties within 30 calendar days from the receipt of the appeal.

If an appeal is filed, the District shall:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

### **Remedies**

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant which may include the same or similar "supportive measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent.

### **Corrective/Disciplinary Actions**

The District shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures until the complaint procedure has been completed and a determination of responsibility has been made.

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion.

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, as well as any determinations of responsibility, and the results therefrom.

## **SPECIAL EDUCATION**

The District provides educational alternatives that afford students with disabilities full educational opportunities. Students with disabilities shall be provided a free appropriate public education and be placed in the least restrictive environment which meets their needs to the extent provided by law.

### **Identification**

The District actively seeks out all individuals with exceptional needs, ages 0 through 21 years, including children not enrolled in public school programs, who reside in the district, in order to provide them with appropriate educational opportunities in accordance with state and federal law. The Individuals with Disabilities Education Act (IDEA) requires a "child find" system that includes identification of these students. Parents, guardians, teachers, agencies, appropriate

professionals, and other members of the public can make a referral for a student for possible identification as an individual with exceptional needs.

### **Individualized Education Program/Assessment Plan**

An Individualized Education Program, commonly referred to as an IEP, is mandated by the Individuals with Disabilities Education Act (IDEA). An IEP is designed to meet the unique educational needs of a student, who has an identified disability and requires the support in school, as defined by federal regulations. The IEP is intended to help students reach educational goals more easily than they otherwise would. In all cases, the IEP must be tailored to the individual student's needs as identified by the IEP evaluation process and must help teachers understand the student's disability and how the disability affects the learning process.

The IEP describes how the student learns, how the student best demonstrates that knowledge and what teachers and service providers will do to help the student learn more effectively. Key considerations in developing an IEP include assessing students in all areas of suspected disabilities, the consideration of the student's ability to access the general curriculum and how the disability affects the student's learning, development of goals and objectives that correspond to the needs of the student, and the determination of placement in the least restrictive environment for the student. The complete text of the Individualized Education Program can be found at the District's website under BP and AR 6159.

### **Use of Assistive Technology**

(EC 56040.3)

School districts, charter schools, and county schools are required to allow home and community use of assistive technology devices by students who have assistive technology devices as part of their IEP FAPE offer. Students may continue to use the assigned AT device while at distributing school and for up to a maximum of two months or until a replacement or comparable device is obtained in new setting. Not every IEP will have an AT device as part of the IEP team offering, but if it is there, it must remain in possession so that the student does not have a lapse in educational access to such device.

### **Preschool Readiness Educational Partnership (PREP)**

PREP is a preschool inclusion program that works in a collaborative system in which students with special needs can attend school with their typically developing peers. This program integrates special education and related services into all aspects of the program. It is designed to promote success in language, pre-academics, and social development for both typically developing and students with special needs. It is a three-hour AM or PM program with the option of attending from two to four days a week.

### **Referral/Assessment**

All initial referrals of children younger than kindergarten age shall be processed through the District's Special Education office. The Initial Referral for Assessment form is completed by the staff member interacting with the parent/guardian and forwarded to the appropriate member of the District Preschool Assessment Team (PAT). For preschool-aged students, a member of the PAT will follow up with the parent/guardian. For school-aged students, the action may include a referral to the Student Team Excellence Plan (STEP) Team or Student Study Team (SST) and/or the scheduling of a parent/guardian conference to discuss the concerns and possible interventions. If the parent/guardian specifically requests, in writing, that their student be assessed to determine eligibility for special education program services, a STEP/SST meeting shall be held to identify the areas of suspected disability and, if appropriate, develop an assessment plan to initiate an assessment for Special Education.

Special Education

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## **SUPPLEMENTAL EDUCATIONAL PROGRAMS**

The Board desires to provide a variety of innovative educational programs to accommodate students' diverse learning needs and interests, foster student engagement in the schools, and enhance student achievement. Toward this end, the Board may establish and maintain alternative schools or programs of choice. A district alternative school or program of choice may differ from the traditional educational program in its academic emphasis, sequence of curriculum, educational philosophy, instructional strategy, structure, setting, size, scheduling, targeted student population, decision-making process, and/or other components. All alternative schools or programs of choice shall offer enrolled students the opportunity to acquire the knowledge and skills necessary to achieve district content standards in core academic subjects and shall provide access to the course of study required for high school graduation. For more information on the District's Programs of Choice, visit Alternative Education's webpage at <https://www.chino.k12.ca.us/page/21697>, or contact your student's school administrator or counselor.



### **Community Day School (serves grades 7-12)**

(BP/AR 6185, EC 48662)

The Board recognizes the need to provide an appropriate alternative educational program for expelled students who are prohibited from attending regular schools in the District and for certain students referred by probation or district processes. The Chino Valley Learning Academy is the District's community day school that was established to serve these students.

A student may be assigned to a community day school only by meeting one or more of the following conditions:

- student is expelled for any reason (AR 5144.1—Suspension and Expulsion/Due Process)
- student is probation-referred pursuant to WIC 300 and/or WIC 602
- student is referred by a SARB or other district-level referral process

### **Continuation High School (serves grades 9-12)**

(BP/AR 6184, EC 48432.5)

The Board shall provide a continuation education program to meet the educational needs of district students who are not attending a high school or other appropriate educational institution and who are not legally exempted from compulsory continuation school attendance. Students eligible for continuation education classes shall be age 16 or 17 at the time of their enrollment and shall not have graduated from high school.

A decision to transfer a student involuntarily into continuation education classes shall be based on a finding that the student meets either of the following conditions:

- student committed an act enumerated in EC 48900
- student has been habitually truant or irregular in legally required school attendance

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes to receive special attention, such as individualized instruction. Students so enrolled may return to the regular high school at the beginning of the following school year, or at any time the Superintendent or designee gives consent.

### **Short-Term Independent Study (serves grades TK-12)**

(BP/AR 6158)

Short-Term Independent Study (STIS) is an educational option available to any student who will be temporarily absent from school. In certain circumstances, a program of this type may be implemented to complete days of attendance missed that prevented student from regular attendance for a period of no less than three consecutive school days and a maximum of fourteen consecutive school days per semester. In an emergency situation, this option is available for continuity in the student's education. For students with IEPs, an amendment meeting is required prior to approval for STIS.

### **Independent Study (serves grades 9-12)**

(BP/AR 6158)

The Board authorizes Independent Study as an optional alternative instructional strategy for eligible students whose needs may be best met through study outside of the regular classroom setting. A student's participation in independent study shall be voluntary. Students participating in independent study shall have the right, at any time, to enter or return to the regular classroom mode of instruction.

Independent study shall offer a means of individualizing the educational plan to serve students who desire a more challenging educational experience, whose health or other personal circumstances make classroom attendance difficult, who are unable to access course(s) due to scheduling problems, and/or who need to make up credits or fill gaps in their learning. As necessary to meet student needs, independent study may be offered on a full-time basis or on a part-time basis in conjunction with part-time or full-time basis in conjunction with part-time classroom study. Students interested in enrolling in the independent study program should contact their school principal (counselor for students in grades 9-12). Parents/guardians desiring to teach their student at home are encouraged to enroll their student in independent study. Such enrollment allows continued contact and cooperation between the school system and home-based students. For students with IEPs, a Change of Placement meeting is required prior to approval for the Independent Study Program. Per the State of California, all students, parents, and/or guardians must attend a public forum informational session.

### **Virtual Program (serves grades 9-12)**

This program provides online curriculum taught by CVUSD teachers, offering students the educational opportunity to work from any device with Internet access outside of the brick-and-mortar classroom. Virtual classes are like traditionally taught classes as both use courses aligned to state, national and district approved curriculum; however, virtual classes have the advantage of twenty-four hours a day and seven days a week access to learning. Classes are available for all levels of student learners, including college prep, honors, and Advanced Placement® (AP). This is the recommended Independent

Study program for NCAA-eligible athletes. For students with IEPs, a Change of Placement meeting is required prior to approval for the Virtual Program. Per the State of California, all students, parents, and/or guardians must attend a public forum informational session.

### **Home-Based Program (serves grades TK-8)**

This program provides online curriculum taught by CVUSD teachers, offering students the opportunity to work from any device with Internet access outside of the brick-and-mortar classroom. Home-Based classes are like traditionally taught classes, as both use courses aligned to state, national, and district approved curriculum. However, Home-Based classes have the advantage of twenty-four hours a day and seven days a week access to learning. For students with IEPs, a Change of Placement meeting is required prior to approval for the Home-Based Program. Per the State of California, all students, parents, and/or guardians must attend a public forum informational session.

### **Home and Hospital Program (serves grades TK-12)**

(AR 6183)

Any student with a temporary disability which makes school attendance on a regular day impossible or inadvisable may receive individual instruction in the student's home or via online direct synchronous instruction under the Home and Hospital Instruction Program. The purpose of Home and Hospital Instruction is to support the student in maintaining continuity of instruction during the student's absence from the regular program. To qualify, the student's disability must be diagnosed and verified in writing by a licensed physician. The term "temporary disability" applies to a student who has an accident or incurs a physical, mental or emotional disability after which the student cannot reasonably be expected to return to regular day classes or an alternative education program without special intervention for a period of two weeks or longer. A student may also qualify for Home and Hospital Instruction through the IEP process.

## **TECHNOLOGY**

### **District Responsible Use Policy**

The Chino Valley Unified School District (CVUSD) is committed to the integration of technology into student learning with the purpose of preparing them for a technology-driven world. California's Common Core State Standards include the use of technology when describing students who are College and Career ready. Properly prepared students will use technology and digital media throughout their education and well into their careers, regardless of the educational or professional path they choose.

With proper instruction and access to vital online resources, CVUSD students learn how to use powerful tools to realize their intellectual curiosity and promote their creative capacity. CVUSD students use a variety of digital resources and tools to facilitate learning through research, communication, collaboration, critical thinking, and creation. Students collaboratively research, create, edit, and share files for school related projects, such as showcasing class projects.

A few tools for students are Google Workspace for Education and Microsoft Office 365 (Office 365). Both Google Workspace for Education and Office 365 provide access to applications that are instrumental in a 21st century learning environment.

The following services are provided to students as part of CVUSD's Google Workspace for Education implementation:

- Google Apps – including, but not limited to, Google Docs/Sheets/Slides/Forms – an online productivity and creativity suite used for word processing, creating spreadsheets, drawing, and presentations, very similar to Microsoft Office (grades K-12)
- Google Drive – Online storage where students can store files used for assignments and other school related work (grades K-12)

To learn more about the power of Google Apps for Education, or G-Suite tools, visit <https://www.google.com/edu/products/productivity-tools/>.

The following services are provided to students, as part of CVUSD's Office 365 implementation:

- Outlook – an individual email account for school use managed by the District (grades 4-12)
- Office Apps – including, but not limited to, Microsoft Word, Excel and PowerPoint, an online productivity suite (grades K-12)
- OneDrive – Online storage where students can store files used for assignments and other school related work (grades K-12)

With Office 365 access, students in grades 4-12 will be given a district-issued @stu.chino.k12.ca.us email address. E-mail delivery to student accounts is currently restricted to internal, student to student, student to teacher, and some district authorized external email addresses. This means parents/guardians and others outside the CVUSD organization cannot e-

mail students unless they receive prior authorization. To learn more about Microsoft Office 365 tools, visit <https://www.microsoft.com/en-us/microsoft-365>.

Through our district-wide Digital Citizenship program, students will be instructed in appropriate, safe, and effective ways to use email as a tool for communication and file sharing. Additionally, the District uses an e-mail internet monitoring and filtering product through the district firewall which helps to protect students from encountering inappropriate content. To learn more about CVUSD's Digital Citizenship curriculum, see the Common Sense Media resources at:

<https://www.commonsense.org/education/digital-citizenship/curriculum>.

The District takes all appropriate measures to ensure that all official online District resources are compliant with state and federal child privacy laws. We are committed to ensuring these tools do not use our students' data in any non-educational manner. We work with each vendor and do our best to confirm they are compliant with FERPA, COPPA, SOPIPA, and CA ABI 584, which are all laws that protect the privacy of student data. Additionally, we strongly encourage all our vendors to sign the Student Privacy Pledge, which is a legally binding promise to properly protect student generated data. To learn more about the Student Privacy Pledge, <https://studentprivacypledge.org/>.

Access to and use of educational apps at school is considered an important privilege afforded at the discretion of the teacher, the school, and the district. CVUSD reserves the right to immediately withdraw the access and use of student email and access to any and all online resources when there is reason to believe that violations of law or district policies have occurred. In such cases, the alleged violation will be dealt with per district policies.

Computer and internet access is provided to all students unless parents/guardians request in writing to the school site principal that access should be revoked. As such, the District has moved to this Responsible Use Policy (RUP), which will be applied to all enrolled students. This RUP is "opt-out," meaning parents/guardians wishing to revoke access to these educational tools for their students must do so in writing to the principal indicating their student should be excluded from these services and/or the internet. Exclusion from educational apps and/or the use of the internet entirely will severely limit your student's district online tools use, including, but not limited to, CVUSD's Google Classroom Learning content management system, Lexia, Accelerated Reader, Edpuzzle, McGraw Hill, Houghton Mifflin Harcourt, Savvas, Vista Learning, Bradford, ClassLink, remote instructional tools (Zoom, Microsoft Teams, and Google Meet), and a variety of other online learning applications. For questions regarding your student's use of Google Apps for Education or any other digital resources provided by the District and student's school, contact the school site principal. The school site principal will address your concerns and help with understanding the importance of these tools to your student's academic career.

**Parent or Legal Guardian: Read this document carefully and work with us in helping students understand and abide by the rules outlined in this Responsible Use Policy.**

### **Purpose**

The Chino Valley Unified School District (CVUSD) believes in the educational value of using instructional technology and recognizes the potential of such to support curriculum and student learning. Our goal in providing electronic resources is to promote academic excellence by facilitating resource sharing, innovation, and communication. We will make every effort to protect students from any misuses or abuses as a result of their experiences with an information service.

### **21<sup>st</sup> Century Learner**

Technology is an integral part of students' lives and futures, and we strive to provide a technology rich learning environment for students. Students need to learn and master the technology skills necessary to succeed in the technological 21<sup>st</sup> century global society. However, inappropriate use of these resources may result in disciplinary action and/or referral to legal authorities. The site administrator, district administrator, and/or systems administrator may limit, suspend, or revoke access to technology, if deemed necessary.

### **Filtering and Monitoring**

As required by the Federal Children's Internet Protection Act (CIPA), content filtering technology is used to restrict access to unacceptable materials on all internet access provided by CVUSD. The District makes every effort to limit access to objectionable material; however, no web filtering is 100% safe. With internet access, a risk exists that students may access material that may not be of educational value in the school setting. Students who intentionally access, publish, or attempt to access or publish inappropriate or illegal material or internet sites, may be subject to discipline, which may include the possibility of suspension or expulsion.

If a student identifies a security problem, the student is required to immediately notify a teacher or administrator and not demonstrate the problem to other users. Further, students should never use another individual's account. All use of the system must be under the student's own account. If a user is identified as a security risk, the user may be denied access to the information system and face potential disciplinary consequences.

## **Individualized Learning Resources**

Students may participate in online environments related to curricular projects or school activities and use digital tools, such as, but not limited to, mobile devices, blogs, discussion forums, RSS feeds, podcasts, wikis, and online meeting sessions. In providing educational materials – such as a learning management system to provide individualized instruction based on student ability determined by student input – these resources may collect students' personally identifiable information. Parents/guardians will be deemed to have given consent for students under the age of 13 to access such educational resources, unless the parent/guardian affirmatively opts out of allowing student access to the educational program. To opt a student under the age of 13 out of access to online educational resources that may collect personally identifiable information, parents/guardians should contact the site principal to process this request.

## **No Expectation of Privacy**

The use of CVUSD owned information technology is not private. Students must understand that there is no implied right to privacy when using the district system. All electronic communications and downloaded material, including files deleted from a user's account, may be reviewed by district officials to ensure proper use of the system. CVUSD has the right to monitor, inspect, copy, review, and store any and all usage of CVUSD technology resources including transmitted and received information at any time and without prior notice.

## **Digital Citizenship**

Access is an academically important privilege that entails responsibility. While utilizing CVUSD network and educational technology resources, students are expected to exhibit responsible behavior and refrain from engaging in inappropriate use.

The use of any of CVUSD's electronic information resources should be in support of education and research, having the educational goals and objectives of the Chino Valley Unified School District in order to further the education of students. Technology provided by CVUSD will be used by the student primarily for pursuing and promoting knowledge about the lessons and the units teachers assign as part of the teacher's regular curricula. Students are personally responsible for this provision at all times when using electronic information resources.

When using any District electronic resource, students are expected to comply with all Board Policies, Administrative Regulations, and any applicable laws. The following are some of the electronic resources made available to CVUSD students.

- Email – Students in grades 4-12 are issued electronic mail from the CVUSD network and it should be used for educational purposes only and under the direction of a teacher or administrator. Students will in no way use email to spread rumors, gossip, or engage in activity that is harmful to others. Students should not give out their email address unless instructed to do so by a teacher or administrator.
- Cloud Computing – We have experienced a shift in technology from software that resides on servers and computers to applications that reside on the internet or in the cloud. Students need to understand how to safely use these applications. Students must follow the direction and rules outlined by their teacher and/or administrator when cloud computing.
- Learning Management System – Learning Management Systems (such as Google Classroom or Microsoft Teams) will be used by students to access teacher created lessons, tests, discussions, assignments, calendars, wikis, grades, and other classroom resources.
- Instructional Technology Tools – Instructional technology tools will be used for creating projects and presentations, peer editing, creative writing, sharing, discussions, research, collaborating, and communicating.
- Communication and Social Media – Students may use blogs, discussion boards, messaging, and/or social media in a moderated environment established to support educational purposes under the direction of a teacher or administrator. These tools and services are accessible via the internet and may be intended for a global audience. While using these communication tools and social media, students must adhere to all aspects of this Responsible Use Policy. Students should not use these communication tools and social media sites for personal use or without direction from a teacher or administrator.
- Cyber/Personal Safety – Students are responsible for their individual accounts and should take all precautions to prevent others from being able to use them, which includes, but is not limited to, keeping passwords private. Students should never share their username/passwords with other students or log in under another student's name and/or trespass in other student's files. Students should not share personal information about themselves or others over the internet. Students should not agree to meet with anyone they have met online and should notify a teacher or other school employee if they receive any message that is inappropriate or makes them feel uncomfortable.
- Netiquette – Students should always use the internet, network resources, and online sites in a courteous and respectful

manner. Students should also recognize that an abundance of valuable content online is often unverified, incorrect, or inappropriate. Students should use trusted sources when conducting research via the internet. Students should also remember not to post anything online that they would not want parents/guardians, teachers, or future colleges or employers to see. Verbal or written language that is considered inappropriate in the classroom is also inappropriate online. Once something is online, it can be shared and spread in ways never intended.

### **Unacceptable Use, Violations**

Students must understand that all rules of conduct described in the School Handbook also apply when using technology resources. Unacceptable use can come in many forms, but it is commonly considered as the viewing of any website and/or any message(s) sent or received that indicate or suggest pornography, unethical or illegal activity, racism, sexism, inappropriate language, threats, intimidation, sexual harassment and/or bullying of any individual or groups and other issues further described within this document. Students should report any misuse of CVUSD technology resources (electronic resources) to administration.

Violation of Board Policies, Administrative Regulations and/or laws, including, but not limited to, California Education Code 48900 subdivisions related to improper conduct or misuse of District property, including hardware or cloud-based content, even if not expressly defined herein, may lead to disciplinary action including loss of computer, network and/or internet and e-mail privileges, suspension, expulsion, or prosecution when appropriate.

- **Web Access/Internet/Network** – Students shall not attempt or gain unauthorized access to the network or District blocked sites. Students will not use the network or internet for non-school activities or personal gain.
- **Copyright/Plagiarism** – Students will not violate copyright laws or licensing agreements. Plagiarism is the act of using someone else's words or ideas as your own. Students will not copy materials without the permission of the author and must properly cite all information acquired through the internet or other information technologies. Plagiarism of internet resources will be treated in the same manner as any other incidences of plagiarism.
- **Cyberbullying** – Cyberbullying will not be tolerated. Harassing, dissing, flaming, denigrating, impersonating, outing, tricking, excluding, and cyberstalking are all examples of cyberbullying. Students should never send, or encourage others to send, abusive messages. Students who send emails or post comments with the intent of scaring, hurting, or intimidating others will receive severe disciplinary action and loss of privileges. In addition, students should never post pictures, information or work of other students without their permission. Students should understand that instances of Cyberbullying created when not at school or after school hours can result in disciplinary action at school.
- **Vandalism** – Vandalism is defined as any malicious attempt to harm or destroy property, including data of another user or system on the network or the internet. This includes, but is not limited to, uploading or creating computer viruses, and any attempt to disrupt network services. Vandalism includes any activity that can be described as hacking, cracking, passwords, sending junk or unwanted e-mail (SPAM). Vandalism also includes the intentional damage of computer hardware, peripherals, and software media. Any vandalism will result in the loss of computer services, disciplinary action, and legal referral including suspension and/or expulsion, and the immediate loss of access to the system. Parents/guardians may be liable for the cost of the damage that students cause to school property.
- **Software** – Software is available to students to be used as an educational resource. Students should not load or modify software without the consent of an administrator.
- **Hardware** – Hardware and peripherals are provided as tools for student educational purposes. Students are not permitted to install or relocate network hardware and/or peripherals (except for portable devices), or to modify settings to equipment without the consent of the District Information Technology Department.

### **Student Responsible Use Pledge**

CVUSD provides computers, internet access, and other technology resources for educational use. In accepting the responsibility of being issued access to CVUSD technology resources, students are expected to abide by the following pledge:

As a student, I will practice good digital citizenship when using these technology resources. Good digital citizenship is good citizenship. I understand that I must act appropriately and follow these rules in order to be a good digital citizen, and I realize that I can be disciplined if I do not follow these guidelines and use computers and the internet inappropriately.

### **Respect and Protect Myself**

- I understand that school computer files, email, and internet use are not private and can be monitored by teachers or administrators.
- I understand that I must not give my password or username to anyone and will not use others' usernames and passwords.

- It is my responsibility to stay safe on the internet. I will not share personal information about myself or others, such as, home address, phone numbers, passwords, personal photos, or social security numbers. I will not meet with anyone I met on the internet. I will tell my parents/guardians, teachers, or administrators immediately if someone asks to meet me.
- I will not attempt to access profane or obscene material. If I do so accidentally, I will not share it with other students and will notify a teacher or administrator right away.

### **Respect and Protect Others**

- I will use the computer and internet only with teacher permission and for the purpose that the teacher requested.
- I will respect copyright laws, not copy material without permission, and I will make sure to show where I found my information.
- I will be polite and show respect and never cyberbully others. I will not harass, insult, or attack others.
- I will not send or display offensive messages or pictures or use obscene language in messages.

### **Respect and Protect Property**

- I will respect and take good care of devices/equipment and technology resources I use.

### **Student use agreement between the Chino Valley Unified School District and student and student's parent/guardian**

#### **Responsibility for Loaned Device and Accessories Assigned to Students**

You are being loaned a device and related accessories by the Chino Valley Unified School District (CVUSD). You agree to keep it safe and well-maintained. You will follow the guidelines for the care of the device as explained below.

This informs you of your legal responsibility regarding the device and its related accessories that have been issued to your student. The serial number of the device issued to your student is listed on this form.

CVUSD may hold liable the parent or guardian of any minor who willfully cuts, defaces, or otherwise damages any property of CVUSD, or fails to return any property of CVUSD upon demand of CVUSD, for all damages caused by the student. (California Education Code 48904.) CVUSD owns the device and its accessories.

1. I understand and agree that usage of the District's device and accessories is a privilege and not a right. Failure to comply with the Rules Concerning Use of District-Owned devices and related accessories will result in CVUSD's removal of the device at any time.
2. I understand and agree that if my child willfully cuts, defaces, or otherwise damages the device or accessories, or willfully fails to return the device and accessories upon exiting CVUSD or upon demand of CVUSD:
  - I, as the student's parent/guardian, may be held financially liable for the property that has been damaged or destroyed due to my child's willful misconduct. (Education Code § 48904(a1)).
  - If my child fails to return the device and accessories upon exiting CVUSD or upon demand by CVUSD, I may be reported to the appropriate law enforcement authorities and CVUSD will request that I be charged with a violation of Penal Code section 484 if the device is not returned to CVUSD within seven days of the date the student exits CVUSD's programs.
  - If the device is not returned to CVUSD, I am liable for the cost of the device pursuant to California Education Code section 48904(a) and CVUSD may initiate a civil suit against me to seek to recover the value of the device as an award.

After affording my child their due process rights, CVUSD may withhold my child's grades, diploma, and transcripts pursuant to California Education Code section 48904(b) until such time as I have paid these damages, with the exception of when student records are required to be transferred to another school district or private school. (Education Code 48904(a)) The District shall comply with the following procedures prior to withholding grades, diploma, or transcripts: CVUSD shall inform the parent or guardian immediately in writing after any alleged loss which gives rise to an obligation under Education Code section 48904(a).

1. The parent or guardian may present information on behalf of the student, during a conference at the school, as to the reasons why a fee should not be imposed.
2. The principal/designee shall, after reviewing any information presented during this meeting, decide whether or not to withhold the marks, diploma, or transcripts and/or impose the fee for damages. The parent/guardian and student shall be notified in writing of the decision. The decision of the principal is final, and there is no appeal beyond the school level.

CVUSD believes that the best way to prepare our students for their digital future is to have them practice using online

tools appropriately in school. We have monitoring software and filters, but these tools are not perfect, and this is not a guarantee that students will not encounter potentially harmful situations (harassment, inappropriate content, etc.). Our goal is to use potential mistakes as teachable moments to help protect our students against future harmful experiences online.

### **Respect and Protect Yourself**

- I will keep my passwords private and will not share them with my friends.
- I will be conscious of my digital footprint and careful about posting personal information.
- I will only post text and images that are appropriate for school.
- I will be aware of with whom I am sharing my files (keeping them private, sharing with teachers and classmates or posting them publicly).
- I will always log off before leaving a computer.
- I will immediately report any inappropriate behavior directed at me to my teacher, librarian, counselor, or other adults at school.

### **Respect and Protect Others**

- I will not use computers to bully or harass other people.
- I will not log in with another student's username and password.
- I will not trespass into another student's network folder, documents, files or profile.
- I will not pretend to be someone else and will be honest in my representation of myself.
- I will not forward inappropriate materials or hurtful comments or spread rumors.
- I will immediately report any inappropriate behavior directed at my fellow students to my teacher, librarian, counselor, or other adult at school.

### **Respect and Protect the Learning Environment**

- I will limit my web browsing at school-to-school research or personal research similar to that which I would do in class.
- I will not visit inappropriate websites. If an inappropriate page, image, or search result comes up, I will immediately close the window or tab.
- I will not play games on school computers without specific teacher instructions.
- I will not send or read instant messages or participate in online forums or chat without specific teacher instruction.
- I will not change background images on the device

### **Honor Intellectual Property**

- I will not plagiarize.
- I will cite any and all use of websites, images, books, and other media.

**I acknowledge that my student may be bringing the device and its accessories home throughout the school year, including holidays and summer vacation.** I have read and I understand the responsibilities described above and agree to comply with the Rules Concerning Use of District-Owned devices and Related Accessories. I give permission for my child to bring the device and its accessories home. I agree to monitor and engage with my child when accessing online content away from school using the device.

**Acknowledgment of Inherent Risks of Internet Usage: I acknowledge that there are security, privacy, and confidentiality risks inherent in internet use and wireless communications. I understand that the CVUSD has taken those reasonable measures, including a web filtering solution, currently available to minimize such risks. However, I acknowledge that no filter or other technology currently available provides complete protection against such risks. I have determined that for my child the benefits of online activity and wireless communications outweigh the risks and on my child's behalf I will assume the risk associated with such activity. I agree that it is my responsibility to monitor and engage with my child concerning appropriate online usage.**

## **TESTING**

California students take several mandated statewide tests. These tests provide parents/guardians, teachers, and educators with information about how well students are learning and becoming college and career ready. The test results may be used for local, state, and federal accountability purposes.

## **Advanced Placement Exams**

(EC 52240, EC 52244)

Eligible high school students may receive financial assistance to partially cover the costs of the Advanced Placement examination fees. For more information, contact the high school's Advanced Placement Test Coordinator.

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

The CAASPP is the statewide system of student assessments, under which various assessments are required. The CAASPP consists of the following:

### **Smarter Balanced Assessment Consortium Assessments**

The Smarter Balanced computer adaptive assessments are aligned with the Common Core State Standards (CCSS). English language arts/literacy (ELA) and mathematics tests are administered in grades 3-8 and grade 11 to measure whether students are on track to college and career readiness. In grade eleven, results from the ELA and mathematics assessments can be used as an indicator of college readiness.

### **Early Assessment Program**

All 11<sup>th</sup> grade students participate in the Early Assessment Program (EAP) by virtue of completing the Smarter Balanced Summative Assessment for English-language arts/literacy and mathematics. These assessments, which are administered as part of the CAASPP system, also serve as an indicator of readiness for college-level coursework in English and mathematics and are used by the California State University (CSU) and participating California Community Colleges (CCC) to determine EAP status. Students must authorize the release of their CAASPP (i.e., Smarter Balanced Summative Assessment) results for each assessment to the CSU and CCC systems. The release of the CAASPP results will not affect a student's application for admission. Results are only used to determine a student's placement after the student has been admitted to the CSU.

### **California Science Tests (CAST)**

The computer-based CAST measures students' achievement of the California Next Generation Science Standards (CA NGSS) through the application of their knowledge and skills of the Science and Engineering Practices, Disciplinary Core Ideas, and Crosscutting Concepts. The CAST is administered to all students in grades 5 and 8 and once in high school (grade 11 or 12).

### **California Alternate Assessments (CAAs)**

Only eligible students—students whose individualized education program (IEP) identifies the use of alternate assessments—may participate in the administration of the CAAs. Test examiners administer the computer-based CAAs for ELA, mathematics, and science one-on-one to students. Students in grades 3-8 and grade 11 will take the CAA for ELA and mathematics. Test items developed for ELA and mathematics are aligned with the CCSS and are based on the Core Content Connectors.

Students in grades 5 and 8 and once in high school (grade 11 or 12) will take the CAA for Science. The four CAA for Science embedded performance tasks are based on alternate achievement standards derived from the CA NGSS.

Pursuant to EC 60615, parents/guardians may annually submit to the school a written request to excuse their student from any or all of the CAASPP assessments. This exemption does not exist for the English Language Proficiency Assessments for California (ELPAC) or Physical Fitness Test.

### **California Proficiency Program (CPP)**

(EC 48412, 5 CCR 11523)

The California Proficiency Program (CPP) has replaced the California High School Proficiency Exam (CHSPE) established by California Education Code Section 48412. The CPP utilizes the State Board of Education approved GED® or HiSET® subtests for language arts and mathematics to measure proficiency. After passing the language arts and mathematics subtests of the proficiency program, the student will earn a State Board of Education issued Certificate of Proficiency which is the legal equivalent to a high school diploma issued by the state of California. After passing the CPP, the student may choose to remain in high school or exit with parent or guardian's permission to begin attending higher education or their career. Eligible students may be either excelling or struggling in high school and need to take the CPP tests to exit high school to begin attending higher education or start their career. For more information, including eligibility, administration and registration, visit <https://www.cde.ca.gov/ta/tg/cp.asp>

### **Electronic Student Score Reporting**

All student score reports from state testing (CAASPP and ELPAC) will be available electronically to parents/guardians via Aeries Parent Portal. Parents/guardians must sign up for an account to view test scores; paper copies will not be mailed home. For more information on how to sign up for an Aeries Parent Portal account, visit



<https://www.chino.k12.ca.us/domain/3248>.

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

(EC 313, EC 60810, Titles I and III of the Elementary and Secondary Education Act (ESEA))

The ELPAC is aligned with the 2012 California English Language Development Standards. It consists of two separate English Language Proficiency (ELP) assessments: **Initial ELPAC** and **Summative ELPAC**. The **Initial ELPAC** is only administered to students entering California public schools for the first time if they have indicated that their primary or home language is not English. This required test will help identify students who need help learning English. This is important so they can get the support they need to do well in all school subjects. The **Summative ELPAC** is administered annually to all English Learners in grades K-12 (through the age of 22) until they are reclassified as proficient in English. It is used to identify students' English language proficiency level and to measure their progress in learning English. Students are tested on their skills in listening, speaking, reading, and writing. The student's voice will be recorded as part of the speaking test for the **Initial** and **Summative ELPAC**. A small percentage of student responses will be used to validate the accuracy of scoring and will not be used for identification. All recorded responses will be destroyed after the scores are validated. Students whose IEP identifies the use of an alternate assessment and who have a home language survey that lists a language other than English will take the **Alternate Initial ELPAC**, which identifies students as an English learner student or as initially fluent in English. Students who are classified as English learner students will take the **Alternate Summative ELPAC** every year until they are reclassified as proficient in English.

### **Physical Fitness Test (PFT)**

The Physical Fitness Test for students in California schools is the FitnessGram®. The test consists of five performance components: aerobic capacity, abdominal strength, trunk strength, upper body strength, and flexibility. The main goal of the PFT is to help students in starting lifelong habits of regular physical activity. This test is required for all students in grades 5, 7 and 9.

## **UNIFORM COMPLAINT PROCEDURE**

(BP/AR 1312.3)

The District is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The District shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the District's uniform complaint procedures. (5 CCR 4620) The District shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination such as discriminatory harassment or intimidation against any person participating in District programs and activities, based on their actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on their association with a person or group with one or more of these actual or perceived characteristics, in District programs and activities, including, but not limited to, those funded directly by or that receive or benefit from any state financial assistance. (5 CCR 4610)

Uniform complaint procedures shall also be used when addressing complaints alleging:

- District violation of applicable state and federal law or regulations governing accommodations for pregnant and parenting students, adult education programs, after school education and safety programs, agriculture career technical education, compensatory education, consolidated categorical aid programs, course periods without educational content, , educational and graduation requirements for student in foster care, homeless, military families, and formerly juvenile court now enrolled in a school district, Every Student Succeeds, Local Control and Accountability Plans (LCAP), migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, physical education instructional minutes, reasonable accommodation to a lactating student, regional occupational centers and programs, school plans for student achievement, school safety plans, school site councils, state preschool, and state preschool health and safety issues in LEA exempt from licensing.
- Any complaints alleging District noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. (5CCR4610) Student fees or LCAP complaints may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.
- Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

- Any other state or federal educational program the superintendent of public instruction or designee deems appropriate.

Complaints related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, and teacher vacancies and misassignments, shall be investigated pursuant to the District's Williams Complaint Procedure. (AR 1312.4)

A standardized notice shall be posted with educational and graduation requirements for students in foster care, students who are homeless, students from military families and students formerly in Juvenile Court now enrolled in a school district. This notice shall include complaint process information, as applicable.

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the California Health and Safety Code (HSC) a notice shall be posted in each California state preschool program classroom in each school in the local educational agency notifying parents, guardians, students, and teachers of both of the following:

- The health and safety requirements under Title 5 of the California Code of Regulations (5 CCR) apply to California state preschool programs pursuant to HSC Section 1596.7925.
- To obtain a UCP form to file a complaint, please visit the District's Website at: <https://www.chino.k12.ca.us/Page/17169> or contact the Division of Human Resources at (909) 628-1202 ext. 1110.

The Board encourages the early, informal resolution of complaints at the site level whenever possible. A complaint must be filed not later than one year from the date it occurred, or one year from the date the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. These uniform procedures require the complainant to submit a written complaint to Human Resources who will coordinate an investigation and response within sixty days of receipt of the written complaint unless the complainant agrees in writing to extend the timeline. A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within thirty days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for action by the District when one of the conditions listed in 5 CCR 4650 exists; including cases in which the District has not taken action within sixty days of the date the complaint was filed with the District. If a District is found to have violated a State or Federal law and/or regulation, and the District does not take corrective action to comply, then various civil remedies may be available. We advise complainants of the right to pursue civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may also be available to complainants. Contact the appropriate compliance officer for additional information or assistance.

Copies of the Uniform Complaint Procedure forms are free of charge and are available on the District's website or by calling (909) 628-1202, ext. 1111.

All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when it is safe to do so. Students who engage in discrimination, including harassment and retaliation in violation of the law, BP and AR, shall be referred to a program that provides a behavior support approach or any other form of corrective action up to and including counseling, suspension, and/or expulsion. Any employee who permits or engages in harassment, retaliation, or other prohibited discrimination shall be subject to disciplinary action, up to and including dismissal.

### **Uniform Complaints Compliance Officers**

The Board designates the following compliance officers to receive and investigate complaints and ensure District compliance with law:

Grace Park, Ed.D. | Deputy Superintendent

Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710

[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [grace\\_park@chino.k12.ca.us](mailto:grace_park@chino.k12.ca.us) | (909) 628-1202, ext. 1124

Antonia Hunt, Ed.D. | Coordinator, Equity, Diversity, and Support Systems

Title IX Coordinator; District Coordinator for Nondiscrimination; Equity Compliance Officer

Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710

[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [antonia\\_hunt@chino.k12.ca.us](mailto:antonia_hunt@chino.k12.ca.us) | (909) 628-1202, ext. 1745

## **WILLIAMS COMPLAINT PROCEDURE** (EC 35186, 32289, BP 1312.3, AR 1312.4)

The Williams Complaint is the procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignments.

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or misassignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the school site. Parents/guardians, students, teachers, or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged individuals express their concerns to the school principal before completing the complaint form to allow the school to respond to these concerns.

### **Williams Uniform Compliance Officer**

The Board designates the following compliance officer to receive and investigate complaints and ensure District's compliance with law:

Grace Park, Ed.D. | Deputy Superintendent

Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710

[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [grace\\_park@chino.k12.ca.us](mailto:grace_park@chino.k12.ca.us) | (909) 628-1202, ext. 1124

## **APPENDICES**

### **Appendix A**

#### **Board Policy 5145.3**

Nondiscrimination/Harassment of Students

### **Appendix B**

#### **Board Policy 5145.7**

Sexual Harassment

### **Appendix C**

#### **Administrative Regulation 5145.7I**

Title IX Sexual Harassment Complaint Procedures

### **Appendix D**

#### **Administrative Regulation 6164.6**

Identification and Education Under Section 504

### **Appendix E**

#### **Know Your Rights**

Guide for students and families regarding Immigration-enforcement actions at California schools.

## APPENDIX A

### Students

BP 5145.3

#### **NONDISCRIMINATION/HARASSMENT OF STUDENTS**

The Board of Education desires to provide a safe school environment that allows all students equal access and opportunities in the District's academic, extracurricular, and other educational support programs, services and activities. The Board of Education prohibits, at any District school or school activity, unlawful discrimination, harassment (including sexual or discriminatory), intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, national origin, nationality, immigration status, ethnicity, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, or gender expression or genetic information, or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Antonia Hunt, Ed.D. | Coordinator, Equity, Diversity, and Support Systems  
Title IX Coordinator; District Coordinator for Nondiscrimination; Equity Compliance Officer  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [antonia\\_hunt@chino.k12.ca.us](mailto:antonia_hunt@chino.k12.ca.us) | (909) 628-1202, ext. 1745

Alpercy Bennett | Coordinator, Child Welfare and Attendance, District Section 504 Coordinator  
Chino Valley USD | 13461 Ramona Avenue, Chino, CA 91710  
[www.chino.k12.ca.us](http://www.chino.k12.ca.us) | [al\\_bennett@chino.k12.ca.us](mailto:al_bennett@chino.k12.ca.us) | (909) 628-1202, ext. 1745

(cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 5131 - Conduct)  
(cf. 5131.2 - Bullying)  
(cf. 5137 - Positive School Climate) (cf. 5145.7 - Sexual Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)  
(cf. 5146 - Married/Pregnant/Parenting Students)  
(cf. 6164.6 - Identification and Education Under Section 504)

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a District school, and to acts which occur off campus or outside of school- related or school-sponsored activities but which may have an impact or create a hostile environment at school.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of education benefits or services.

The Board of Education also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the District's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the District's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the District's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation. The Superintendent or designee

shall regularly review the implementation of the District's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the District's educational program. He/she shall report his/her findings and recommendations to the Board of Education after each review.

(cf. 1312.3 - Uniform Complaint Procedures) (cf. 1330 - Use of Facilities)  
(cf. 4131 - Staff Development) (cf. 4231 - Staff Development) (cf. 4331 - Staff Development)  
(cf. 6145 - Extracurricular and Cocurricular Activities) (cf. 6145.2 - Athletic Competition)  
(cf. 6164.2 - Guidance/Counseling Services)

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

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

(cf. 4118 - Suspension/Disciplinary Action)  
(cf. 4119.21/4219.21/4319.21 - Professional Standards) (cf. 4218 - Suspension, Demotion or Dismissal)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 5145.2 - Freedom of Speech/Expression)

## **Record-Keeping**

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the District to monitor, address, and prevent repetitive prohibited behavior in District schools.

(cf. 3580 - District Records)

### **Legal Reference:**

#### **EDUCATION CODE**

200-262.4 Prohibition of discrimination

48900.3 Suspension or expulsion for act of hate violence 48900.4 Suspension or expulsion for threats or harassment

48904 Liability of parent/guardian for willful student misconduct 48907 Student exercise of free expression

48950 Freedom of speech 48985 Translation of notices 49020-49023 Athletic programs

51500 Prohibited instruction or activity 51501 Prohibited means of instruction 60044 Prohibited instructional materials

#### **CIVIL CODE**

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

11135 Nondiscrimination in programs or activities funded by state **PENAL CODE**

422.55 Definition of hate crime

422.6 Crimes, harassment

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

432 Student record

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

#### **NONDISCRIMINATION/HARASSMENT OF STUDENTS**

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

1681-1688 Title IX of the Education Amendments of 1972

12101-12213 Title II equal opportunity for individuals with disabilities **UNITED STATES CODE, TITLE 29**

794 Section 504 of Rehabilitation Act of 1973 **UNITED STATES CODE, TITLE 42**

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975 CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints CODE OF FEDERAL REGULATIONS, TITLE 34

99.31 Disclosure of personally identifiable information

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Prohibition of discrimination based on age COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567 Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

#### Management Resources:

#### CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

#### CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

#### FIRST AMENDMENT CENTER PUBLICATIONS

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

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

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016 Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Harassment and Bullying, October 2010 Notice of Non-Discrimination, Fact Sheet, August 2010

#### WEBSITES

California School Boards Association: [www.csba.org](http://www.csba.org) California Department of Education: [www.cde.ca.gov](http://www.cde.ca.gov) California Safe Schools Coalition: [www.casafeschools.org](http://www.casafeschools.org) California Office of the Attorney General: [oag.ca.gov](http://oag.ca.gov)

First Amendment Center: [www.firstamendmentcenter.org](http://www.firstamendmentcenter.org) National School Boards Association: [www.nsba.org](http://www.nsba.org)

U.S. Department of Education, Office for Civil Rights: [www.ed.gov/about/offices/list/ocr](http://www.ed.gov/about/offices/list/ocr)

#### **Chino Valley Unified School District**

Policy adopted: January 23, 1997

Revised: September 3, 1998

Revised: August 5, 2010

Revised: January 17, 2013

Revised: September 5, 2013

Revised: September 21, 2017

Revised: March 21, 2019

Revised: June 15, 2023

## APPENDIX B

### Students

### BP 5145.7

#### SEXUAL HARASSMENT

The Board of Education is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint, or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The District strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the District's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 - Title IX sexual harassment complaint procedures or BP/AR 1312.3 - Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

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

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the District's website, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.

(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 information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment; including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed instances of sexual harassment, even when the alleged victim of the harassment has not complained
4. A clear message that student safety is the District's primary concern, and that any separate rule violation involving an alleged complainant or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or complainant of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made



7. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable including the right to file a civil or criminal complaint while the District investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the District will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

### **Complaint Process and Disciplinary Actions**

Any student who feels 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 a 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 Procedures)

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, prompt, and appropriate action is taken to end the harassment and to address its effects on the complainant.

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, 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))

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

### **Record-Keeping**

In accordance with law and district policies and regulations, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the District to monitor, address, and prevent repetitive harassing behavior in its schools.

Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

#### CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

#### GOVERNMENT CODE

12950.1 Sexual harassment training

#### CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

#### UNITED STATES CODE, TITLE 20

1681-1688 Title IX, discrimination

#### UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

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

COURT DECISIONS

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

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

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

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

OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance, January 2001

WEBSITES

California School Boards Association: [www.csba.org](http://www.csba.org)

California Department of Education: [www.cde.ca.gov](http://www.cde.ca.gov)

U.S. Department of Education, Office for Civil Rights: [www.ed.gov/about/offices/list/ocr](http://www.ed.gov/about/offices/list/ocr)

**Chino Valley Unified School District**

Policy Adopted: October 7, 1999

Revised: August 15, 2002

Revised: June 18, 2009

Revised: May 9, 2013

Revised: September 15, 2022

## APPENDIX C

Students

AR 5145.71

### TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

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

1. A District employee conditioning the provision of a District aid, benefit, or service on the student's participation in sexual conduct
2. Sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the District's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints, including a complaint of sex discrimination, shall be investigated and responded to in accordance with AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

A report of sexual harassment shall be submitted directly to or forwarded to the District's Title IX Coordinator using the contact information listed in AR 5145.7 - Sexual Harassment.

(cf. 5145.7 - Sexual Harassment)

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the District. (34 CFR 106.30)

Even if the complainant chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the complainant is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

### Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, with or without filing a formal complaint, and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and will not unreasonably burden the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44) The Title IX Coordinator is responsible for coordinating effective implementation of supportive measures.

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

### **Emergency Removal from School**

On an emergency basis, the District may remove a student from the District's education program or activity, provided that the District conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a District employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44) The leave shall be paid, unless there is a separate basis for unpaid leave.

### **Dismissal of Complaint**

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the District's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the District in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the District, or sufficient circumstances prevent the District from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

### **Informal Resolution Process**

When a formal complaint of sexual harassment is filed, the District may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The District shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

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

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

### **Formal Complaint Process**

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The District's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.  
If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process.
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence, including the evidence upon which the lea does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

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

## **Investigation Procedures**

Pursuant to 34 CFR 106.45, when investigating a formal complaint, the burden of proof rests on the District and not on the parties. However, the District must obtain the party's voluntary, written consent to access, consider, disclose, or otherwise use a party's records that are maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional, which are made and maintained in connection with the provision of treatment to the party. The District will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege. (34 CFR 106.45)

During the investigation process, the District shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate

Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report. All such evidence is subject to the parties' inspection and review at any hearing to give each party equal opportunity to refer to such evidence during the hearing including for purposes of cross-examination (34 CFR 106.45)

6. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine

credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

7. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response
8. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant. (34 CFR 106.45)

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

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

### **Written Decision**

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

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

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

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

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

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the District includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the District's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the District to the complainant
6. The District's procedures and permissible bases for the complainant and respondent to appeal

## Appeals

Either party may appeal the District's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the District shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of date of the most recently alleged misconduct.

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

## Remedies

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

## Corrective/Disciplinary Actions

The District shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "supportive measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

(cf. 5144 - Discipline)

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

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

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

(cf. 6164.5 - Student Success Teams)

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law  
(cf. 6145 - Extracurricular and Cocurricular Activities)

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4117.7/4317.7 - Employment Status Report)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action) (cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 4218 - Dismissal/Suspension/Disciplinary Action)

## **Record-Keeping**

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The District shall make such training materials publicly available on its web site, or if the District does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)

(cf. 3580 - District Records)

Legal Reference:

### EDUCATION CODE

200-262.4 Prohibition of Discrimination on the Basis of Sex 48900 Grounds for Suspension or Expulsion

48900.2 Additional Grounds for Suspension or Expulsion; Sexual Harassment 48985 Notices, Report, Statements and Records in Primary Language

### CIVIL CODE

51.9 Liability for Sexual Harassment; Business, Service and Professional Relationships 1714.1 Liability of Parents/Guardians for Willful Misconduct of Minor

### GOVERNMENT CODE

12950.1 Sexual Harassment Training

### CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform Complaint Procedures

4900-4965 Nondiscrimination in Elementary and Secondary Education Programs

### UNITED STATES CODE, TITLE 20

1092 Definition of Sexual Assault 1221 Application of Laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

### UNITED STATES CODE, TITLE 34

12291 Definition of Dating Violence, Domestic Violence, and Stalking

### UNITED STATES CODE, TITLE 42

1983 Civil Action for Deprivation of Rights 2000d-2000d-7 Title VI, Civil Rights Act of 1964

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

### CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.82 Nondiscrimination on the Basis of Sex in Education Programs

### COURT DECISIONS

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

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130



Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736  
Davis v. Monroe County Board of Education, (1999) 526 U.S. 629  
Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274  
Oona By Kate S. v. Mccaffrey, (1998, 9th Cir.) 143 F.3d 473  
Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

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

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

Q&A on Campus Sexual Misconduct, September 2017

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016 Dear Colleague Letter: Title IX Coordinators, April 2015

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

Websites

California School Boards Association: <http://www.csba.org> California Department of Education: <http://www.cde.ca.gov>

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

**Chino Valley Unified School District**

Regulation Approved: September 1, 2022

Revised: June 1, 2023

## APPENDIX D

### SECTION 504 GRIEVANCE PROCEDURE

AR 6164.6

#### IDENTIFICATION AND EDUCATION UNDER SECTION 504

The Superintendent designates the following position as the District's 504 Coordinator to implement the requirements of Section 504 of the Federal Rehabilitation Act of 1973: (34 CFR 104.7)

Coordinator, Child Welfare and Attendance  
13461 Ramona Avenue, Chino, CA 91710  
(909) 628-1202 ext. 1745

#### Definitions

For the purpose of implementing Section 504 of the Rehabilitation Act of 1973, the following terms and phrases shall have only the meanings specified below:

Free Appropriate Public Education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of students without disabilities are met, at no cost to the student or his/her parent/guardian, except when a fee is specifically authorized by law for all students (34 CFR 104.33)

(cf. 3260 - Fees and Charges)

Students with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (28 CFR 35.108)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as, neurological; musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular; reproductive, digestive, genito-urinary; immune, hemic and lymphatic; skin; and endocrine. (28 CFR 35.108)

Mental impairment means any mental or psychological disorder, such as intellectual disability organic brain syndrome, emotional or mental illness, and specific learning disabilities. (28 CFR 35.108)

Substantially limits major life activities means limiting a person's ability to perform functions, such as, caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. Major life activities also include major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system. The determination of whether an impairment substantially limits a student's major life activities shall be made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral, or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy (42 USC 12102; 28 CFR 35.108)

#### Referral, Identification, and Evaluation

Any action or decision to be taken by the District involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.  
(cf. 6164.5 - Student Success Teams)
2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in

academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If the student needs or is believed to need special education or related services under Section 504, the District shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

Prior to conducting an initial evaluation of a student for eligibility under Section 504, the District shall obtain written parent/guardian consent.

The District's evaluation procedures shall ensure that tests and other evaluation materials: (34 CFR 104.35)

- a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
- b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
- c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the test purport to measure

### **Section 504 Services Plan and Placement**

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multidisciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

The parents/guardians shall be invited to participate in the meeting and shall be given an opportunity to examine all relevant records.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Asthma Management)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a person with a disability under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.
4. The student shall be placed in the regular educational environment, unless the District can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be

achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)

5. The District shall complete the identification, evaluation, and placement process within a reasonable time frame. The District shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.
6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the District, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

(cf. 5116 - Intradistrict Open Enrollment)

(cf. 5125 - Student Records)

### **Review and Reevaluation**

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of students without disabilities are met. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

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

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

### **Procedural Safeguards**

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the District regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the District's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

(cf. 6159.1 - Procedural Safeguards and Complaints for Special Education)

If a parent/guardian disagrees with any District action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of that action or decision.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the District's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, or if the parent/guardian did not request an administrative review, he/she may request a Section 504 due process hearing.

A Section 504 due process hearing shall be conducted in accordance with the following procedures:

- I. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the District's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:
  - a. The specific nature of the decision with which he/she disagrees
  - b. The specific relief he/she seeks
  - c. Any other information he/she believes is pertinent to resolving the disagreement

2. Within 30 workdays of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.
3. Within 45 workdays of the selection of the hearing officer, the Section 504 due process hearing shall be conducted, and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.
4. The parties to the hearing shall be afforded the right to:
  - a. Be accompanied and advised by counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
  - b. Present written and oral evidence
  - c. Question and cross-examine witnesses
  - d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

### **Notifications**

The Superintendent or designee shall ensure that the District has taken appropriate steps to notify students and parents/guardians of the District's duty under Section 504. (34 CFR 104.32)

(cf. 5145.6 - Parental Notifications)

Chino Valley Unified School District

Regulation approved: August 21, 1997

Revised: May 7, 2009

Revised: April 7, 2011

Reviewed: December 8, 2011

Revised: August 15, 2013

Revised: March 2, 2017

## APPENDIX E

# IMMIGRATION-ENFORCEMENT ACTIONS AT CALIFORNIA SCHOOLS

Guide for Students and Families



**XAVIER BECERRA**

California Attorney General

April 2018

## KNOW YOUR EDUCATIONAL RIGHTS

### Your Child Has the Right to a Free Public Education

- All children have a right to equal access to free public education, regardless of their or their parents'/guardians' immigration status.
- All children in California:
  - Have the right to a free public education.
  - Must be enrolled in school if they are between 6 and 18 years old.
  - Have the right to attend safe, secure, and peaceful schools.
  - Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - Have equal opportunity to participate in any program or activity offered by the school without discrimination.

### Information Required for School Environment

- Schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security Number is never needed for school enrollment.

### Confidentiality of Personal Information

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If so, the school district must provide parents/guardians with written notice of the directory information policy, and provide the option to refuse release of your child's information.

### Family Safety Plans If You Are Detained or Deported

You can update your child's emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.

## CHECKLIST FOR IMMIGRANT STUDENTS AND FAMILIES ATTENDING PUBLIC SCHOOLS

### You do not have to share the following information with school officials:

- You do not have to share information, including passports or visas, regarding the immigration status of students, parents, guardians, or other family members.
- You do not have to provide a Social Security Number (SSN) or cards.
- If the family meets the income eligibility requirements and no adult household member has a SSN, your child still qualifies. Check the "No SSN" box on the forms where applicable, to ensure the applications are complete.
- If any family member participates in CalFresh, CalWORKS (California Work Opportunity and Responsibility for Kids), or FDPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of his or her SSN to qualify the student for free or reduced-price meals at school.
- When providing information for proof of a student's residency or age, you do not have to use documents that could reveal information related to immigration status.

### Take steps to protect student information:

- Ask for the school's written privacy policies regarding student information.
- Review the school's policy for "Directory Information" - which allows for public release of basic student information - and consider whether to opt out releasing that information.

### Take steps to prepare for situations where one or more parents or guardians are detained or deported:

- Develop and keep in a safe place a "Family Safety Plan" (example: [https://www.lirs.org/assets/2474/bna\\_beinformed\\_safetyplanningtoolkit.pdf](https://www.lirs.org/assets/2474/bna_beinformed_safetyplanningtoolkit.pdf)) that includes the following information:
  - Name of a trusted adult to care for your child if no parent or guardian can.
  - Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.).
- Make sure that your child's school always has current emergency contact information, including alternative contacts if no parent or guardian is available.

## RESOURCES

The following resources are available to immigrant families responding to detentions or deportations:

- The Immigration and Customs Enforcement (ICE) detainee locator: <https://locator.ice.gov/odls/homePage/do>. **Please note:** This site is intended *only* for locating individuals who are already detained, and not for general immigration status inquiries.
- Immigration lawyers in private practice, accredited representatives (who assist immigrants in immigration proceedings), or legal-aid organizations:
  - State Bar of California Attorney Search: <http://www.calbar.ca.gov/eoir/page/file/942306/download#CALIFORNIA>.
  - California Courts Self-Help Centers: <http://www.courts.ca.gov/selfhelp-selfhelpcenters.htm>.
  - Legal-aid Offices and Layer-Referral Services: <http://www.courts.ca.gov/1001.htm>
  - The Consulate or Embassy of the parent's or guardian's country of origin.





For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact:

**BUREAU OF CHILDREN'S JUSTICE  
CALIFORNIA ATTORNEY GENERAL'S OFFICE**

P.O. Box 944255

Sacramento, CA 94244-2550

Phone: (800) 952-5225

E-mail: [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov)

<https://oag.ca.gov/bcj/complaint>

To download a copy of the trifold brochure, please visit:

<http://www.oag.ca.gov>