

# **Buena Vista Eagles**



## **Buena Vista School District**

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## **Parent /Student Handbook**

**2023-2024**

## Message from the Superintendent

*Dear Students and Parents,*

*Welcome back!*

*It is a pleasure to welcome everyone to the 2023-24 school year. If you are new, we are so happy that you have chosen our Buena Vista Family. I am so proud of this group and I hope you will be too.*

*There will be many opportunities to participate this year. We will be having regular parent information meetings regarding topics like internet safety, homework, and topics that you can choose. If you are ready to get involved, Parent Club is a great place to start. They will begin their activities very soon.*

*Also, keep informed by adding the Parent Square app to your cell phone. This will allow you to communicate directly with staff and will keep you informed of upcoming events. Our Instagram is also a great place to keep up-to-date and to see some of the many activities happening at BV.*

*Join at: [https://www.instagram.com/bv\\_eagles/](https://www.instagram.com/bv_eagles/)*

*Calendars and notes will be sent home monthly, and our newly designed website is a good place to check for current information and lunch menus.*

*As always, if you have questions, feel free to call me at 686-2015 or email at [cmederos@buenavistaeagles.org](mailto:cmederos@buenavistaeagles.org)*

*Sincerely,*

*Carole Mederos*

## GENERAL NOTIFICATIONS

The Board of Trustees is committed to equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

### **Required Notification § 48980**

Pursuant to Section 48980, governing boards of school districts shall notify parents and guardians of certain rights and responsibilities including, but not limited to the following Education Code Sections: 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, and 51938, and Chapter 2.3 (commencing with section 32255).

*(c) The notification also shall advise the parents and guardians of all pupils attending a school within the school district of the schedule of minimum days and pupil-free staff development days, and if minimum or pupil-free staff development days are scheduled thereafter, the governing board of the district shall notify parents and guardians of the affected pupils as early as possible, but not later than one month before the scheduled minimum or pupil-free day.*

*(d) The notification also may advise the parent or guardian of the importance of investing for future college or university education of their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.*

*(f) School districts which elect to provide a fingerprinting program pursuant to Article 10 (commencing with Section 32390) shall inform parents or guardians of the program specified in Section 32390.*

*(g) Notification of the school district policy on sexual harassment shall also be provided pursuant to Section 231.5 as it relates to pupils.*

*(i) It is the intent of the Legislature that the governing board of each school district annually review the enrollment options available to the pupils within its district and that the districts strive to make available enrollment options that meet the diverse needs, potential, and interests of the pupils of California.*

Note: All materials in this handbook were updated and approved by the Buena Vista School Board on 7/12/23

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# BUENA VISTA SCHOOL DISTRICT

## DISTRICT CALENDAR FOR 2023-2024

Month	M	T	W	TH	F	Instructional Days	Staff Development Days	Significant Dates	Explanation
<b>August 2023</b>		1	2	3	4			August 7-8	Teacher Duty Days
	7	8	9	10	11			August 9	First day of school
	14	15	16	17	18	17	2		
	21	22	23	24	25			August 24	Back to School Night - 1:45 Dismissal
	28	29	30	31					
<b>September 2023</b>					1				
	4	5	6	7	8			September 4	Labor Day
	11	12	13	14	15	19	0	September 12	1:45 Dismissal
	18	19	20	21	22			September 13	Fair Day
	25	26	27	28	29				
<b>October 2023</b>	2	3	4	5	6			October 9	Teacher Inservice Day
	9	10	11	12	13	21	1	October 10	1:45 Dismissal
	16	17	18	19	20			October 13	End of Quarter (45 days)
	23	24	25	26	27			Oct. 23-27	1:45 Dismissal -- Parent-Teacher Conferences
	30	31							
<b>November 2023</b>			1	2	3			November 7	1:45 Dismissal
	6	7	8	9	10			November 10	Veteran's Day
	13	14	15	16	17	16	0	November 17	1:45 Dismissal
	20	21	22	23	24			November 20-24	Thanksgiving Holiday
	27	28	29	30					
<b>December 2023</b>					1				
	4	5	6	7	8				
	11	12	13	14	15	14	0	December 20	1:45 Dismissal
	18	19	20	21	22				
	25	26	27	28	29			December 21-	Winter
<b>January 2024</b>	1	2	3	4	5			January 12	Break
	8	9	10	11	12			January 15	Martin Luther King Jr. Day
	15	16	17	18	19	12	0	January 19	End of the Quarter (46 days)
	22	23	24	25	26				
	29	30	31						
<b>February 2024</b>				1	2				
	5	6	7	8	9			February 6	1:45 Dismissal
	12	13	14	15	16	19	0	February 12	Lincoln's Birthday
	19	20	21	22	23			February 19	President's Day
	26	27	28	29					
<b>March 2024</b>					1				
	4	5	6	7	8			March 5	1:45 Dismissal
	11	12	13	14	15	16	0	March 22	End of Quarter (43 days)
	18	19	20	21	22			March 22	1:45 Dismissal
	25	26	27	28	29			March 25 --	Spring Break
<b>April 2024</b>	1	2	3	4	5			April 1	Spring Break
	8	9	10	11	12			April 9	1:45 Dismissal
	15	16	17	18	19	21	0		
	22	23	24	25	26				
	29	30							
<b>May 2024</b>			1	2	3				
	6	7	8	9	10			May 7	1:45 Dismissal
	13	14	15	16	17	22	0		
	20	21	22	23	24				
	27	28	29	30	31			May 27	Memorial Day
<b>June 2024</b>	3	4	5	6*	7*			June 7	12:00 Dismissal/End of Quarter (48 days)
	10	11	12	13	14	5	1	June 10	Last Teacher Duty/Staff Development Day

**Total Student Instructional Days: 180\* + 4 staff development days = 184 Total Teacher Duty Days**

- Legal Holiday
- Teacher Duty Day No School
- Board Holiday
- Grade Periods
- School Activities

Note: \* 2 possible fog make-up days are included. If not used they will be credited in May or at the end of the school year

Board Approved March 8, 2023

**§ 48983 ■ Activities Calendar**

Any activity that will be undertaken by the school during the forthcoming school term, a notice or calendar shall state that fact and shall also state the approximate date upon which any of such activities will occur.

**BUENA VISTA BOARD OF TRUSTEES**

President.....Dave Martin  
Trustee.....Joe Souza  
Trustee.....Mario Simoes

The Board meets in the employee lounge on the second Wednesday of each month at 7:00 p.m. The public is welcome to all meetings.

**BUENA VISTA STAFF**

Superintendent/Principal..... Carole Mederos	Cafeteria Aide.....
Transitional Kindergarten.....Heidi Denning	Library Aide .....Serena Garcia
Kindergarten.....Colleen Pereira	Bus Driver/Custodian.....Nick Milanesio
1 <sup>st</sup> Grade.....Dena Fagundes	Bus Driver/Custodian.....Eric Patton
2 <sup>nd</sup> Grade.....Carolyn Sanchez	Custodian..... Antonio Gomez
3 <sup>rd</sup> Grade.....Katie Gomes	TK Teacher’s Aide.....Laura Botllo
4 <sup>th</sup> Grade.....Alyssa Garges	K Teacher’s Aide.....Leanne Herrera
5 <sup>th</sup> Grade.....Terry Bessinger	1 <sup>st</sup> Grade Teacher’s Aide.....Anna Rogers
6 <sup>th</sup> Grade.....Case McPhetridge	2 <sup>nd</sup> Grade Teacher’s Aide..... Laura Villegas
7 <sup>th</sup> Grade.....Bill Griesbach	3 <sup>rd</sup> Grade Teacher’s Aide..... Nakia Soliz
8 <sup>th</sup> Grade.....Alex Mendes	4 <sup>th</sup> Grade Teacher’s Aide.....Staci Fox
Music Director.....Scott Horton	5 <sup>th</sup> Grade Teacher’s Aide.....
Business Manager.....Dana Milanesio	6 <sup>th</sup> Grade Teacher’s Aide.....
Secretary.....Arlene Garcia	7 <sup>th</sup> Grade Teacher’s Aide.....
Food Service Director.....Sue Martins	8 <sup>th</sup> Grade Teacher’s Aide.....Chris Simoes

**BUENA VISTA PARENTS CLUB 2023-24 EXECUTIVE OFFICERS**

President – Shawna Hyles  
Secretary – Colleen Pereira  
Vice President -- Meilynn Tinker  
Treasurer – Amy Gordon

Buena Vista Parent Club meets regularly on the first Wednesday of every month. Check the monthly calendar for times.

**SCHOOL HOURS**

- 8:30 A.M. – 2:00 P.M. – Transitional Kindergarten and Kindergarten  
Students are to be picked up at 2:00 or may stay in the after-school program.
- 8:30 A.M. – 3:05 P.M. – 1<sup>st</sup> through 8<sup>th</sup> grades

Students may arrive no earlier than 7:30 a.m. and must report directly to the cafeteria. Buena Vista offers an after-school program. The students must be picked up by 5:15.

**ACTIVITIES CALENDAR**

Activity calendars are sent home at the beginning of every month. Look for these for special events and minimum days. Also, for more information you can check our website at [buenavistaeagles.org](http://buenavistaeagles.org) and/or follow us on Instagram at [bv\\_eagles](https://www.instagram.com/bv_eagles). Also, look for information about Parent Square.

**§ 49091.14 ■ Availability of Curriculum Prospectus**

The curriculum, including titles, descriptions, and instructional aims of every grade are available in the office for review upon request. It can be reproduced for a nominal charge.

**NO CHILD LEFT BEHIND ACT OF 2001 20 USC 1232h**

Any district receiving funds from the United States Department of Education must adopt a policy regarding the (1) administration of surveys and physical exams/screenings; (2) right of parents to inspect instructional materials; and (3) collection of personal information for marketing purposes. Additional notice shall be provided within a reasonable period of time after any substantive change to such policy.

## **BUENA VISTA'S MISSION STATEMENT**

**Buena Vista is devoted to developing a well-rounded student. We provide a supportive, educational environment in a small school setting. Our family community encourages confident, focused, and motivated learners.**

### **PHILOSOPHY – OBJECTIVES – GOALS**

#### **PHILOSOPHY**

It is the philosophy of the district that:

1. All students can learn and succeed.
2. Every student in the district, regardless of gender, special needs, or social, ethnic, language or economic background has a right to a high-quality education that challenges the student to achieve to his/her fullest potential.
3. The future of our nation and community depends on students possessing the skills to be lifelong learners and effective, contributing members of society.
4. A safe, nurturing environment is necessary for learning.
5. Parents/guardians have a right and an obligation to participate in their child's schooling.
6. The ability of children to learn is affected by social, health and economic conditions and other factors outside the classroom.
7. Early identification of student learning and behavioral difficulties contribute to student success.
8. Students and staff respond positively to high expectations and recognition for their accomplishments.
9. Continuous school improvement is necessary to meet the needs of students in a changing economy and society.
10. The diversity of the student population and staff enriches the learning experience for all students.
11. A highly skilled and dedicated staff has a direct and powerful influence on students' lives and learning.
12. A high level of communication, trust, respect and teamwork among Board members and the Superintendent contributes to effective decision making.
13. The community provides an essential resource to the educational program.
14. Effective communication with all stakeholders helps build support for the school.
15. Accountability for the district's programs and operations is shared by the entire educational community, with the ultimate accountability resting with the Board as the basic embodiment of representative government.



## OBJECTIVES

### **High Expectations for Student Achievement**

These are developed and expressed by parents, teachers, and school officials.

### **A Climate Allowing for Maximum Staff Productivity**

Teachers can be fully productive only when they have training, resources, support, appreciation, and an atmosphere of teamwork and mutual respect.

### **A Highly Positive School – Classroom Atmosphere**

Students and staff in exemplary schools have positive self-images. Both groups have excellent morale. The students view their school, not as a place, which they must attend, but as one they enjoy attending.

### **Maximum Parent Involvement**

Parents are seen as partners in the educational process who have ongoing responsibilities according to their time and abilities, Educators frequently communicate with parents, by mail, phone, and in person, this is to keep them informed of their children's progress and to find ways by which the parents can assist their children.

## GOALS

The Governing Board adopts the following goals of instruction as essential to the achievement of quality education:

1. The development of the concept of self-worth.
2. The mastery of basic skills in communication, numbers, social and other sciences, and vocational requirements.
3. A development of skills leading toward economic independence consistent with the individual's basic potential.
4. An understanding of the American heritage ideals.
5. An appreciation of those of other cultural backgrounds, races, or nationalities.
6. A positive attitude toward responsible citizenship.
7. An opportunity for creativity and exploration of vocational interests.
8. Recognition of the importance of physical and mental health.
9. An ability to participate constructively in a controversial and changing society.
10. An understanding of the relationship of man and his environment.
11. The development of moral and ethical values based on the rights and responsibilities of the individual and his/her fellow man.

## **TIPS ON HELPING YOUR CHILDREN AT HOME**

### **Taken from:**

**WHAT WORKS – RESEARCH ABOUT TEACHING AND LEARNING** United States Department of Education  
William J. Bennett, Secretary: 1986

### **Curriculum of the Home**

Research finding: parents are their children's first and most influential teacher. What parents do to help their children learn is an important resource to academic success.

### **Reading to Children**

Research finding: The best way for parents to help their children to become better readers is to read to them – even when they are very young. Children benefit most from reading aloud and when they discuss stories. Learn to identify letters and words and talk about the meaning of the word.

### **Independent Reading**

Research finding: Children improve their reading ability by reading a lot. Reading achievement is directly related to the amount of reading children do in school and outside.

### **Counting**

Research finding: A good way to teach children simple arithmetic is to build their informal knowledge. This is why learning to count everyday objects is an effective basis for early arithmetic lessons.

### **Early Writing**

Research finding: Children who are encouraged to draw and scribble “stories” at an early age will later learn to compose easily, more effectively and with greater confidence than children who do not have the encouragement.

### **Speaking and Listening**

Research finding: A good foundation in speaking and listening helps children become better readers.

### **Developing Talent**

Research finding: Many highly successful individuals have above-average, but not extraordinary intelligence. Accomplishment in a particular activity is often more dependent upon hard work and self-discipline than on innate ability.

### **Ideals**

Research finding: Belief in the value of hard work, the importance of personal responsibility and the importance of education itself, contributes to greater success.

## **RIGHTS AND RESPONSIBILITIES**

### **RIGHTS OF STUDENTS**

1. To attend school unless removed under due process as specified in the education code.
2. To attend school in a secure academic and social climate, free of fear and violence.
3. To enjoy the full benefits of their teachers' efforts undiluted by the disruptive student.
4. To have ready access to a designated teacher/advisor.
5. To be fully informed of school rules and regulations.

### **RESPONSIBILITIES OF STUDENTS**

1. To attend school and classes regularly and on time.
2. To be prepared for class with appropriate materials and work.
3. To know and obey school rules and regulations.
4. To respect the rights of school personnel, fellow students, and the public in general.
5. To demonstrate pride in the appearance of school buildings and grounds.

### **PARENT/GUARDIAN RIGHTS (AR 5020A)**

The rights of parents/guardians of district students include, but are not limited to, the following:

1. To observe, within a reasonable period of time after making the request, the classroom(s) in which their child is enrolled (Education Code 51101).

Parents/guardians may observe instructional and other school activities that involve their child in accordance with Board policy and administrative regulations adopted to ensure the safety of students and staff, prevent undue interference with instruction or harassment of school staff, and provide reasonable accommodation to parents/guardians. Upon written request by a parent/guardian, the Superintendent or designee shall arrange for parental observation of a class or activity in a reasonable time frame and in accordance with Board policy and administrative regulations. (Education Code 49091.10)

2. To meet, within a reasonable time of their request, with their child's teacher(s) and the Superintendent (Education Code 51101)
3. Under the supervision of district employees, to volunteer their time and resources for the improvement of school facilities and school programs, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher (Education Code 51101)
4. To be notified on a timely basis if their child is absent from school without permission (Education Code 51101)
5. To receive the results of their child's performance and the school's performance on standardized tests and statewide tests (Education Code 51101)

For parents/guardians of English learners, this right shall include the right to receive the results of their child's performance on the English language development test. (Education Code 51101.1)

6. To have a school environment for their child that is safe and supportive of learning (Education Code 51101)
7. To examine the curriculum materials of the class(es) in which their child is enrolled (Education Code 51101; 20 USC 1232h)  
Parents/guardians may inspect, in a reasonable time frame, all primary supplemental instructional materials and assessments stored by the classroom teacher, including textbooks, teacher's manuals, films, tapes and software. (Education Code 49091.10) The school shall make available to parents/guardians and others, upon request, a copy of the prospectus for each course, including the titles, descriptions and instructional aims of the course. (Education Code 49091.14) The school may charge an amount not to exceed the cost of duplication. (Education Code 49091.14)
8. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child (Education Code 51101)
9. For parents/guardians of English learners, to support their child's advancement toward literacy (Education Code 51101.1) The Superintendent or designee may make available, to the extent possible, surplus or undistributed instructional materials to parents/guardians pursuant to Education Code 60510. (Education Code 51101.1)
10. For parents/guardians of English learners, to be informed, through the school accountability report card, about statewide and local academic standards, testing programs, accountability measures and school improvement efforts (Education Code 51101.1)
11. To have access to the school records of their child (Education Code 51101)

12. To receive information concerning the academic performance standards, proficiencies or skills their child is expected to accomplish (Education Code 51101)
13. To be informed in advance about school rules, including disciplinary rules and procedures in accordance with Education Code 48980, attendance policies, dress codes and procedures for visiting the school (Education Code 51101)
14. To be notified, as early in the school year as practicable pursuant to Education Code 48070.5, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal such a decision (Education Code 51101)
15. To receive information about any psychological testing the school does involving their child and to deny permission to give the test (Education Code 51101)
16. To refuse to submit or to participate in any assessment, analysis, evaluation or monitoring of the quality or character of the student's home life, any form of parental screening or testing, any nonacademic home-based counseling program, parent training, or any prescribed family education service plan and to inspect any survey collecting personal information (Education Code 49091.18; 20 USC 1232h)
17. To participate as a member of a parent advisory committee, school site council in accordance with any rules and regulations governing membership in these organizations (Education Code 51101)

For parents/guardians of English learners, this right shall include the right to participate in school advisory bodies in accordance with federal and state law and regulations. (Education Code 51101.1)

18. To question anything in their child's record that the parent/guardian feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school (Education Code 51101)
19. To provide informed, written parental consent before their child is tested for a behavioral, mental or emotional evaluation. A general consent, including medical consent used to approve admission to or involvement in a special education or remedial program or regular school activity, shall not constitute written consent for these purposes. (Education Code 49091.12)

### **PARENT RESPONSIBILITIES**

Parents/guardians may support the learning environment of their child by: (Education Code 51101)

1. Monitoring attendance of their child
2. Ensuring that homework is completed and turned in on time
3. Encouraging their child to participate in extracurricular and co-curricular activities
4. Monitoring and regulating the television viewed by their child
5. Working with their child at home in learning activities that extend the classroom learning
6. Volunteering in their child's classroom(s) or for other school activities
7. Participating in decisions related to the education of their own child or the total school program as appropriate

### **RIGHTS OF A TEACHER**

1. To expect, and receive the attention, effort, and participation of the student attending their classes.
2. To have parental and administrative backing when enforcing rules designed to prove an optimum learning climate.
3. To teach with interruptions held to an absolute minimum regardless of the cause or source.
4. To enjoy the same level of respect and courteous treatment accorded members of the class individually and collectively.

### **RESPONSIBILITIES OF A TEACHER**

1. To consider the personal worth of each individual student, as a single, unique, important human being.
2. To attempt to equip each learner with the knowledge, skills, attitudes, and values required for successful living.
3. To hold students accountable for their actions at all times.
4. To assess divergent ideas, opinions, and expressions objectively and deal with them in a balanced, unbiased manner.
5. To keep parents and students informed with timely or periodic reports, including all pertinent data related to the student's school experience.
6. To consistently critique their own performance with the objective of an ever growing professional stature.
7. To initiate and enforce individual classroom rules consistent with school and district policies.

### **RIGHTS OF ADMINISTRATORS**

1. To initiate such control measures as needed to establish and maintain an environment in which optimum learning and teaching conditions prevail.
2. To make decisions on all issues confronting schools, primarily on the basis of what is best for the students
3. To hold students accountable for their conduct and to take prompt and appropriate action toward those guilty of violations.
4. To expect that all school employees recognize and fulfill their role in terms of controlling behavior of students.

### **RESPONSIBILITIES OF ADMINISTRATORS**

1. To provide leadership that will establish, encourage, and promote good teaching and effective learning.
2. To establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship among the students.
3. To request assistance from the district's support services and community agencies and resources in all cases indicating such action.
4. To make a determined effort to stay attuned to expressions of student/staff/parent/community concerns and to react with sensitivity toward them.

## **BUENA VISTA SCHOOL RULES**

**TO BE READ, UNDERSTOOD, AND FOLLOWED BY EVERY BUENA VISTA STUDENT:**

- 1. While on the school grounds**
- 2. While going to or coming from school**
- 3. During or while going to or coming from a school-sponsored activity**

Parents please read the following rules:

**BUENA VISTA STUDENTS ARE TO RESPECT THE AUTHORITY OF ALL SCHOOL PERSONNEL AND REFRAIN FROM THE USE OF PROFANITY OR VULGARITY. STUDENTS ARE EXPECTED TO SHOW RESPECT FOR EACH OTHER AND DISPLAY COURTEOUS BEHAVIOR TO ALL ADULTS. STUDENTS WHO VIOLATE THESE RULES WILL BE SUBJECT TO DISCIPLINARY ACTIONS.**

### **GENERAL SCHOOL RULES**

1. No student is to loiter around the front of the school. (By the office or cafeteria)
2. Only students with official business are to be in the office. No student is to enter the office unless a teacher or a teacher's aide has sent him or her. Use of the telephone by students is for emergency only. A pass slip to use the phone **MUST** be signed by the teacher.
3. No student is to enter the teachers' workroom or supply cabinet in the cafeteria.
4. Only students working in the kitchen should be there.
5. No student is to be in the classroom unless under adult supervision.
6. No running is allowed on sidewalks at any time.
7. **NO FIGHTING.**
8. No chewing gum on the bus or on the school grounds.
9. No food on the playground, except game days and special days.
10. No sunflower seeds or toothpicks on the bus or campus.
11. All playing stops following the recess bell, lunch bell, and morning break bell.
12. When students are sent to the Principal for one of the following three infractions:
  - a. Showing disrespect to school personnel or other adult,
  - b. Fighting or using profanity,
  - c. Destroying propertyA referral form, from a teacher, will accompany each student and the principal will use her discretion in dealing with infractions.
13. No cell phones are allowed to be on in the classroom or on the bus, or carried on the playground or bathrooms without permission from the superintendent.
14. No article of clothing or accessory (including backpacks, binders, folders, etc.) will be allowed that includes words or pictures that are not appropriate for the school environment (Examples include obscenities, symbols representing alcohol, drugs or tobacco, gang activity or behavior, weapons, sexually explicit words or pictures, tagging or violence.

### **CLASSROOM RULES**

1. Never run in the classroom.
2. Never throw anything in the classroom.
3. No writing or passing notes. (Depending on the nature of the note, this could result in a referral to the Principal.)
4. No sharpening of pencils during teacher's instructions.
5. Children are expected to raise their hands when wanting to be recognized by the teacher.
6. Children are encouraged to bring their own supplies to school.
7. Each student is expected to work at his/her capacity for the privilege of inter-school sports, Student Council, special assemblies, field trips, and other extra school activities.
8. All students are expected to line up orderly when waiting to enter the classroom.
9. It is recommended that all students have a school binder or folder to keep work organized. It is the student's responsibility to keep their binders organized as directed by the teacher.

## **PLAYGROUND RULES**

1. Primary children are not to be on the south side of the yard at any time without the teacher's permission.
2. NO student in grades 4-8 shall play on the primary grounds when primary children are outside unless directly supervised by an adult.
3. NO ONE IS TO PARTICIPATE IN HORSEPLAY OR LOITER BY THE RESTROOMS AT ANY TIME.

## **STUDENT BUS CONDUCT**

### **§ 39831.5 ■ School Bus Safety Rules**

*Upon registration, the parents or guardians of all pupils not previously transported in a school bus or school pupil activity bus and who are in prekindergarten, kindergarten, and grades 1 to 6, inclusive, shall be provided with written information on school bus safety. The information shall include, but not be limited to, all of the following: (A) A list of school bus stops near each pupil's home. (B) General rules of conduct at school bus loading zones. (C) Red light crossing instructions. (D) School bus danger zone. (E) Walking to and from school bus stops.*

The Trustees of Buena Vista School furnish bus transportation for the school children of the district as a PRIVILEGE, NOT A RIGHT. In order that your children may use the bus safely, certain rules have to be established. READ THESE RULES CAREFULLY FOR THEY ARE FOR THE BENEFIT OF ALL.

1. Pupils' transportation in a school bus shall be – under the authority of – and directly responsible to – the driver of the bus. The driver may assign a student to a specific seat.
2. Continued disorderly conduct or persistent refusal to submit to the authority of the bus driver shall be sufficient reason for pupil to be denied transportation on a school bus and may result in school suspension.
3. Parent or guardian will be notified when a child is denied the privilege of riding the bus. A conference with the Principal will be necessary before the child is allowed to use the bus again.
4. The final decision as to the length of time a child is denied the use of the bus shall be left to the discretion of the Principal. In the event of permanent denial of the bus privileges, the Board of Trustees will review the decision.
5. Students shall not engage in loud talking, singing, or excessive noise while on the school bus.
6. All pupils shall remain seated while the bus is in motion. A school bus shall not be put in motion until all pupils are seated.
7. When students enter the bus, they shall go directly to their seat. Students shall leave the bus in a quick and orderly manner.
8. Nothing should be thrown within the bus or out of the windows.
9. No bus driver shall require any pupil to leave the bus before such pupil has reached his/her destination.
10. Students must face the front of the bus at all times.
11. No portion of the student's body is allowed outside the bus.
12. No pupil shall engage in unnecessary conversation with the driver while the bus is in motion.
13. No smoking on the bus.
14. No preschoolers shall be transported in the bus.
15. No animals shall be transported in the bus.
16. No person shall be allowed to occupy such a position in a school bus that will interfere with the vision of the driver to the front, to either side of him, through the mirrors toward the rear, or will, in any way, interfere with the operation of the bus.
17. There is to be no gum chewing or eating of candy, fruit, nuts, cookies, cake, drinks, etc. on the bus.
18. If a student is to be dropped off at a point other than their normal destination, a note stating the place and reason must be signed by a parent or guardian and approved by the Principal or the child's teacher.
19. No gang or obscene gestures or signs shall be displayed or "flashed while riding the bus or upon entering or exiting the bus.

## **CAFETERIA RULES**

1. No throwing food.
2. No running in the cafeteria.
3. No loud, continuous talking.
4. Only leave the table for a second serving or when unexcused.
5. No second servings allowed unless first serving is finished.
6. No students are to be in the cafeteria at recess time.

7. All second milks (.32) must be paid for in the office.
8. Food served is expected to be eaten by the students.
9. Milk will be served with all breakfasts and lunches. Students are expected to drink milk with their lunch. (No sodas)
10. DUMP AND STACK TRAYS WHEN LEAVING THE CAFETERIA.

**AFTERSCHOOL PROGRAM RULES – (HEART Program Rules and schedule may vary)**

All general school rules and consequences apply to the after-school program. Students with severe or multiple infractions may have their after-school program privileges revoked.

- First hour is quiet time—time to do homework, read, etc. Student should be prepared to do quiet work, if he or she does not have any, work will be provided.
- Stay in your seat until dismissed.
- No running, jumping, or throwing of objects while inside the cafeteria.
- Keep voices to an inside appropriate level.
- Clean up any material before leaving.

**SCHOOL DRESS CODE**

Our major purpose and concern is that each student be able to learn to the maximum of his/her potential without being distracted by inappropriate dress and to ensure that our students will be dressed in such a way as to maximize their own school experience.

Decency and safety are the guidelines by which the Administration makes decisions regarding clothing worn by students. Dress and appearance standards are in effect at all times while at school or any school function.

A student may not remain in the classroom dressed in a manner which (1) creates a safety hazard for said student or for other students, (2) constitutes a serious or unnecessary distraction to the learning process, (3) tends to disrupt the campus order, or (4) is in conflict with the district’s policies regarding drug prevention of substance abuse and gang activity.

All students are expected to be neat and CLEAN daily. The administration will make final decisions regarding clothing worn by students.

**Specific Requirements:**

**Clothing:**

- All clothing, including pants and shirts, shall be of a size that is reasonably within the proper size of the student. All pants will be worn at the waistline and will be of a size that will stay up at the waist if unbelted. “Sagging” of pants or shorts is not allowed.
- Shorts may be worn, but NO swim trunks, short-shorts, P.E. shorts, cutoffs, excessively short shorts (4” inseam minimum and must cover all undergarments and posterior area), bike shorts (Lycra or so tight to be revealing) or excessively short skirts will be allowed. All shorts should be of a proper size to hang properly on the leg – not so tight to become revealing.
- No oversized tops, halter tops, tube tops, tops with spaghetti straps, backless dresses, excessively short dresses or skirts, fish net or see through clothing will be allowed. Shirts must cover pant or skirt waistbands. No tank tops or muscle shirts with excessively large arm holes are to be worn to school.
- Students are prohibited from wearing “gang related apparel” (decisions will be made by administration).
- No clothing that contains words that are suggestive or has suggestive double meanings of lewdness, obscenity or vulgarity.
- No clothing promoting drugs, beer or any alcoholic drinks.
- No article of clothing which includes: obscenities, advocates membership in a gang, racial, ethnic or religious prejudice, drug use, violence, intimidation or disruptive behavior will be allowed.
- No article of clothing or accessory (including backpacks, binders, folders, etc.) will be allowed that includes words or pictures that are not appropriate for the school environment (Examples include obscenities, symbols representing alcohol, drugs or tobacco, gang activity or behavior, weapons, sexually explicit words or pictures, tagging or violence).
- Pajamas are not allowed except on special dress-up days.

**Accessories:**



- Hats can be worn only outside. (Caps must be worn appropriately, bills to the front, not to the side or back) Hoods may only be worn outside and only during cold weather.
- All shoes worn to school must, for safety reasons, be connected at the heel. NO backless shoes. (Shoes must be worn at all times at school unless special circumstances exist). Crocs must be worn with the strap across the back.
- No flip-flop shoes, cleats, excessively high heels, Heelys/sport skates shoes or slippers
- No excessive use of make-up
- No jewelry or accessories that are disruptive or that might cause a health or safety hazard. No excessively large hoop earrings, nose rings, facial, tongue or body studs or gauges
- No chains (including wallets or watches hanging from chains), hanging belts, hanging suspenders or straps hanging off the shoulder
- No Glasses, other than prescription.
- Except for prescription reasons, sunglasses will not be allowed
- All boys and girls will be expected to have well-groomed hair.
- No disruptive hairstyles or colors (colors should be of a natural hair color) allowed for either boys or girls.
- No “grills” or foreign objects that are loose in the mouth will be allowed.
- Acrylic or press on nails may be no longer than 1/8<sup>th</sup> of an inch past the top of the finger.

A student, who comes to school inappropriately dressed, will be either sent home to prepare properly for school or provided clothing before re-entering his or her class.

## DISCIPLINE

### **§ 35291 ■ Rules; School Discipline**

*The governing board of any school district shall prescribe rules not inconsistent with law or with the rules prescribed by the State Board of Education, for the government and discipline of the schools under its jurisdiction. The governing board of each school district which maintains any of grades 1 through 12, inclusive, may... notify the parents or guardians of all pupils registered in schools of the district of the availability of rules of the district pertaining to school discipline.*

§ 48900.1, 48914 ■ Suspension for Unruly or Disruptive Conduct. Parents may be required to attend their child's class if he or she is suspended for unruly or disruptive conduct.

## ADDITIONAL CAUSES FOR DISCIPLINARY ACTION

### **ABUSE OF SCHOOL PERSONNEL**

Every parent, guardian or other person who upbraids, insults or abuses any teacher of the public schools on school premises or public sidewalks, streets or other public ways adjacent to school premises, or at some other place if the teacher is required to be at such other place in connection with assigned school duties, in the presence or hearing of a pupil or other school personnel, is guilty of a misdemeanor. (E. C. 44811, 44812)

### **BOMB THREATS**

False reports that a bomb or other explosive has been placed in school buildings or on school grounds will be referred to law enforcement agencies. Students involved are also subject to disciplinary action. (L.C. 3367; F. C. 148.1)

### **FIRES, EXPLOSIVES OR THREAT THEREOF**

Students involved in setting fires or explosives, which threaten or cause damage to human life or property on campus or at school-sponsored events, are subject to disciplinary action. (H. & S.C. 12304 – 12306; P.C.448a, 449a)

### **THREATS OF BODILY HARM TO STAFF OR STUDENTS**

A pupil may be suspended from school or recommended for expulsion if the superintendent/principal determines that the pupil has made terroristic threats against school officials/students or school property, or both. E.C.48900.7

For the purposes of this section, “terroristic threat” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in

excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family. E.C.48900.7

### **FORGING**

Students forging notes, signatures, or school documents are subject to disciplinary action. (C.A.C. 306; E.C. 48907)

### **GROOMING AND DRESS POLICIES**

All students are to maintain personal standards of dress and grooming appropriate to class and school activities. Footwear must be worn at all times for reasons of health and safety. A student who comes to school inappropriately dressed will be sent home to prepare properly for school before re-entering.

### **VANDALISM**

Disciplinary action will be taken against students whose acts endanger life of students, employees, or visitors or result in damage to school buildings, school property or possessions of students, staff members or visitors; parent or guardian is responsible for payment for damages. (C.A.C. 305; C.C. 171.1; E.C. 19910, 44806, 44810, 48907, 48909; C.C. 6201, 53069.6; P.C. 448a, 449a, 594, 594.5, 602)

### **TARDINESS/TRUANCY**

The law requires attendance of students between six and eighteen years of age. Any student subject to compulsory education, who is absent from school without valid excuse more than three days, or tardy or absent in excess of 30 minutes on each of more than three days in one school year, is a truant and shall be reported to the attendance supervisor. (C.A.C. 353; E.C. 48260 – 48262)

### **CONSEQUENCES FOR STUDENT DISCIPLINARY INFRACTIONS**

#### **Consequences for student disruption:**

1. Conference with student
2. Parent phoned
3. Special duty assignment
  - a. Standing or sitting in a restricted area
  - b. Loss of a school privilege (i.e., Student Council, special assembly, or Friday ball games)
  - c. Assignment of a community service project (i.e. trash pick up)

#### **Consequences for severe disruptions:**

The principal will deal with severe disruptions in one of the following ways:

1. Immediate Parent/Teacher conference
2. In-school suspension
3. Out-of-school suspension

#### **Criteria for a severe disruption:**

1. A child willfully attempts to inflict or inflicts physical harm on another individual
2. A child is flagrantly disrespectful in refusing to do what he or she is asked
3. A child who willfully destroys property

**Note: The Principal reserves the right to suspend a student as specified in ED. Code, section 48900**

### **SUSPENSION**

Suspension is the temporary removal of a pupil from regular classroom instruction or from school as initiated by a teacher or administrator for adjustment purposes. According to E.C. 48900,

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

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.  
(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.  
(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
    - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
    - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
    - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - (2) (A) "Electronic act" means the creation 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 Web site, including, but not limited to:
      - (I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
      - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(iii) An act of cyber sexual bullying.

(I) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(II) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities. (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs. (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to or coming from, a school-sponsored activity.

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

(u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

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

#### **ADMINISTRATIVE SUSPENSION PROCEDURE REQUIRES:**

1. an informal conference with the student.
2. a reasonable effort shall be made to contact the pupil's parent or guardian in person or by telephone at the time of suspension; a written notice shall follow.
3. that parents or guardians respond to the school's request for a conference without delay, as per state law.
4. that parents be informed that suspensions may be reviewed by the principal or her designee.
5. that suspended students may remain under parent supervision and are not to be on any school campus or attend school activities for the duration of the suspension.

#### **SUSPENSION BY TEACHER**

A teacher may suspend any pupil from his or her class, for any of the acts enumerated in Section 48900, for the day of the suspension and the day following. (E.C. 48910)

A teacher may also refer a pupil, for any of the acts enumerated in Section 48900, to the Principal or designee for consideration of a suspension from the school.

#### **EXPULSION**

Expulsion is the removal of a pupil from enrollment in a school or the district as ordered by the Board of Trustees. Pupils can be expelled only for those reasons for which they can also be suspended. State law requires that the school principal recommend expulsion (except under unusual circumstances) for the following:

1. causing serious physical injury to another person, except in self-defense.
2. if a student possesses, sells, or otherwise furnishes a firearm at school or at a school event, that student shall be expelled for one calendar year from the date the expulsion occurred and upon ordering the expulsion, the Governing Board may set an earlier date on a case-by-case basis. Ref. 1997-98 Federal Gun-Free Schools Act Report.
3. if a student possesses, sells, or otherwise furnishes a firearm at school or at a school event, the principal or designee must notify the appropriate local law enforcement authorities. Ref. 1997-98 Federal Gun-Free Schools Act Report.
4. unlawful sale of any controlled substance, as defined in Section 11007 of the Health and Safety Code. 5. robbery or extortion

**LIABILITY LIMIT OF PARENT OR GUARDIAN FOR WILLFUL PUPIL MISCONDUCT**

*Education Code* Section 48904(a)(1) provides that the parent or guardian of a minor is liable for all damages caused by the willful misconduct of the minor that results in the injury or death of any pupil, school district or private school employee, or school volunteer. The parent or guardian is also liable for damages to real or personal property belonging to the school district or private school, or personal property belonging to a school employee, resulting from the willful misconduct of the minor. The liability of the parent or guardian is limited to \$10,000, adjusted annually for inflation.

Section 48904 also specifies that the parent or guardian of a minor is liable for any reward, not exceeding \$10,000 adjusted annually for inflation, paid pursuant to *Government Code* Section 53069.5. *Government Code* Section 53069.5 allows local agencies to offer and pay a reward for information leading to the identification and apprehension of any person who willfully damages or destroys property, or whose willful misconduct results in injury or death to any person.

Calendar Year	Bid Threshold	Percentage Change in Implicit Price Deflator
2021	\$21,200	1.57%
2022	\$21,700	2.48%
2023	\$23,900	10.32%

**ATTENDANCE**

**Attendance Verification**

Strict attendance records are to be kept. Law requires this. WHEN A STUDENT IS ABSENT, HE OR SHE MUST PROVIDE THE SCHOOL WITH AN EXPLANATION OF ABSENCE BY NOTE PARENT SQUARE MESSAGE, NOTE OR PHONE CALL. VERIFICATION ID IS REQUIRED BY THE STATE EDUCATION CODE. REMEMBER, getting your child to school, unless they are ill, is a LEGAL RESPONSIBILITY OF THE PARENT. Habitual absences will have to be turned over to the Tulare Area Rural Schools Student Attendance Review Board for deliberations. TARDIES AND LEAVING EARLY ALSO NEED VERIFICATION – EXCESSIVE TARDIES MAY ALSO CONTRIBUTE TO TRUANCY AND MAY RESULT IN NON-PARTICIPATION IN SCHOOL ACTIVITIES.

**Chronic Absentee**

A “chronic absentee” has been defined in California Education Code as a pupil who is absent on 10 percent or more of the school days in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays. E.C. section 60901 (c) (1).

A “chronic absentee” can be referred to the SARB (School Attendance and Review Board) .

### **PERFECT ATTENDANCE ELIGIBILITY**

In order for a student to be eligible for perfect attendance awards, he/she must have been enrolled at Buena Vista School from the first day of school or in the case of a transfer student, have their attendance verified from the previous school. A student must be present at school for a minimum of three hours for that day to be counted. Any out-of-school suspensions will disqualify a student for perfect attendance. Also, students with excessive unexcused tardies (more than five in a month) will be disqualified from perfect attendance.

### **TRUANCY** **Education Code 48260**

School districts are required to classify as “truant” any pupil who is absent from school without a valid excuse for three full days in one school year or tardy or absent from school for more than a 30-minute period during the school day without a valid excuse on three occasions, or any such combination. The district is also required to report any students classified as truant to the Superintendent.

### **FOGGY DAY PLANS AND SCHEDULE**

**PLAN A** – On foggy days, the Principal will determine between 6:45 and 7:00 a.m. if the bus is to be delayed. This will be announced on Channel 18 (channel 8 for Tulare Comcast customers) at approximately 7:00 A.M. Under Plan A, the bus will leave school at 9:05 A.M., and classes will begin at 10:30 A.M.

**PLAN B** – Morning bus is cancelled, please bring children to school when you feel it is safe to drive. Classes will start at 10:30 a.m. Afternoon bus will run as regularly scheduled.

**PLAN C** – Cancellation of school for that day.

**IF HEAVY FOG PERSISTS THROUGHOUT THE DISTRICT THE PRINCIPAL, WILL CALL CHANNEL 18 BY 9:00 A.M. AND UPDATE THE FOG NOTIFICATION TO PLAN B. IF HEAVY FOG CONTINUES TO PERSIST, A FINAL CALL WILL BE MADE AT 9:50 TO CHANGE TO PLAN C AND SCHOOL WILL BE CANCELLED.**

### **CLASS SCHEDULE FOR FOGGY DAY**

10:30 - 12:00	Classes	90 minutes
12:00 - 12:30	Lunch	
12:30 - 3:10	Classes	160 minutes
3:10	K – 8 students dismissed	250 minutes total

**NOTE:** On foggy days, the teacher’s day begins at 10:00 a.m., and instructional aides begin at 10:30 a.m. One adult from each class (either teacher or aide) will be on duty during breaks.

**Remember...** during foggy days, students are not to be dropped off at school prior to 10:00 A.M. Insurance carriers and the law require supervision of students, and such supervision is not available prior to 10:00 A.M.

**FURTHER NOTE:** When we are on a foggy day schedule, games and other special events may take place at the discretion of the Principal.

## MEDICAL INFORMATION

### FOOD ALLERGIES

#### § 49414.2 ■ Student Food Allergies

For information about protecting students with food allergies, the California Department of Education has created a California Food Allergy Resource internet webpage, which can be found here: <https://www.cde.ca.gov/ls/nu/sn/mgmb.asp>

### IMMUNIZATION FOR COMMUNICABLE DISEASE

H. & S. Code§ 120335, Education Code 48216(b)(c)

#### § 49403 ■ Cooperation in Control of Communicable Disease & Immunization of Pupils

The governing board of any school district may permit a licensed physician and surgeon, or a health care practitioner (including a physician assistant, nurse practitioner, registered nurse, licensed vocation nurse or nursing student who is acting under the supervision of a registered nurse as provided by law) who is acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to a pupil whose parent or guardian has consented in writing prior to administration of the immunizing agent.

Every child entering school must be fully immunized against Diphtheria, Hepatitis B, Haemophilus flu type B, Measles, Mumps, Pertussis, Poliomyelitis, Rubella, Tetanus and Varicella (chicken pox). A written immunization record of each required vaccine, including date and provider must be presented at school entry.

The parent or guardian of the pupil will have two weeks to supply evidence either that the pupil has been properly immunized, or that the pupil is exempted from the immunization requirement pursuant to section 120365 or 120370 of the Health and Safety Code. Parents/guardians should seek assistance from the pupil's usual source of medical care to obtain the immunization, or if no usual source exists, you may contact the Tulare County Health Department for assistance.

**NO STUDENT WILL BE ADMITTED TO SCHOOL (or will have two (2) weeks to bring immunizations up to date) WITHOUT COMPLETE VERIFICATION OF IMMUNIZATION RECORDS**

For complete immunization information see notice posted in office.

- **Polio** – 3 doses – 4 doses, if last dose was given before the 2<sup>nd</sup> birthday
- **DPT** – 4 doses – 5 doses, if last dose was after 4<sup>th</sup> birthday
- **MMR** – 2 doses - both must be on or after 1<sup>st</sup> birthday
- **TB** skin test – before entering kindergarten
- **Hepatitis B** - 3 dose series
- **Varicella (chicken pox)** – 1 dose or physician-documented varicella history
- **Tdap (booster)** -- before entering 7<sup>th</sup> grade.

### IMMUNIZATION INFORMATION SHARING

#### § 49075, 49076 ■ Immunization Information Sharing

Immunization information may not be shared if the parent/guardian refuses to allow the sharing of immunization information pursuant to Health and Safety Code section 120440(e). Parents must affirmatively consent to schools sharing immunization information, except if there is an emergency and the immunization information is needed to protect the health or safety of a student or other persons. With parental consent, the following information about your child will be shared with the local health department and the State Department of Public Health's California Immunization Registry (CAIR):

- Student and parents' names, address, and telephone number
- Student's date of birth, place of birth, gender, race, and ethnicity
- Types and dates of immunizations received
- Manufacturer and lot number for each immunization received

- Adverse reactions to immunizations received
- Other nonmedical information necessary to establish the student's unique identity and record
- Tuberculosis screening results
- Information needed to comply with state immunization requirements for school attendance

The shared information will be treated as confidential medical information and will only be shared upon request with health care providers, schools, childcare facilities, county human services agencies, health care plans, and other designated agencies. More information about the CAIR and parent rights can be found on the State Department of Public Health's CAIR website.

### **MEDICATION IN SCHOOL**

Any medication to be taken by students at school must have a Permission Form for Prescribed Medication signed by the student's doctor and be given to school office personnel. Medication must be dispensed by a designated person at the school (staff member). These forms may be obtained in the school office. **NO ASPIRIN OR TYLENOL (OR OTHER OVER-THE-COUNTER MEDICATION) MAY BE GIVEN TO THE STUDENTS WITHOUT PROPER AUTHORIZATION!**

#### **Administration of Prescribed Medication for Pupil E.C. 49423, 49480**

The parent/guardian of a public school student on continuing medication for a non-episodic condition shall inform the School nurse or designated certificated school employee (principal) of the medication being taken the current dosage and the name of the supervising physician. With the consent of the parent/guardian of the student, the health care practitioner may communicate with the physician and may counsel with school personnel regarding the possible effects of the drug. Submitted annually)

#### **§ 49423 ■ Administration of Prescribed Medication for Pupil**

(a) *Notwithstanding Section 49422, any pupil who is required to take, during the regular school day, medication prescribed for him or her by a physician and surgeon or ordered for him or her by a physician assistant practicing in compliance with Chapter 7.7 (commencing with Section 3500) of Division 2 of the Business and Professions Code, may be assisted by the school nurse or other designated school personnel or may carry and self-administer prescription auto-injectable epinephrine if the school district receives the appropriate written statements identified in subdivision (b).*

(b) (1) *In order for a pupil to be assisted by a school nurse or other designated school personnel pursuant to subdivision (a), the school district shall obtain both a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent, foster parent, or guardian of the pupil indicating the desire that the school district assist the pupil in the matters set forth in the statement of the physician and surgeon or physician assistant.*

(2) *In order for a pupil to carry and self-administer prescription auto-injectable epinephrine pursuant to subdivision (a), the school district shall obtain both a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the pupil is able to self-administer auto-injectable epinephrine, and a written statement from the parent, foster parent, or guardian of the pupil consenting to the self-administration, providing a release for the school nurse or other designated school personnel to consult with the health care provider of the pupil regarding any questions that may arise with regard to the medication, and releasing the school district and school personnel from civil liability if the self-administering pupil suffers an adverse reaction as a result of self-administering medication pursuant to this paragraph.*

(3) *The written statements specified in this subdivision shall be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.*

(c) *A pupil may be subject to disciplinary action pursuant to Section 48900 if that pupil uses auto-injectable epinephrine in a manner other than as prescribed.*

#### **§ 49423.1 ■ Inhaled Asthma Medication**

Parents/foster parents/guardians may provide a written statement to the school district requesting assistance with the administration of inhaled asthma medication from the school nurse or other designated school personnel, or allowing their children to carry and self-administer inhaled asthma medication. In order for a student to be assisted with the administration of inhaled asthma medication, the following is required: (1) a written statement from the physician or surgeon detailing the medication name, method, amount, and time schedules by which the medication is to be taken and (2) a written statement from the parent, foster parent or guardian requesting that the school district assist the student in the administration of medication set forth in the physician or surgeon's written statement.

In order for a student to be able to carry and self-administer prescription inhaled asthma medication, the following is required: (1) a physician or surgeon's written statement confirming that the child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedules for administration; and (2) the parent, foster parent or guardian's



written consent to the self-administration, a release for the school nurse or other designated school personnel allowing them to consult with the student's physician and an agreement to release the district and school personnel from civil liability in the event of an adverse reaction to the medication.

These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. Students may be subject to disciplinary action pursuant to Ed. Code section 48900 for using inhaled asthma medication in a non-prescribed manner.

#### **§ 49414.7 ■ Anti-Seizure Medication**

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

#### **§ 49480 ■ Continuing Medication**

The parent or legal guardian of any public school pupil on continuing medication for a non-episodic condition shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with school personnel regarding the possible effects of the drug. The superintendent of the school district shall be responsible for informing parents of the requirements of this section.

#### **§ 49451 ■ Parent's Refusal to Consent (Physical Exam)**

A parent or guardian having control or charge of any child enrolled in the public schools may file annually with the principal of the school in which he is enrolled a statement in writing, signed by the parent or guardian, stating that he will not consent to a physical examination of his child. Thereupon, the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

#### **§ 222(f) ■ Lactation Accommodations for Parenting Students**

School districts and county offices of education must provide reasonable accommodations to lactating students on school campuses to express breast milk, breastfeed an infant child or address other needs related to breastfeeding. A student may not incur an academic penalty as a result of her use of reasonable lactation accommodations and must be provided an opportunity to make up any work missed due to such use. A complaint of noncompliance with this provision may be filed under the educational agency's Uniform Complaint Procedures. Complainants not satisfied with the educational agency's decision may appeal to the CDE and receive a written decision within 60 days.

### **PHYSICALS AND ORAL (DENTAL) EXAMS**

**Physicals** – All students are required to have a physical upon entering 1<sup>st</sup> grade.

**Oral Health (Dental) Exams** – All students must have an oral health exam by May 31<sup>st</sup> of their kindergarten year.

#### **Parent's Refusal to Consent §49451**

A parent or guardian having control or charge of any child enrolled in the public schools may file annually with the principal of the school in which he/she is enrolled a statement in writing, signed by the parent or guardian, stating that he/she will not consent to a physical examination of his child. Thereupon, the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he/she shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist.

### **STUDENT RELATED INJURIES**

Buena Vista does not carry accident, medical or dental insurance for children injured on the school premises and during school related activities. Insurance is available through a private company for a nominal fee that must be paid by the parents or guardians. Contact the office for further information.

## GENERAL INFORMATION

### AGE REQUIREMENTS

The Board of Trustees encourages any student reaching the age of 15 years before September 1<sup>st</sup> of the current school year, to be placed into a high school program as soon as possible. It is further articulated, that if a student is 15 years old before September, of the current school year, and because of special circumstances, is to remain at the elementary school, then participation in inter-school athletics and student government will be prohibited. It is the intent of the Board to have all “OLDER STUDENTS” placed in appropriate programs in the High School system.

### ARRIVAL AT SCHOOL

Upon arriving at school before all students must go to the cafeteria until they are excused to the playground. Students may not arrive earlier than 7:30 a.m. on a regular school day and 10:00 a.m. on a foggy day schedule (Plan A or B).

### BICYCLES AT BUENA VISTA/HELMET LAW

Any student planning on riding a bike to school must have a note from a parent or guardian authorizing permission to ride to school (4<sup>th</sup> through 8<sup>th</sup> graders only). Also, any student walking to school must have a note giving permission from a parent or guardian on file in the school office. Because of our rural location, both of these activities are discouraged.

#### Bicycles at Buena Vista

Because of our commitment to the safety of students, our local governing board of education has adopted the following helmet use policy:

**Policy:** “To comply with the California Bicycle Helmet Law and reduce the number of bicycle-related head injuries, all students are required to wear a bicycle helmet while riding to and from school.” California law (Vehicle Code Sections 21204/21212) now requires children under the age of 18 to wear an approved bicycle helmet when riding. Each year, nearly 18,000 California children ages 5 – 14 are seen in hospital emergency rooms for head injuries from bicycle mishaps. Most bicycle deaths are the result of head injuries. Wearing a properly fitted, approved bicycle helmet can reduce head injuries by as much as 85 percent.

We encourage you to work with your school to promote student safety whenever possible. If you have any question about the new bicycle helmet use policy, please contact your school principal.

### BUS SCHEDULES

A bus schedule will be set by the second week of school. Please allow a 15-minute variance in the regular arrival times. The bus driver’s schedule depends on how many children are riding the bus.

#### FIELD TRIPS –

Only classroom students involved with a Field Trip Project may go on the trip. The only exceptions are those parents, which are chosen by the classroom teacher to help chaperone students. Parents will not be allowed to bring other children who are not part of the Field Trip Project. Students with excessive tardies, leaving early, or 5 or more missing assignments without permission from the superintendent.

### SCICON

5<sup>th</sup> and 6<sup>th</sup> graders will attend Scicon School.

5<sup>th</sup> grade students will attend a **one**-day study trip.

6<sup>th</sup> grade students will attend a **four or five** day study trip.

This school is located above Springville on the Clemmie Gill property. The students’ curriculum, centers on science and conservation. The teachers of these grades, together with their classes, will help raise funds for the trip.

## **GRADES AND REQUIREMENTS FOR EXTRACURRICULAR ACTIVITIES/GRADUATION CEREMONIES**

1. Each student is expected to work at his/her capacity for the privilege of participating in: inter-school sports, student council, special assemblies and other activities.
2. This will include maintaining at least a 2.0 grade point average on the most recent grading period covering academics as well as behavior and effort areas. The teacher and/or administrator reserve the right to make ineligible any student who has had a recent office referral for disciplinary reasons.
3. When a student becomes ineligible due to either Point 1 or Point 2, the Principal and the student's parent/guardian will be notified immediately and the student will be suspended from activities, already stated, for a minimum of one week. A conference may follow between teacher and/or principal and the student, articulating a remediation program.
4. A student must maintain passing grades during their 8<sup>th</sup> grade year in order to participate in graduation ceremonies.

### **§ 49067(a) ■ Students in Danger of Failing a Course**

Parents/guardians will be notified when a teacher has determined that their child is in danger of failing a course.

## **HAZARDOUS/UNSAFE CONDITION**

It is the responsibility of the School District to provide a safe environment for all its students. Any hazardous or unsafe situations that occur should be reported to the administrator or designee for immediate correction. For the protection of all, during team-sport participation, long earrings, fingernails above the finger, watches, necklaces, and any other jewelry will not be permitted. Any other articles that are deemed to be dangerous to the participant or others will not be permitted.

### **40 CFR 763.84(c) and 763.93(g)(4) ■ Asbestos**

The asbestos management plan for each school shall be available for inspection in district and school offices during normal business hours. Parent/guardian, teacher, and employee organizations shall be annually informed of the availability of these plans. In addition, staff, students, and parents/guardians shall be informed at least once each school year about any inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities, that are planned or in progress.

## **HOMEWORK (1<sup>st</sup> – 8<sup>th</sup> grades)**

Homework is expected to be given to all students. It will vary with each grade and also with each individual student. In many situations, the homework being sent home will be work that was expected to be finished in class. Also, check your child's binder for the calendar of assignments. PLEASE CHECK WITH TEACHERS FOR THEIR SPECIFIC HOMEWORK PLAN. PARENTS, PLEASE set up a consistent time and place for your children to do their homework. This will help to secure completion and success of the assignment. It will also give you an opportunity to assist your children and to be aware of their on-going progress. NO DAILY HOMEWORK WILL BE GIVEN ON WEEKENDS OR HOLIDAYS. EXCEPTIONS INCLUDE LONG-TERM ASSIGNMENTS OR PROJECTS, INCOMPLETE CLASSWORK, AND/OR LATE ASSIGNMENTS. LIBRARY BOOK READING CAN BE ASSIGNED ON WEEKENDS.

## **SCHOOL LUNCHES**

### **§ 49510-49520 ■ Child Nutrition; School Meals**

It is the intent of Article 9 of the Education Code (commencing with section 49510 et seq.) to establish an on-going program to assure that the nutritional requirements of pupils are enhanced by a pervasive program of food supplementation while they are attending school. The Department of Education, in cooperation with the Department of Social Welfare, shall establish a statewide program to provide nutritious meals at school for pupils. Notice of the availability of the program prescribed by this article shall be given pursuant to Section 48980

Buena Vista School is participating in the Community Eligibility Provision of the National School Lunch and School Breakfast Program for the 2022-23 school year. This provides that **ALL** students at Buena Vista will receive breakfast and lunch at **no charge**. No further action is required of you. Your child(ren) will be able to participate in these meal programs without having to pay or submit an application. If you have any questions, please contact us at 559-686-2015.

These prices are subject to change

- Milk prices for those not taking a lunch will be \$ .50
- Adult Breakfasts \$3.00
- Adult lunches can be purchased in the office for \$5.00.

### **MIGRANT, LIMITED ENGLISH AND TITLE I PARENTS**

Buena Vista welcomes and needs the parent involvement of Migrant, limited English and Title I students. Your participation is of great importance in order to maximize the educational opportunities of your students. Watch the calendar for dates of Migrant and English Learner Parent Meetings.

### **MUSIC PROGRAM**

The instrumental music program (band) is open to students in grades 5<sup>th</sup> – 8<sup>th</sup>. As a member of the band, he/she will receive lessons twice a week and will participate in school concerts and activities.

Buena Vista school does not own or loan instruments. It is the responsibility of the parents/guardians to secure an instrument for their student's use throughout the year.

Classroom music (singing and movement activities occur in the primary grades K – 4th once a week, from September through April.) Recorders are offered as a class to all the students in the 4th grade after the Christmas break.

### **SCHOOL ORGANIZATIONS**

**Student Council** – Student Council is represented by elected, and appointed, representatives and officers from the 3<sup>rd</sup> through 8<sup>th</sup> grades. These members must be responsible, hardworking, and trustworthy students. Student Council sponsors and organizes most student activities, including fun events, school service activities, and community functions. Elections are held at the beginning of each year, with a member of the Buena Vista staff acting as the council advisor. Each elected member is expected to fulfill the responsibilities of the elected office and maintain at least a 2.0 GPA.

### **PARENT CONFERENCES & REPORT CARDS**

Report cards evaluating pupil progress in achievement, behavior, and attendance will be issued four (4) times throughout the school year. Parent conferences will be scheduled in October following nine weeks of instruction. Other conferences will be scheduled as needed. Parents are encouraged to attend the conferences.

Parents conferences are not restricted to the scheduled times. Any parent, desiring a conference, may contact the school office at any time to set up an appointment with the teacher.

### **PARENT INVOLVEMENT**

All teachers can always utilize the talents of parent volunteers. Even one or two hours a week can greatly assist the school program. Let your child's teacher know as soon as possible that you would like to help in the classroom. This is a great way to see first-hand how the Buena Vista school system works. In addition, you will be providing a wonderful service to your child's school. Involvements in the BV Parent Club and/or School Site Council are also ways to be involved. Always remember to check in the office upon arrival at school.

## **PARENT VISITATIONS TO SCHOOL**

Parents are encouraged to visit their youngster's school. When visitors come to the school, they are REQUIRED by State Law to report to the office and make arrangements for the visitation. This includes signing your child in or out for dental and doctor's appointments.

## **PERSONAL EQUIPMENT**

Electronic equipment including (but not limited to) radios, cd/tape players, iPods, personal game equipment, laptops, cameras, or cell phones are NOT allowed on the school campus unless otherwise arranged with the Principal. Any valuable property, if brought to school, is the responsibility of the student, not the school.

## **PHYSICAL EDUCATION**

### **§§ 51210 and 51223 ■ Elementary School Physical Education Instructional Minutes**

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

P.E. IS AN ACTIVITY, IN WHICH ALL STUDENTS ARE REQUIRED TO PARTICIPATE. TENNIS SHOES ARE REQUIRED TO BE WORN DURING P.E. TIMES. Other garments, such as shorts, shirts, etc. will be up to the guidelines set by the particular teachers and coaches. TO BE EXCUSED FROM P.E., A PARENT/GUARDIAN'S NOTE WILL BE ACCEPTED FOR UP TO A THREE-DAY ABSENCE. AFTER THREE DAYS, A DOCTOR'S NOTE IS REQUIRED.

On many Fridays, we will be competing against other schools in various sports. A Buena Vista shirt must be worn to be a sport participant. Also, it is recommended that participating students should have had a physical within the last two years. Generally, students in the 7<sup>th</sup> and 8<sup>th</sup> grades will make up the "A" team and 5<sup>th</sup> and 6<sup>th</sup> graders will make up the "B" team. This is a rule of thumb, not a hard and fast rule. Size and skill levels will be taken into account. Friday events are SPECIAL PRIVILEGES. Those who are falling behind in their studies or are not abiding by the citizenship standards set by the school will NOT participate and will remain in a classroom under adult supervision.

Remember, P.E. is an area where ATTITUDE, SPORTSMANSHIP, PARTICIPATION, and TOTAL EFFORT are the elements for a good grade

## **SCHOOL ACCOUNTABILITY REPORT CARD**

Buena Vista annually produces a School Accountability Report Card (SARC). This report, for the 2015-16 school year will be available to the public. This is a report of the general status of the school. A hardcopy of this report is available in the office. This report is available in English and Spanish.

### **§ 35256(c) ■ School Accountability Report Card**

*The governing board of each school district annually shall issue a School Accountability Report Card for each school in the school district, publicize those reports, and notify parents or guardians of pupils that a hard copy will be provided upon request. Commencing with the 2008-09 school year, each school district shall make hard copies of its annually updated report card available, upon request, on or before February 1 of each year.*

## **SCHOOL YEARBOOK**

The yearbook is a wonderful way to keep track of all the memorable days at Buena Vista School. Yearbook orders can begin early. Watch the calendar and notes home for the dates and prices for yearbook sales. Selected 8<sup>th</sup> grade students will make up the yearbook staff. If you wish to buy an ad, please let the school know.

## **SCHOOL/HOME COMMUNICATION**

Throughout the year, notes and letters will be sent home communicating various school events. Be certain you have worked out a method of receiving these important reminders with your children. An activity calendar and lunch menu will be sent home each month. (These items are not effective if you leave them in pockets or bags until the end of the month.)

## **SURVEILLANCE CAMERAS**

Buena Vista has surveillance cameras mounted in various areas around the campus. These cameras assist in maintaining a safe campus. While they are not monitored at all times. They can and will be referred to for the identification of those committing crime or for disciplinary reasons when necessary for students and/or staff

## **BUENA VISTA POLICY**

### **BULLYING**

Buena Vista strives to be a bully-free school. Any instances of bullying should be reported immediately. Either by the student or parent to a supervising adult or to the administration. You may email Carole Mederos, Principal/Superintendent at [cmaderos@buonavistaeagles.org](mailto:cmaderos@buonavistaeagles.org) or call 559-686-2015.

## **CHILD ABUSE PREVENTION TRAINING**

### **Welfare & Inst. Code § 18976.5 ■ Child Abuse Prevention Training Program**

Parents have the right to refuse to allow their children to participate in a child abuse primary prevention program.

## **CHILD FIND POLICIES (SPECIAL EDUCATION)**

### **§ 56301 ■ Child Find Policies (Special Education)**

All children with disabilities residing in the state who are in need of special education and related services, shall be identified, located and assessed and practical method developed and implemented to determine which children are receiving needed special education and services as required by Federal law. For questions regarding local area policies and procedures contact the school office at 686-2015.

*d)(1) Each special education local plan area shall establish written policies and procedures pursuant to Section 56205 for use by its constituent local agencies for a continuous child find system that addresses the relationships among identification, screening, referral, assessment, planning, implementation, review and triennial assessment. The policies and procedures shall include, but need not be limited to, written notification of all parents of their rights under this chapter, and the procedure for initiating a referral for assessment to identify individuals with exceptional needs. (2) In accordance with Section 1415(d)(1)(A) of Title 20 of the United States Code and Section 300.504(a) of Title 34 of the Code of Federal Regulations, parents shall be given a copy of their rights and procedural safeguards only one time a school year, except that a copy also shall be given to the parents: (A) Upon initial referral or parental request for assessment. (B) Upon receipt of the first state complaint under Section 56500.2 in a school year. (C) Upon receipt of the first due process hearing request under Section 56502 in a school year. (D) When a decision is made to make a removal that constitutes a change of placement of an individual with exceptional needs because of a violation of a code of pupil conduct in accordance with Section 300.53(h) of Title 34 of the Code of Federal Regulations. (E) Upon request by a parent.*

## **COMMUNICABLE DISEASES**

### **Exclusion of Pupils with a Contagious Disease**

The Buena Vista Board of Trustees adopts the following amendments to the existing Contagious Disease Policy: A pupil, while infected with any contagious or infectious disease, may not remain at school. On learning that a child is infected with

one of these diseases, the school administrator will isolate the pupil from other students and immediately make contact with the home to make arrangements to have the student sent home.

For purposes of this Policy, infectious diseases shall include those listed by the State Department of Health Services and the County Health Department.

Decisions regarding the admission, exclusion or alternative placement of student with a CHRONIC infectious disease shall be made on a case-by-case basis related to findings of a District Multi-Disciplinary Team. The school administrator shall make a recommendation to the Board based on the findings of the team. **THE BOARD SHALL MAKE THE FINAL DECISION.**

### **LICE**

The Buena Vista Board of Trustees understands that lice may not spread disease however they are commonly spread by children at school and an outbreak may be difficult to contain. For this reason Buena Vista maintains a “no nit” policy. Students that are found to have active lice or nits will be sent home and parents will be asked to remove the nits. The student may return to school as soon as the hair is free of nits. Parents/Guardians are advised to clean all surfaces that the lice may have been in contact and to discourage the sharing of hats, combs or brushes. Buena Vista recommends that a non-chemical remedy can be 100% effective. The use of a lice comb can totally remove nits. Consult with office staff if you have questions.

### **STUDENT-TECHNOLOGY ACCEPTABLE USE AGREEMENT**

The purpose of this Acceptable Use Agreement (“Agreement”) is to ensure a safe and appropriate environment for all students. This Agreement notifies parents and students about the acceptable ways in which District Technology may be used. The District (“District”) recognizes and supports advances in technology and provides an array of technology resources for students to use to enhance learning and education. While these technologies provide a valuable resource to students, it is important that students’ use of technology be appropriate for school purposes.

Pursuant to Board Policy 6163.4, only Users of District Technology who submit a signature acknowledging receipt and agreement to the terms of use outlined in this Agreement are authorized to use District Technology.

#### **Terms of Use**

Acceptable Use: District students are only permitted to use District Technology for purposes which are safe (pose no risk to students, employees or assets), legal, ethical, do not conflict with the mission of the District, and are compliant with all other District policies. Usage that meets these requirements is deemed “proper” and “acceptable” unless specifically excluded by this policy or other District policies. The District reserves the right to restrict online destinations through software or other means.

Additionally, the District expressly prohibits:

1. Using District Technology for commercial gain;
2. Accessing District Technology for the purpose of gaming or engaging in any illegal activity;
3. Transmission of confidential information to unauthorized recipients;
4. Inappropriate and unprofessional behavior online such as use of threats, intimidation, bullying or “flaming”;
5. Viewing, downloading, or transmission of pornographic material;
6. Using District Technology for the creation or distribution of chain emails, any disruptive or offensive messages, offensive comments about race, gender, disabilities, age, sexual orientation, religious beliefs/practices, political beliefs, or material that is in violation of workplace harassment or workplace violence laws or policies;
7. Significant consumption of District Technology for non-school related activities (such as video, audio or downloading large files) or excessive time spent using District Technology for non-school purposes (e.g. shopping, personal social networking, or sports related sites);
8. Knowingly or carelessly performing an act that will interfere with or disrupt the normal operation of computers, terminals, peripherals, or networks, whether within or outside of District Technology (e.g., deleting programs or changing icon names) is prohibited;
9. Infringe on copyright, license, trademark, patent, or other intellectual property rights; or
10. Disabling any and all antivirus software running on District Technology or “hacking” with District Technology.

Accountability: Users are prohibited from anonymous usage of District Technology. In practice, this means users must sign in with their uniquely assigned District User ID before accessing/ using District Technology. Similarly, “spoofing” or otherwise modifying or obscuring a user’s IP Address, or any other user’s IP Address, is prohibited. Circumventing user authentication or security of any host, network, or account is also prohibited.

Disclaimer: The District cannot be held accountable for the information that is retrieved via the network. The District will not be responsible for any damages you may suffer, including loss of data resulting from delays, non-deliveries, or service interruptions

caused by the District Systems, System Administrators or your own errors or omissions. Use of any information obtained is at your own risk. The District makes no warranties (expressed or implied) with respect to: (a) the content of any advice or information received by a student, or any costs or charges incurred as a result of seeing or accepting any information; or (b) any costs, liability, or damages caused by the way the student chooses to use his or her access to the network.

Password Policy: Passwords must not be shared with anyone and must be treated as confidential information. Passwords must be changed as often as required by the District's IT department. All Users are responsible for managing their use of District Technology and are accountable for their actions relating to security. Allowing the use of your account by another user is also strictly prohibited. All passwords created for or used on any District Technology are the sole property of the District. The creation or use of a password by a student on District Technology does not create a reasonable expectation of privacy.

Responsibility: Users are responsible for their own use of District Technology and are advised to exercise common sense and follow this Agreement in regards to what constitutes appropriate use of District Technology in the absence of specific guidance.

Revocation of Authorized Possession: The District reserves the right, at any time, for any reason or no reason, to revoke a User's permission to access, use, or possess District Technology.

Restriction of Use: The District reserves the right, at any time, for any reason or no reason, to limit the manner in which a User may use District Technology in addition to the terms and restrictions already contained in this Agreement.

Third-Party Technology: Connecting unauthorized equipment to the District Technology, including the unauthorized installation of any software (including shareware and freeware), is prohibited.

Personally Owned Devices: If a student uses a personally owned device to access District Technology or conduct District business, he/she shall abide by all applicable Board policies, administrative regulations, and this Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

Reporting: If a student becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of District Technology, he/she shall immediately report such information to the Superintendent or designee.

Consequences for Violation: Violations of the law, Board policy, or this Agreement may result in revocation of a student's access to District Technology and/or restriction of his/her use of District Technology and/or discipline, up to and including suspension or expulsion. In addition, violations of the law, Board policy, or this Agreement may be reported to law enforcement agencies as deemed appropriate.

## **Enforcement**

Record of Activity: User activity with District Technology may be logged by System Administrators. Usage may be monitored or researched in the event of suspected improper District Technology usage or policy violations.

Blocked or Restricted Access: User access to specific Internet resources, or categories of Internet resources, deemed inappropriate or non-compliant with this policy may be blocked or restricted. A particular website that is deemed "Acceptable" for use may still be judged a risk to the District (e.g. it could be hosting malware), in which case it may also be subject to blocking or restriction.

No Expectation of Privacy: Users have no expectation of privacy regarding their use of District Technology. Log files, audit trails and other data about user activities with District Technology may be used for forensic training or research purposes, or as evidence in a legal or disciplinary matter. Users are on notice that District Technology is subject to search and seizure in order to facilitate maintenance, inspections, updates, upgrades, and audits, all of which necessarily occur both frequently and without notice so that the District can maintain the integrity of District Technology. All data viewed or stored is subject to audit, review, disclosure and discovery. Such data may be subject to disclosure pursuant to the Public Records Act (California Government Code section 6250 et seq.). Pursuant to the Electronic Communications Privacy Act of 1986 (18 USC 2510 et seq.), notice is hereby given that there are no facilities provided by District Technology for sending or receiving private or confidential electronic communications. System Administrators have access to all email and will monitor messages. Messages relating to or in support of illegal or inappropriate activities will be reported to the appropriate authorities and/or District personnel.

The District reserves the right to monitor and record all use of District Technology, including, but not limited to, access to the Internet or social media, communications sent or received from District Technology, or other uses within the jurisdiction of the District. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Students should be aware that, in most instances, their use of District Technology (such as web searches or emails) cannot be erased or deleted. The District reserves the right to review any



usage and make a case-by-case determination whether the User's duties require access to and/or use of District Technology which may not conform to the terms of this policy.

Specific Consent to Search and Seizure of District Technology: The undersigned consents to the search and seizure of any District Technology in the undersigned's possession by the District, the District's authorized representative, a System Administrator, or any Peace Officer at any time of the day or night and by any means. This consent is unlimited and shall apply to any District Technology that is in the possession of the undersigned, whenever the possession occurs, and regardless of whether the possession is authorized. The undersigned waives any rights that may apply to searches of District Technology under SB 178 as set forth in Penal Code sections 1546 through 1546.4.

## **Definitions**

### *Blogging*

An online journal that is frequently updated and intended for general public consumption.

### *E-mail*

The electronic transmission of information through a mail protocol such as SMTP or IMAP. Typical e-mail clients include Microsoft Outlook.

### *Chain e-mail*

E-mail sent to successive people. Typically, the body of the note has directions to the reader to send out multiple copies of the note so that good luck or money will follow.

### *Flaming*

The use of abusive, threatening, intimidating, or overly aggressive language in an Internet communication.

### *Hacking*

Gaining or attempting to gain unauthorized access to any computer systems, or gaining or attempting to gain unauthorized access to District Technology.

### *District Technology*

All technology owned or provided by the District to authorized users, including Internet/Intranet/Extranet-related systems, computer hardware, software, Wi-Fi, electronic devices such as tablet computers, USB drives, cameras, smart phones and cell phones, telephone and data networks (including intranet and Internet access), operating systems, storage media, wireless access points (routers), wearable technology, PDA's, network accounts, web browsing, blogging, social networking, and file transfer protocols, email systems, electronically stored data, websites, web applications or mobile applications, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through District-owned or personally owned equipment or devices.

### *Instant Messaging*

A type of communications service that enables the creation of a kind of private chat room with another individual in order to communicate in real time over the Internet.

### *Internet Resources*

Websites, instant messaging applications, file transfer, file sharing, and any and all other Internet applications and activities using either standard or proprietary network protocols. Examples of websites that pose a risk to the District, or are counter to its mission, are malware repositories, sites advocating violence against civil society or against persons based on race, religion, ethnicity, sex, sexual orientation, color, creed or any other protected categories, sites offering gambling activities or that are pornographic in nature.

### *IP Address*

Unique network address assigned to each computing device connected to a network to allow it to communicate with other devices on the network or Internet.

### *Malware*

Malware is any software, application, program, email or other data or executable code which is designed to cause harm to a network or computer or violate any law, statute, policy or regulation in any way. Examples of harmful activity or intent are theft of personal information or intellectual property by phishing or other means, hacking, violation of copyright law (distributing or copying written material without proper authorization), propagation of Spam e-mails, harassment, extortion, denial of service and facilitating access to illegal content (pornography, gambling, etc.). Accessing or storing malware is expressly prohibited unless authorized for research or forensic purposes by appropriately authorized and designated employees.

*Network*

Any and all network and telecommunications equipment, whether wired or wireless, controlled or owned by the District which facilitate connecting to the Internet.

*Phishing*

Attempting to fraudulently acquire sensitive information by masquerading as a trusted entity in an electronic communication.

*Sensitive information*

Classified as Protected Health Information (PHI), Confidential Information or Internal Information.

*Spam*

Spam is unsolicited nuisance Internet E-mail which sometimes contains malicious attachments or links to websites with harmful or objectionable content.

*Spoofing*

IP Address spoofing is the act of replacing IP address information in an IP packet with falsified network address information. Each IP packet contains the originating and destination IP addresses. By replacing the true originating IP address with a falsified address a hacker can obscure their network address and hence, the source of a network attack, making traceability of illegal or illegitimate internet activity extremely difficult.

*System Administrator*

District employees whose responsibilities include District Technology, site, or network administration. System Administrators perform functions including, but not limited to, installing hardware and software, managing a computer or network, auditing District Technology, and keeping District Technology operational.

*Unauthorized Disclosure*

The intentional or unintentional act of revealing restricted information to people, both inside and/or outside the District, who do not have a need to know that information.

*User or Users*

Individual(s) whether students or employees, full or part-time, active or inactive, including interns, contractors, consultants, vendors, etc. who have used District Technology, with or without the District's permission.

*User ID*

Uniquely assigned Username or other identifier used by a student to access the District network and systems.

**Student Acknowledgment**

I have received, read, understand, and agree to abide by this Agreement and other applicable laws and District policies and regulations governing the use of District Technology. I understand that there is no expectation of privacy when using District Technology. I hereby release the District and its personnel from any and all claims and damages arising from my use of District Technology or from the failure of any technology protection measures employed by the District. I further understand that any violation may result in loss of user privileges, disciplinary action, and/or appropriate legal action.

Name (Please print) \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

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

**Parent or Legal Guardian Acknowledgment**

If the student is under 18 years of age, a parent/guardian must also read and sign the Agreement.

As the parent/guardian of the above-named student, I have read, understand, and agree that my child shall comply with the terms of the Agreement. By signing this Agreement, I give permission for my child to use District Technology and/or to access the school's computer network and the Internet. I understand that, despite the District's best efforts, it is impossible for the school to restrict access to all offensive and controversial materials. I agree to release from liability, indemnify, and hold harmless the school, District, and District personnel against all claims, damages, and costs that may result from my child's use of District Technology or the failure of

any technology protection measures used by the District. Further, I accept full responsibility for supervision of my child's use of his/her access account if and when such access is not in the school setting.

Name: (Please print) \_\_\_\_\_ Date: \_\_\_\_\_

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

## **DRUG POLICY**

### **Alcohol and Other Drugs – Instruction**

Instruction in drug education, including the effects of alcohol, tobacco, vaping and other restricted and dangerous drugs, shall be given in the elementary and secondary schools by appropriately trained instructors. (Education Code 51260)

Site administrators shall determine that drug education instructors are appropriately trained, having demonstrated that they possess:

- Knowledge of effective prevention strategies.
- The ability to interact with students in a positive way.
- Knowledge of the properties and effect of tobacco, alcohol, narcotics, dangerous drugs and shared drug apparatus.
- Effective teaching skills and competency in helping students to express opinions responsibly and to become aware of their values as they affect drug-use decisions. (Education Code 51260)

Instruction in drug education may be conducted in health courses or in any other appropriate area of study required by Education Code 51210 and 51220. Instruction shall be sequential in nature and age-appropriate. (Education Code 51260)

The District Drug Education Program shall augment any program provided by the county drug education services. (Education Code 51260) (cf. 5131 – Anabolic Steroids)

### **ELECTRONIC DEVICES AT SCHOOL** (Education Code 48901.5)

Buena Vista discourages the possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to cell phones, paging and signaling equipment, by pupils of the school while the pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees, without the prior consent of the principal or his or her designee. The Governing board of the Buena Vista Elementary school district shall take all steps it deems practical within existing resources to discourage pupils from possessing or using electronic signaling devices, except where the use of an electronic signaling device is essential for the health of a pupil. These devices should remain stored away or turned into the teacher/office during the school day. If a student is found in possession of such a device during the school day, without prior authorization, the device will be confiscated. Cell phones are not allowed to be turned on in the classroom. They are not allowed to be carried outside of the classroom IE: on the playground or in the bathrooms.

- The first offense - it will be returned to the student at the end of the day.
- The second offense – a parent may pick it up at the end of the day.

### **EDUCATION FOR HOMELESS CHILDREN**

The Governing Board desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging academic standards as other students. Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

### **Transportation**

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or designee shall consult with

the superintendent of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

## **INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) § 56040**

### **§ 56040 ■ Individuals with Disabilities Education Act (IDEA)**

*Every individual with exceptional needs, who is eligible to receive special education instruction and related services under this part, shall receive that instruction and services at no cost to his or her parents or, as appropriate, to him or her.* Federal law also requires a free and appropriate education in the least restrictive environment be offered to individuals with exceptional needs.

### **§ 48206.3, 48207, 48208 ■ Pupils with Temporary Disability**

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

The district shall consider provisions for a pupil with a temporary disability, in which it may or may not be advisable to attend a school or an alternative education program. Such pupils shall be provided individual instruction, as deemed necessary, that may include instruction in the pupil's home, hospital, or health facility in the pupil's district of residence. If the hospital or health facility is outside the pupil's district of residence, the district where the hospital or health facility is located shall be the pupil's district of residence. It shall be the responsibility of the parent or guardian of a pupil with a temporary disability to notify the school district in which the pupil is deemed to reside, pursuant to Section 48207 of the pupil's presence in a qualifying hospital.

## **NONDISCRIMINATION**

The Buena Vista Elementary School District does not discriminate on the basis of race, color, national origin, sex, handicap, genetic information or age in any of its policies, procedures, or practices, in compliance with Title VI of the Civil Rights Act of 1964 (pertaining to race, color, and national origin), Title IX of the Education Amendments of 1972 (pertaining to sex), Section 504 of the Rehabilitation Act of 1973 (pertaining to handicap) and the Age Discrimination Act of 1975 (pertaining to age). This nondiscrimination policy covers admission and access to, and treatment and employment in, the District's programs and activities. Additionally, the lack of English language skills will not be a barrier to the admission and participation in the District's programs (42 U.S.C. 20004; 6707) (20 U.S.C. 16814). Inquiries regarding the equal opportunity policies, the filing of complaints, or to request a copy of the complaint procedure covering discrimination concerns may be directed to the school administrator.

### **20 USC §§ 1681-1688, 6311-6312, 42 USC § 2000d-d7, 42 USC §12101-12213, 29 USC § 794, 34 CFR §§ 104.8, 106.8 and 106.9, Government Code § 12940, Education Code §§ 200, 220, 234.1 and 48985 ■ Nondiscrimination**

District programs shall be free from discrimination, harassment, intimidation, and bullying based on disability (including, but not limited to blindness or severely impaired vision, physical or mental disability or medical condition), age, gender, sex, sexual orientation, nationality or national origin (including surname or language-minority status or ethnic group identification), immigration status, color, race, ethnicity, ethnic group identification, genetic information, religion or religious creed, marital, family or parental status, or the lack of English skills, or any other characteristics that is contained in the definition of hate crime set forth in Penal Code section 422.55, or the perception of one or more of such characteristics or because a person associates with a person or group with one or more of the actual or perceived characteristics.

Title IX requires each school district that receives federal funds to have a Title IX coordinator, to notify all students and employees of the name, office address, and telephone number of the designated coordinator, and to adopt and publish a grievance procedure to resolve student and employee complaints under Title IX. Title IX Coordinator for Buena Vista is Carole Mederos. Contact her at 21660 Rd. 60, Tulare, CA 93274 or 559-686-2015 or cmederos@buenavistaeagles.org

## **PERSONAL BELIEFS ( Ed Code. 60650)**

### **§§ 51513 and 60614 ■ Personal Beliefs / Political Affiliations / Behavior / Close Family Relationships**

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

### **20 USC 6311(h)(6)**

According to federal law, at the beginning of each school year, the district shall notify the parents of each student that parents have the right to request information regarding the professional qualifications of their child's teacher, including:

- Whether the teacher has met state qualification and licensing criteria for grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived.
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Parents must also be provided information on the level of achievement of the parent's child in each of the state's academic assessments, and must be notified if their child is taught by a teacher who is not "highly qualified" for four or more consecutive weeks.

### **§ 32255-32255.6 ■ Pupils' Rights to Refrain From the Harmful or Destructive Use of Animals**

Pursuant to Chapter 2.3 (Sections 32255-32255.6), upon receiving notice from the school, any pupil with a moral objection to dissecting, harming, or destroying animals shall notify his/her teacher regarding this objection. An alternative education project may be arranged if the teacher believes the alternative education project can provide the course of study in question. A parent/guardian written request for objection to the class or course of study must be provided. Each teacher teaching a course that utilizes live or dead animals or animal parts shall also inform pupils of their rights pursuant to the law.

Classes in agricultural education, animal care and management, or evaluation of domestic animals are exempted from the provisions of this chapter.

### **§ 51240 ■ Excuse from Health Instruction Based on Religious and Moral Grounds**

Parents/guardians may request in writing that their student be excused from any part of a school's instruction in health which conflicts with their religious training and beliefs.

## **PROMOTION/RETENTION**

### **§ 48070.5 ■ Promotion and Retention Policy**

- The Governing Board expects students to progress through each grade within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual students and include strategies for addressing academic deficiencies when needed.
- Students shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.
- When high academic achievement is evident, the school personnel may recommend a student for acceleration into a higher grade level. The student's social and emotional growth shall be taken into consideration in making a determination to accelerate a student.
- As early as possible in the school year and in students' school careers, the school personnel shall identify students who should be retained and/or who are at risk of being retained in accordance with law, Board policy, administrative regulation, and the following criteria.

**Academic subjects and means by which students' performance are assessed:**

<u>Reading</u>	<u>Language Arts</u>	<u>Math</u>	<u>Science and Social Studies</u>	<u>Physical Education</u>
Local Assessments	Local Assessments	Local Assessments	Local Assessments	Attendance
Grades	Grades	Grades	Grades	Participation
Teacher Observation	Teacher Observation	Teacher Observation	Teacher Observation	Appropriate Clothing
State Tests	State Tests	State Tests		Attitude/Sportsmanship

Appropriate standards for promotion or retention of special education students shall be made as part of the I.E.P. process.

Students who are identified as being at risk of retention shall have academic intervention opportunities made available to them so that every possible chance of promotion has been extended.

Retention at any grade level shall be considered as a last option. The decision to retain a student shall be made after a careful study of all social, psychological, maturation and academic factors have been taken into consideration.

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall provide opportunities for remedial instruction to assist the student in overcoming his/her academic deficiencies. Such opportunities may include, but are not limited to: tutorial programs, after school programs, and summer school programs.

**ACCELERATION**

A student enrolled in any grade may be admitted to the next grade at the discretion of the school personnel and with the consent of the parent/guardian, upon determination that the child is ready. (Education Code 48011)

Admission shall be subject to the following minimum criteria:

1. The student has attended a public school for a long enough time to enable school personnel to evaluate his/her ability.
2. The physical development and social maturity of the student are consistent with his/her advanced mental ability.
3. The parent/guardian of the student has filed a written statement with the school district approving the placement in the next grade.

**RETENTION**

School personnel shall identify students who should be retained and/or who are at risk of being retained. Students in grades kindergarten through 3 shall be identified primarily on the basis of their level of proficiency in reading. Proficiency in reading English, language arts and mathematics shall be the primary basis for identifying students in grades 4 and above. (Education Code 48070.5)

Students shall be identified on the basis of assessment results, grades, or other indicators of academic achievement, as established by Board policy.

If a student is identified as performing below the minimum standard for promotion, the student shall be retained in his/her current grade level unless the school personnel, including the student's regular classroom teacher determine, in writing, that retention is not the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is not appropriate for the students and shall include recommendations for interventions other than retention that, in the opinion of the school personnel, are necessary to assist the student in attaining acceptable levels of academic achievement. (Education Code 48070.5)

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or other remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or promote shall be made at that time. (Education Code 48070.5)

At grade 8, a team consisting of reading, language arts, and math teachers shall be responsible for the decision to promote or retain the student.

When a student is identified as being at risk of retention, the school personnel shall notify the student's parents/guardians as early in the school year as possible. The student's parent/guardian shall be provided an opportunity to consult with the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

The school personnel shall also provide a copy of the district's promotion/retention policy to those parents/guardians who have been notified that his/her child is at risk of retention. Upon written recommendation that the student be retained, the parents will receive a copy of the appeal process.

The decision to promote or retain a student may be appealed consistent with Board policy, administrative regulation, and law. The burden shall be on the appealing party to show why the decision should be overruled. (Education Code 48070.5)

To appeal the decision to promote or retain a student, the appealing party shall submit a written request to the principal specifying the reasons why the decision should be overruled. The appeal must be initiated within 10 school days of the written decision to retain or promote. School personnel, including the teacher, shall be provided an opportunity to state orally and in writing the criteria on which his/her decision was based.

Within 10 days of receiving the written appeal, the teacher, Principal/Superintendent and parent will meet to discuss the appeal and to review the criteria on which the decision was based.

Within 5 days of this meeting, the Principal/Superintendent shall determine whether or not to overrule the decision to retain or promote the student. The Principal's decision will be communicated in writing to the parent/guardian and teacher.

The Principal/Superintendent's decision may be appealed by submitting a written appeal to the Assistant Superintendent of Curriculum within 10 school days.

The parents may appeal the decision of the Principal/Superintendent or designee by submitting a written appeal to the Governing Board within 10 school days of the decision. Within 30 days of receipt of a written appeal, the Board shall meet in closed session to decide the appeal. The board's decision may be made on the basis of documentation prepared as part of the appealing party, the teacher, and Superintendent designee to decide the appeal. The decision of the Board shall be final.

If the decision of the Board is unfavorable to the appealing party, he/she shall have the right to submit a written statement of objection, which shall become part of the student's record.

### **REMEDIAL INSTRUCTION**

With the parent/guardian's consent, the Assistant Superintendent of Curriculum or designee may require a student, who was recommended for retention or has been identified as being at risk of retention, to participate in a supplemental instructional program. Such programs could include those offered during the summer, after school, and on Saturdays. Services shall not be provided during the regular instruction day if it would result in the student being removed from classroom instruction in the core curriculum. (Education Code 37252.5)

These services shall be provided to students in the following priority order (Education Code 37252.5):

1. Students who have been recommended for retention or who have been identified as being at risk of retention pursuant to Education Code 48070.5.
2. Students who have been identified as having a deficiency in mathematics, reading, or written expression based on the results of the tests administered under the STAR program.

This supplemental instruction program shall be developed in accordance with the requirements of Education Code 31252.5

### **HIV/AIDS Instruction § 51934, 51938-51939**

All pupils in grades 7-12, inclusive, shall receive comprehensive sexual health education and HIV/AIDS prevention education from trained instructors at least once in junior high/middle school and once in high school.

At the beginning of each school year, or at the time of enrollment, the parent or guardian of each pupil shall be notified about instruction in comprehensive sexual health education and HIV/AIDS prevention education and research on pupil health behaviors and risks planned for the coming year. The notice shall include all of the following:

1. Advise the parent or guardian that written and audiovisual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education are available for inspection.
2. Advise the parent or guardian whether the comprehensive sexual health education or HIV/AIDS prevention education will be taught by school district personnel or by outside consultants.
3. Information explaining the parent's or guardian's right to request a copy of Chapter 5.6 of the Education Code (commencing with Section 51930 et seq.).
4. Advise the parent or guardian that the parent or guardian may request in writing that his or her child not receive comprehensive sexual health education or HIV/AIDS prevention education.

Anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupils' attitudes concerning or practices relating to sex may be administered to pupils in grades 7-12. Parents or guardians shall be notified in writing and given the opportunity to review such tests, questionnaires, and surveys.

A parent or guardian has the right to excuse his or her child from all or part of the above by making a written request.

A pupil shall not be subject to disciplinary action, academic penalty, or other sanction if the parent/guardian does not permit the pupil to receive the instruction. While the instruction is being delivered, an alternative educational activity shall be made available to those pupils whose parent/guardian have requested that they not receive the instruction.

### **SEXUAL BIAS § 221.5**

#### **Course of Study – Sexual Bias § 221.5**

Elementary and secondary (high) schools shall offer classes and courses, including nonacademic and elective classes and courses, without regard to the sex of the pupil enrolled in these classes and courses. A school district may not prohibit a pupil from enrolling and may not require a pupil of one sex to enroll in any class or course on the basis of the sex of the pupil. *(d) A school counselor, teacher, instructor, administrator, or aide may not, on the basis of the sex of a pupil, offer vocational or school program guidance to a pupil of one sex that is different from that offered to a pupil of the opposite sex or, in counseling a pupil, differentiate career, vocational, or higher education opportunities on the basis of the sex of the pupil counseled... The parents or legal guardian of a pupil shall be notified in a general manner at least once in the manner prescribed by Section 48980, in advance of career counseling and course selection commencing with course selection for grade 7 so that they may participate in the counseling sessions and decisions. (e) Participation in a particular physical education activity or sport, if required of pupils of one sex, shall be available to pupils of each sex. (f) A pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil's records.*

### **SEXUAL HARASSMENT POLICY AR 5145.7(a)**

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

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

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

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions



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

### **School-Level Complaint Process/Grievance Procedure**

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

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

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

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

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

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

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

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

5. **Interim Measures:** The Coordinator/Superintendent shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. **Optional Mediation:** In cases of student-on-student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Superintendent may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.
7. **Factors in Reaching a Determination:** In reaching a decision about the complaint, the Coordinator/Superintendent may take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of any past instances of harassment by the alleged harasser
  - e. Evidence of any past harassment complaints that were found to be untrue

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

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

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

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

### **Enforcement of District Policy**

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

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

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

**Notifications**

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, including the school web site (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

**TITLE I PARENTAL INVOLVEMENT POLICY**

**1. Statement of Purpose**

Buena Vista Elementary School is committed to the goal of providing quality education for every child in this district. To this end, we want to establish partnerships with parents and with the community. Everyone gains if school and home work together to promote high achievement for our students. Neither home nor school can do the job alone. Parents play an extremely important role as children's first teachers, their support for their children and for the school is critical to their children's success.

Grade level goals for the children of Buena Vista School will be discussed with all parents in the district during the first parent conference. We recognize that some students may need the extra assistance available through the Title I program to reach those goals. Buena Vista School District intends to include parents in all aspects of the district's Title I program. The goal is a school-home partnership that will help all students in the district to succeed.

**2. Parental Involvement in Developing the Policy**

The School Site Council Committee consisting of parents, teachers, members of the community, and the principal will meet to develop our school district's Parental Involvement Policy. Our School Site Committee will be chosen from volunteers in our district (after appropriate publicity about the need for volunteers). Special attention will be given to recruiting parents of children in the Title I program. The parent conference will be considered to be our annual meeting with Title I parents. Student progress, goals and needs will be reviewed and assessed by both parents and teachers. Translation (English-Spanish and Spanish-English) will be available. Parents will be sent a written notice about parent conference meetings and all parents will attend or teachers will make a home visit for a conference.

### **3. School-Parent Compact**

According to the new Title I regulations, each school must share responsibility with parents for high student performance by developing a school-parent-student compact jointly with the parents of children participating in the program. These compacts must outline how parents, staff and students will share responsibility for promoting high student achievement. School staff will be involved in designing these compacts. Student responsibilities may vary by grade level.

Parents will receive the compact during the parent conference with a checklist of responsibilities that teachers, parents, and students will each have for helping students achieve their goals. Parents are urged to discuss the compact with their children, before signing it and having their children sign.

### **4. Matching Programs to the Needs of Our Community**

Each year, the school district will assess the needs of parents and children in this community, through a variety of measures- including questionnaires sent home to parents-so that the Title I program will be tailored to meeting those needs. Workshops and other programs will be available (some for parents, some for parents and children) to match the expressed needs. Parents will be notified about these opportunities by written notices from the school. Parents may call the district office at any time to express and interest in a particular sort of workshop or to make suggestions.

### **5. Evaluation**

The School Site Council committee will be involved in the process of school review and improvement. Parents of children in the Title I program will be part of this group. The aim will be to evaluate the school, collecting information in a variety of ways, including visits to the school and observation of classes.

There will be an annual evaluation of the content and effectiveness of the Title I parental involvement program, and parents will be asked for their input. The evaluation will include an assessment of how much parental involvement is increasing and what barriers to parental involvement still need to be overcome. The school district will revise its parental Involvement Policy on the basis of this annual review.

Parent Participation in the decision-making process occurs during the following activities:

- a. Parent Conference-academic progress
  - social skills progress
  - teacher-parent strategies and techniques to assist students
  - Family School Compact
- b. School Site Council
- c. Parent Volunteer

## **IMPORTANT PEST MANAGEMENT PRODUCT APPLICATION NOTICE**

RE: 2001 Written Annual Notification for Expected Pest Management Product Applications in the Buena Vista Elementary School District.

### **§ 17612, 48980.3 ■ Use of Pesticide Products**

*(a) The school designee shall annually provide to all staff and parents or guardians of pupils enrolled at a schoolsite a written notification of the name of all pesticide products expected to be applied at the schoolsite during the upcoming year. The notification shall identify the active ingredient or ingredients in each pesticide product. The notice shall also contain the Internet address used to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to Section 13184 of the Food and Agricultural Code, the Internet address where the schoolsite integrated pest management plan may be found if the schoolsite has posted the plan (pursuant to Section 17611.5, if the schoolsite and/or district do not have a web site, the school designee may include the integrated pest management plan with the annual notification sent to staff and parent and guardians of pupils enrolled at the schoolsite ), and may contain other information deemed necessary by the school designee. The notice shall also inform staff and parents and guardians of pupils enrolled at a schoolsite that they may review a copy of the integrated pest management plan in the schoolsite office. No other written notification of pesticide application shall be required by this act except as follows: (1) The written notice shall provide the opportunity for recipients to register with the schoolsite if they wish to receive notification of individual pesticide applications at the schoolsite. Persons who register for notification shall be notified of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredients or ingredients in the product, and the intended*

*date of application. (2) This 72-hour notice shall also be provided if a pesticide product not included in the annual notification is subsequently intended for use at the school site. Copies of the Integrated Pest Management plan are available in the school offices and on the website at [www.buenavista eagles.org](http://www.buenavista eagles.org)*

To meet the requirements of the Healthy Schools Act of 2000, the Buena Vista Elementary School District is required to provide annual written notification to staff, parents and guardians regarding the intended applications of pest management products. For the 2022-23 school year, Buena Vista Elementary School District may apply the following pest management products as necessity dictates:

**Rescom Pest Control: 305 South “M” Street, Tulare, CA 93274 559-685-8989**

### **Products**

1. Demon Max – Cypermethrin
2. Demand CS – Lambda-Cyhalothrin
3. Termidor – Fipronil
4. Cykick – Cyfluthrin
5. CT 511 – Pyrethrin
6. D-Force H.P.X. – Deltamethrin
7. Maxforce ant killer bait gel – Fipronil
8. Suspend Polyzone – Deltamethrin
9. Maxforce magnum roach bait gel – Fipronil
10. Suspend SC – Deltamethrin
11. Gentrol Aerosol – Hydroprene
12. Gentrol – Hydroprene
13. Advion WDG – Indoxacarb
14. Wisdom TC – Bifenthrin
15. Maxforce Impact roach gel bait – clothianidin
16. Niban granular bait – orthoboric acid
17. Nyguard plus – pyriproxyfen
18. Cynoff EC – cypermethrin
19. Wasp-Freeze- d-trans allethrin, Phenothrin
20. Maxforce Complete granular insect bait – Hydramethylnon
21. Phantom- Chlorfenapyr
22. Alpine - Dinotefuran

### **Non pesticides**

1. Glueboards for mice/rats
2. Lo-line –insect monitor stations

For additional information on pest management products, you may access the California Department of Pesticide Regulation website at [www.cadpr.ca.gov](http://www.cadpr.ca.gov).

The Buena Vista Elementary District does not use any pest management products with the signal word “danger” and in the majority of cases, the products used fall into the safest category, “caution”. Pest management products are applied when children are not present. Applicators receive annual safety training, strictly follow the W.S. EPA label instructions and only apply pesticides when they are necessary.

Notice of pesticide application will be posted in the office at least 72 hours before use. If you would like to receive notification of individual pest management product applications, please call me at (559) 686-2015. Registrants shall be notified of individual applications at least 72 hours in advance.

### **Employee -- Professional Standards --Code of Conduct --BP 4119.21**

The Board of Trustees expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate.

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace or at a school-sponsored activity
9. Dishonesty with students, parents/guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons not authorized to receive the information
11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities
12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district
14. Wearing inappropriate attire

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

44242.5 Reports and review of alleged misconduct

PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act

CODE OF REGULATIONS, TITLE 5

80303 Reports of dismissal, resignation and other terminations for alleged misconduct 80331-80338

Rules of conduct for professional educators

Policy BUENA VISTA ELEMENTARY SCHOOL DISTRICT

adopted: September 9, 2015 Tulare, California

### **Earned Income Tax Credit Information Act Communication – Required Annual Notification**

*RTC* Section 19854:

Based on your annual earnings, you may be eligible to receive the Earned Income Tax Credit from the Federal Government (Federal EITC). The Federal EITC is a refundable federal income tax credit for low-income working individuals and families. The Federal EITC has no effect on certain welfare benefits. In most cases, Federal EITC payments will not be used to determine eligibility for Medicaid, Supplemental Security Income, food stamps, low-income housing, or most Temporary Assistance For Needy Families payments. Even if you do not owe federal taxes, you must file a federal tax return to receive the Federal EITC. Be sure to fill out the Federal EITC form in the Federal Income Tax Return Booklet. For information regarding your eligibility to receive the Federal EITC, including information on how to obtain the Internal Revenue Service (IRS) Notice 797 or any other necessary forms and instructions, contact the IRS by calling 1-800-829-3676 or through its Web site at [www.irs.gov](http://www.irs.gov).

You may also be eligible to receive the California Earned Income Tax Credit (California EITC) starting with the calendar year 2015 tax year. The California EITC is a refundable state income tax credit for low-income working individuals and families. The California EITC is treated in the same manner as the Federal EITC and generally will not be used to determine eligibility for welfare benefits under California law. To claim the California EITC, even if you do not owe California taxes, you must file a California income tax return and complete and attach the California EITC Form (FTB 3514). For information on the availability of the credit eligibility requirements and how to obtain the necessary California forms and get help filing, contact the Franchise Tax Board at 1-800-852-5711 or through its Web site at [www.ftb.ca.gov](http://www.ftb.ca.gov).

## Annual Required Notifications to Parents/Guardians 2023-24

### ABSENCES

#### **Excused Absences (Ed. Code §§ 46010.1, 48200, 48205, 48980)**

Except when attendance is excused, students between the ages of 6 and 18 years are required by law to attend school and parents must compel their students to do so. Students will be excused from school for the following reasons:

- (1) Illness of the student, including an absence for the benefit of the student's mental or behavioral health.
- (2) Quarantine under the direction of a county or city health officer.
- (3) Securing medical, dental, optometric, or chiropractic services.
- (4) Attendance at the funeral services of a member of the student's immediate family, so long as the absence is not more than one day if the service is conducted in California, and not more than three days if the service is conducted outside California.
- (5) Jury duty.
- (6) 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 staff shall not require a note from a doctor.
- (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the student's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the student's absence is requested in writing by the parent and approved by the principal or a designated representative. Attendance at religious retreats cannot exceed four hours per semester.
- (8) Service as a member of a precinct board for an election.
- (9) Spending time with a member of the student's immediate family, who is an active duty member of the uniformed services, 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; such absences will be granted for a period of time to be determined at the discretion of the Superintendent.
- (10) Attendance of the student's naturalization ceremony to become a United States citizen.
- (11) For the purpose of participating in a cultural ceremony or event, "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.
- (12) Obtaining confidential medical services without parental consent.
- (13) For the purpose of engaging in a civic or political event, provided that the student is in middle school or high school and notifies the school ahead of the absence. A student may be excused for only one schoolday-long absence per school year for this purpose, unless the school administrator permits additional excused absences.

A student may not have their grade reduced or lose academic credit for any excused absence(s) if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

#### **Absences for Religious Purposes (Ed. Code § 46014)**

With parent written consent, a student may be excused from school to attend religious exercises or classes away from school. Such absences may not exceed four days per month. An excused student must nevertheless maintain his or her attendance at the minimum level of school days required for his or her grade.



## ATTENDANCE

### **Attendance Options (Ed. Code §§ 35160.5, 46600 et seq., 48350 et seq., 48980)**

California law requires all school boards to inform parents of all existing statutory attendance options and local attendance options available in the District. Students who attend schools other than those assigned by the District are referred to as “transfer students” throughout this Notice.

**Open Enrollment.** Whenever a student is attending a District school on the Open Enrollment List, as identified by the Superintendent of Public Instruction, he or she may apply to transfer to another school within or outside of the District, if the school to which he or she is transferring has a higher Academic Performance Index. Districts with a school on the Open Enrollment List must notify the parents at that school on or before the first day of the school year of their option to transfer to another public school. Information regarding the application process and applicable deadlines can be obtained from the District office. See Appendix for the District’s policy on Open Enrollment.

**Intradistrict Transfers.** Because Buena Vista is a single-school school district, Intradistrict (within the district) transfers are not applicable.

**Interdistrict Transfers.** California law allows two or more school districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted or denied. Districts of residence may not deny a transfer of a student whose parent is active duty military where the district of proposed enrollment approves the application. No district is required to provide transportation to a student who transfers into the district. If either district denies a transfer request, a parent may appeal that decision to the county board of education within 30 calendar days from the date of the final denial. There are specified timelines in the law for the county board of education to make a decision. See Appendix for the District’s policy on Interdistrict Transfers

The Superintendent or designee shall maintain a record of requests for admittance that contains all of the following:  
(Education Code [48313](#))

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred out of and transferred into the district pursuant to this program
3. The race, ethnicity, gender, self-reported socio-economic status, and the district of residence for each student in item #2 above
4. The number of students in item #2 above who are classified as English learners or students with disabilities  
the Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-4 above. By May 15 of each year, the Superintendent or designee shall provide the same information, as well as information regarding the district’s status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, the California Department of Education, and the Department of Finance. (Education Code [48313](#))

The report to the Board and other agencies shall also include a summary of audit exceptions, if any, resulting from the compliance review of components of the district of choice program conducted as part of the annual district audit. (Education Code [48301](#), [48313](#))

### Transportation

The district shall not provide transportation beyond its geographical boundaries. Upon request, the Superintendent or designee may authorize transportation for interdistrict transfer students to and from designated bus stops within the attendance area if space is available.

### Limits on Student Transfers Out of the District to a School District of Choice

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code [48307](#).

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the

County Superintendent has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice. (Education Code [48307](#))

**Residency Requirements (Ed. Code §§ 48200, 48204, 48204.3, 48204.4, 48206.3, 48207, 48208, 48853.5, 48980)**

The District desires to admit all students who reside within the District boundaries or who fulfill the District residency requirements through other means as allowed by law. A student shall be deemed to have complied with the District's residency requirements if any of the following are met:

**Residency.** The student's parent or legal guardian resides within the District's boundaries.

**Children of Military Service Members.** The student's parent or legal guardian is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. The District must accept applications by electronic means for enrollment, including enrollment in a specific school or program within the District, and for course registration. The parent must provide proof of residency in the District within 10 days after the published arrival date provided on official documentation.

**Licensed Children's Institution, Foster Home, or Family Home.** The student is placed within the District's boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to court order.

**Foster Children.** The student is a foster child who remains in his or her school of origin. When a student's foster student status is terminated by the juvenile court during the school year, former foster students in grades K through eighth must be allowed to finish the school year in his or her school of origin. Former foster students in grades ninth through twelfth must be allowed to continue attending their schools of origin through graduation.

**Interdistrict Attendance.** The student has been admitting through an interdistrict attendance option, such as an interdistrict attendance agreement, or Open Enrollment Act transfer.

**Emancipated Minor.** The student resides within the District's boundaries and whose parent or legal guardian has been relieved of responsibility, control, and authority through emancipation.

**Caregiving Adult.** The student lives with a caregiving adult within the District's boundaries and the caregiving adult submits an affidavit to that effect.

**State Hospital.** The student resides in a state hospital located within the District's boundaries.

**Parent's Employment.** The Student's parent or legal guardian resides outside of the District's boundaries but is employed within the District's boundaries and lives with the student at the place of employment for a minimum of three days during the school week.

**Students of Detained or Deported Parents.** The student's parent has departed California against his or her will, and the student can provide official documentation evidencing the departure; and the student moved outside of California as a result of his or her parent leaving the state against his or her will, and the student lived in California immediately before moving outside the state. The student must provide evidence of enrollment in a California public school immediately before moving outside the state. Deported parents may designate another adult to attend school meetings and to serve as an emergency contact. No charges or fees of any kind may be required for admission or attendance in these circumstances. This law applies to parents who were: (1) in the custody of a government agency and were transferred to another state; (2) subject to a lawful removal order and who were

removed or were permitted to leave California voluntarily before being removed; and (3) subject to any additional circumstances consistent with these purposes, as determined by the District.

The District may deem a student to have met residency requirements for school attendance if at least one parent or legal guardian of the student is physically employed within the boundaries of that district for a minimum of 10 hours during the school week, subject to the right of the district of residence or the district of employment to prohibit the transfer on various grounds provided for in Education Code section 48204(b), paragraphs (2) to (6). The District is not required to admit the student to its school based on the employment of the parent, but it may not refuse to admit the student on the basis of race, ethnicity, sex, parental income, scholastic achievement, or any other arbitrary consideration. Once a student has been deemed to have residency and is enrolled in the District on this basis, the student does not have to reapply in the next school year to attend a school within the District, and the governing board shall allow the student to attend school through the 12th grade in the District if the parent so chooses and if at least one parent continues to be physically employed in the District.

#### **Temporary Disability (Ed. Code §§ 48206.3, 48207, 48207.3, 48208, 48980)**

A student whose temporary disability makes school attendance impossible or inadvisable must receive individual instruction either at home provided by the school district in which the student resides or in a hospital or other residential health facility, excluding state hospitals, provided by the school district in which the hospital or residential facility is located. "Temporary disability" means a physical, mental or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program to which the student can reasonably be expected to return. "Temporary disability" does not include a disability that would qualify a student as a "student with exceptional needs" under Education Code section 56026.

A student with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, located outside of the district in which the student's parent resides, complies with the school district's residency requirements for school attendance in the school district in which the hospital is located. Once the parent has notified the district in which the hospital is located of the student's presence in the qualifying hospital, the district has five working days to notify the parent if individualized instruction shall be made available. If the determination is positive, individualized instruction will begin within five working days.

Students enrolled in individual instruction in a hospital or other residential health facility for a partial week, are entitled to attend school in his or her school district of residence, or to receive individual instruction provided by the school district of residence in the student's home, on days in which he or she is not receiving individual instruction in a hospital or other residential health facility, if he or she is well enough to do so.

When a student receiving individual instruction is well enough to return to school, he or she must be allowed to return to the school that he or she attended immediately before receiving individual instruction was initiated. Absences from the student's regular school program due to the student's temporary disability are excused until the student is able to return to the regular school program.

#### **Students in Active Military Families - Residency Retention and Matriculation (Ed. Code §§ 48204.6, 48980)**

A student living in the household of an active duty military service member must be allowed to continue attending the student's school of origin for the remainder of the school year if the family moves.

A student from an active duty military family who is transitioning between school grade levels must be allowed to continue in the school district of origin and in the same attendance area of his/her school of origin. If the student is transitioning to middle school or high school, and the school designated for matriculation is in another school district, the local educational agency must allow the student to continue to the school designated for matriculation in that school district. The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended, or if the student is unable to produce clothing or records normally required for enrollment.

If the parent or legal guardian's military service ends during the school year, then the student is allowed to stay in his or her school of origin for the remainder of the school year if he or she is in grades 1-8, or through graduation if the student is in high school.

**Migratory Children - Residency Retention and Matriculation (Ed. Code §§ 48204.7, 54441)**

A currently migratory child is a child who has moved from one school district to another in order that the child, parent, or immediate family member might secure temporary or seasonal employment in an agricultural or fishing activity.

A currently migratory child must be allowed to continue attending the student's school of origin, regardless of any change of resident during that school year, for the duration of the student's status as a currently migratory child.

A currently migratory child who is transitioning between school grade levels must be allowed to continue in the school district of origin and in the same attendance area of his/her school of origin. If the student is transitioning to middle school or high school, and the school designated for matriculation is in another school district, the local educational agency must allow the student to continue to the school designated for matriculation in that school district. The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended, or if the student is unable to produce clothing or records normally required for enrollment. If the student's status as a currently migratory child ends during the school year, then the student is allowed to stay in his or her school of origin for the remainder of the school year if he or she is in grades 1-8, or through graduation if the student is in high school.

**Immigration Enforcement - "Know Your Rights" (Ed. Code § 234.7)**

All students have the right to a free public education, regardless of immigration status or religious beliefs. For more information, please see the resources developed by the California Attorney General at <https://www.oag.ca.gov/immigrant/rights>.

**Notice of Alternative Schools (Ed. Code § 58501)**

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

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

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

**Transfer of Victims of Bullying (Ed. Code § 46600)**

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

## **COMPLAINTS**

### **Uniform Complaint Procedures (Ed. Code §§ 262.3, 33315; 5 C.C.R. §§ 4610, 4622, 4632)**

The District has established Uniform Complaint Procedures (“UCP”) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees, and the non-compliance of the District’s Local Control and Accountability Plan. See Appendix for the District’s UCP.

The UCP addresses all allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected group as identified in Education Code section 200 and 200, and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis of a person’s association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the District that if funded directly by, or that receives or benefits from any state financial assistance. The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- American Indian Education Centers and Early Childhood Education Program Assessments
- Bilingual Education
- California Peer Assistance and Review Programs for Teachers
- Career Technical and Technical Education; Career Technical; Technical Training
- Career Technical Education
- Child Care and Development
- Compensatory Education
- Consolidated Categorical Aid
- Course Periods Without Educational Content
- Economic Impact Aid
- Education of Students in Foster Care, Students Who Are Homeless, Former Juvenile Court Students Now Enrolled in a School District, and Children of Military Families
- Every Student Succeeds/No Child Left Behind
- Local Control Accountability Plans
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Student
- Regional Occupational Centers and Programs
- School Safety Plans

- State Preschool Health and Safety Issues
- Tobacco-Use Prevention Education

The Superintendent shall receive and investigate complaints submitted under the District’s UCP and ensure District compliance with the law. For more information concerning the filing of uniform complaints, copies of the Board Policies and Administrative Regulations pertaining to the District’s UCP are available free of charge upon request at the school office.

Except for complaints submitted under the District’s Williams Complaint Procedures, a complainant may appeal a decision made under the District’s UCP to the California Department of Education by filing a written appeal within 30 days of receiving the decision. The appeal must be accompanied by a copy of the complaint filed with the District and a copy of the District’s decision.

A complainant may pursue available civil law remedies outside of the District’s UCP. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable.

**Uniform Complaint Procedures - Specific Complaints (Ed. Code §§ 48853, 48853.5, 49010, 49011, 49013, 49069.5, 51225.2, 52075; 5 C.C.R. § 4630)**

Complaints alleging non-compliance with specific state laws identified below may be submitted under the District’s UCP. If a complainant is not satisfied with the District’s decision, the complainant may appeal to the California Department of Education and will receive a written decision within 60 days.

**Pupil Fees.** A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. A pupil fee includes, but is not limited to, all of the following: (1) a fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit; (2) a security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment; and (3) a purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity. A complaint alleging the imposition of pupil fees for participation in educational activities may be filed with the school’s principal under the UCP not later than one year from the date the alleged violation occurred. A complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

**Local Control Accountability Plan.** School districts, charter schools and county offices of education are required to adopt and annually update their Local Control Accountability Plans (“LCAPs”). A complaint alleging noncompliance with the LCAP may be filed under the District’s UCP and may be filed anonymously. A complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

**Graduation and Coursework Requirements for Foster Youth, Homeless Students, Former Juvenile Court Students, Students Living in Active Duty Military Households, and Migratory and Newly Arrived Immigrant Students Participating in a “Newcomer Program.”** State law outlines the rights afforded to students in foster care, who are homeless, who are former juvenile court school students, students living in the household of a parent who is an active duty member of the military, and migratory and newly arrived immigrant students participating in a “Newcomer Program,” which is a program designed to meet the academic and transitional needs of newly arrived immigrant students including, but not limited to, rights regarding a student’s school of origin, enrollment, credits, graduation, college, discipline, records, and/or certain non-educational rights. A notice summarizing the rights of foster youth is available online through the California Department of Education at <http://www.cde.ca.gov/ls/pf/fy/documents/fosteryouthrights.pdf>.

**Special Education Program Complaints (5 C.C.R. §§ 3200-3205)**

Complaints regarding special education programs are no longer covered by the District’s Uniform Complaint Procedures. Please refer to the Notice of Procedural Safeguards, Special Education Rights or Parents and Children under the IDEA and the California Education Code, which is available from your child’s school or may be accessed here: <https://www.cde.ca.gov/sp/se/>, for more information about filing a complaint. Complaints alleging that a student was discriminated against due to his or her disability still fall under the Uniform Complaint Procedures.

**Child Nutrition Program Complaints (5 C.C.R. §§ 15580-15584)**

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

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

#### **Lactation Accommodations for Parenting Students (Ed. Code § 222)**

A school operated by a school district or a county office of education, the California School for the Deaf, the California School for the Blind, and a charter school must provide reasonable accommodations to a lactating student on a school campus to express milk, breast-feed an infant child, or address other needs related to breastfeeding. Reasonable accommodations under this section include, but are not limited to, all of the following:

- Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child.
- Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
- Access to a power source for a breast pump or any other equipment used to express breast milk.
- Access to a place to store expressed breast milk safely.
- A reasonable amount of time to accommodate the need to express breast milk or breast-feed an infant child.

A student may not incur an academic penalty as a result of her use of reasonable lactation accommodations and must be provided an opportunity to make up any work missed due to such use.

A complaint of noncompliance with the requirements of this provision may be filed under the District's Uniform Complaint Procedures. Complainants not satisfied with the District's decision may appeal the decision to the California Department of Education and receive a written decision within 60 days. If the District finds merit in a complaint, or if the Superintendent finds merit in an appeal, the District will provide a remedy to the affected student.

#### **Pregnant and Parenting Student Rights (Ed. Code §§ 221.51, 46015)**

The District cannot apply any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex. The District cannot exclude or deny any student from any educational program or activity, including class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.

The District may require any student to obtain the certification of a physician or nurse practitioner that the student is physically and emotionally able to continue participation in the regular education program or activity.

Pregnant or parenting students cannot be required to participate in pregnant minor programs or alternative education programs. Pregnant or parenting students who voluntarily participate in alternative education programs will be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.

The District must treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disabling condition.

Pregnant or parenting students are 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. The student, 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, shall notify the school of the student's intent to exercise this right. Failure to notify the school shall not reduce these rights. A pregnant or parenting student who does not wish to take all or part of the parental leave to which he or she is entitled shall not be required to do so. 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.

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. During parental leave, the District shall not require a pregnant or parenting student to complete academic work or other school requirements.

A pregnant or parenting student may return to the school and the course of study in which he or she was enrolled before taking parental leave. Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.

Notwithstanding any other law, 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.

A student who chooses not to return to the school in which he or she was enrolled before taking parental leave is entitled to alternative education options offered by the District. A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.

A student shall not incur an academic penalty as a result of his or her use of these accommodations. A complaint of noncompliance with these requirements may be filed with the District under its UCP.

**Williams Complaint Procedures (Ed. Code § 35186; 5 C.C.R. §§ 4680, 4681)**

The District's Williams Complaint Procedures address the sufficiency of instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancies or misassignments. See Appendix for the District's Williams Complaint Procedures. The school principal, or the designee of the Superintendent, shall make all reasonable efforts to investigate complaints submitted under the District's Williams Complaint Procedures.

**Nondiscrimination (Ed. Code § 200, 220, 234.1, 48985; 20 U.S.C. §§ 1681-1688, 6311-6312; 29 U.S.C. § 794; 42 U.S.C. §§ 2000d-d7, 12101-12213; 28 C.F.R. § 35.106; 34 C.F.R. §§ 104.8, 106.8, 106.9)**

State and/or federal law prohibit discrimination in the basis of race, color, national origin, or sex in federally financed education programs or activities. District programs and activities shall be free from discrimination, including harassment, intimidation, and bullying, based on any of the following actual or perceived characteristics:



- Age
- Ancestry
- Color
- Ethnicity
- Ethnic group identification
- Gender, including a person's gender identity and gender expression, which is a person's gender-related appearance and behavior whether or not stereotypically associated with a person's assigned sex at birth
- Genetic information
- Immigration status
- Lack of English skills
- Marital, family, or parental status
- Nationality or national origin
- Physical or mental disability
- Race
- Religion or religious creed, including agnosticism, atheism, and all aspects of religious belief, observance, and practice
- Sex, including discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery from pregnancy or childbirth-related conditions, or denial of lactation accommodations for lactating students
- Sexual orientation, including heterosexuality, homosexuality, and bisexuality

Harassment, intimidation, or bullying based upon a person's association with a person or group with one or more of these actual or perceived characteristics is also prohibited. Any questions or concerns about noncompliance can be directed to Carole Mederos, Superintendent at 686-2015. See Appendix for the District's policy on Nondiscrimination/Harassment.

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against qualified disabilities individuals in federally financed education programs or activities. The District does not discrimination in admission or access to its programs or activities. In the event of a complaint regarding discrimination based upon an actual or perceived mental or physical disability, please contact the Superintendent at 686-2015.

**Sexual Harassment Policy (Ed. Code § 231.5, 48980; 5 C.C.R. § 4917)**

See Appendix for the District's policy on sexual harassment.

**DISCIPLINE**

**Rules; School Discipline (Ed. Code §§ 35291, 48980)**

The District's Governing Board has adopted rules and regulations pertaining to student discipline, including Board Policy Board Policies 5144, 5144.1, and 5144.2 and Administrative 5144 and 5144.2. Parents may request a copy of such rules and regulations.

**Required Parental Attendance (Ed. Code §§ 48900.1, 48914)**

Parents may be required to attend their student's class if he or she is suspended for unruly or disruptive conduct.

**FACILITIES AND SAFETY**

**Management Plan for Asbestos-Containing Material (40 C.F.R. §§ 763.84, 763.93)**

The District has, available upon request, a complete and updated management plan for asbestos-containing material.

## **Use of Pesticide Products (Ed. Code §§ 48980.3, 17611.5, 17612)**

All schools are required to provide parents with annual notice of expected pesticide use at schools. See Appendix for a List of Pesticide Products, including name of each pesticide product, active ingredient(s) and the Internet address for further information. Please contact the Superintendent (Carole Mederos) at the District Office at 686-2015 if you wish to receive written notification at least 72 hours prior to the application of an individual pesticide at your school. Each school will maintain a list of parents who want to be notified before individual pesticide applications are made. Prior to the application of any pesticide, the District will post a warning sign at the area to be treated at least 24 hours prior to the pesticide application and such sign will remain posted for at least 72 hours after the application. In the event of an emergency condition, advance notification and prior sign posting may not be feasible, but a warning sign will be posted immediately upon application of the pesticide.

For additional information regarding pesticides and pesticide use, please visit the Department of Pesticide Regulation's website at [www.cdpr.ca.gov](http://www.cdpr.ca.gov). Parents may view a copy of the school's integrated pest management plan at the school site office or at [buenavistaeagles.org](http://buenavistaeagles.org).

## **Firearm Safety and Safe Storage of Firearms Information (Ed. Code §§ 48986, 49391, 49392)**

Beginning with the 2023-2024 school year, school districts are required to include information in their Annual Notices related to the safe storage of firearms and California's child access prevention laws, which establish liability for parents and guardians who should have known that their child could gain access to a firearm at home. The information included in the Annual Notice must be informed by model content developed by the California Department of Education (CDE), which will be updated annually. The CDE has until July 1, 2023 to develop model content

## **HEALTH & IMMUNIZATIONS**

### **Administration of Prescribed Medication (Ed. Code §§ 48980, 49423, 49480)**

Any student who is required to take, during the regular school day, medication prescribed for him or her by a physician and surgeon or ordered for him or her by a physician assistant, may be assisted by the school nurse or other designated school personnel if the District receives the following: (1) a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and (2) a written statement from the student's parent, indicating the desire that the District assist the student in the matters set forth in the statement of the physician and surgeon or physician assistant. These written statements must be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.

Any student who is required to take, during the regular school day, medication prescribed for him or her by a physician and surgeon or ordered for him or her by a physician assistant, may carry and self-administer prescription auto injectable epinephrine if the District receives the following: (1) a written statement from the physician and surgeon or physician assistant detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine, and (2) parent written consent to the self-administration, a release for the school nurse or other designated school personnel to consult with the health care provider of the student regarding any questions that may arise with regard to the medication, and an agreement to release the District and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication. These written statements must be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes. Students may be subject to disciplinary action pursuant to Education Code section 48900 for using auto-injectable epinephrine in a manner other than as prescribed.

Parents of any student on continuing medication for a non-episodic condition must inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage and the name of the supervising physician. With parent consent, the school nurse may communicate with the student's physician and may counsel school personnel regarding the possible effects of the drug, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

### **Administration of Anti-Seizure Medication (Ed. Code §§ 49468.2, 49468.3)**

Parents of a student diagnosed with seizures, a seizure disorder, or epilepsy who has been prescribed an emergency anti-seizure medication may request that their student's school have one or more of its employees receive voluntary training in the administration of the medication in the event that the student suffers a seizure when a school nurse is not available. Upon receipt of the parent's request, the District must notify the parent that their child may qualify for an individualized education program or Section 504 plan. Before an emergency anti-seizure medication or therapy treatment may be administered, the parent must provide a seizure action plan to the District.

### **Inhaled Asthma Medication (Ed. Code § 49423.1)**

Any student who is required to take, during the regular school day, medication prescribed for him or her by a physician or surgeon, may be assisted by the school nurse or other designated personnel if the District receives the following: (1) a written statement from the physician or surgeon detailing the medication name, method, amount, and time schedules by which the medication is to be taken, and (2) a written statement from the student's parent requesting that the District assist the student in the administration of medication set forth in the physician or surgeon's written statement. These written statements must be provided at least annually and more frequently if the medication, dosage, frequency of administration, or reason for administration changes.

Any student who is required to take, during the regular school day, medication prescribed for her or her by a physician or surgeon, may carry and self-administer inhaled asthma medication if the District receives the following: (1) a physician or surgeon's written statement confirming that the child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedules for administration, and (2) parent written consent to the self-administration, a release for the school nurse or other designated school personnel allowing them to consult with the student's physician, and an agreement to release the District and school personnel from civil liability in the event of an adverse reaction as a result of self-administering medication. These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. Students may be subject to disciplinary action pursuant to Education Code section 48900 for using inhaled asthma medication in a non-prescribed manner.

### **Physical Examination Exemptions (Ed. Code §§ 48980, 49451)**

Parents may exempt their student from physical examinations at school by annually filing a written statement with the school principal refusing such an exam. However, when there is a good reason to believe that a student exempted from physical examination is suffering from a recognized contagious or infectious disease, he or she will be sent home and will not be permitted to return to school until school authorities are satisfied that any contagious or infectious disease does not exist.

### **Medical & Hospital Services Not Provided or Available for Athletic Activities (Ed. Code § 49471)**

The District does not provide or make available medical and hospital services for students who are injured while participating in athletic activities.

### **Medical & Hospital Services for Students (Ed. Code § 49472)**

The District does not provide or make available medical and/or hospital services for students injured on school grounds, or while being transported to or from any school activity or event.

### **Mental Health Services for Students (Ed. Code § 49428)**

Student mental health services are available through Tulare County Office of Education personnel by contacting the Superintendent, Carole Mederos at 686-2015 or Joe Martinez at the Tulare County Office of Education 730-2910 ext. 5164

### **Immunizations and Control of Communicable Disease (Ed. Code §§ 49403, 48216, 48980; H. & S. Code §§ 120335, 120370, 120372)**

The District cooperates with the local health officer in the control and prevention of communicable diseases in school-age children. If a parent consents in writing, the District may permit any person licensed as a physician and surgeon, or a health care practitioner

(including a physician assistant, nurse practitioner, registered nurse, licensed vocation nurse, or nursing student who is acting under the supervision of a registered nurse as provided by law) who is acting under the direction of a supervising physician and surgeon, to administer an immunizing agent to his/her student.

Students must be immunized against certain diseases before being admitted to school, unless exempted for medical reasons. Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016, are exempt from the immunizations requirement until they complete the “grade span” they were in as of January 1, 2016. Grade spans are: (1) birth through preschool, (2) Kindergarten through 6th grade, and (3) 7th through 12th grade. Students entering the District for the first time or advancing to 7th grade after July 1, 2016 are no longer exempt from immunizations based on their religious or personal beliefs. Students who had a medical exemption issued before January 1, 2021 will be allowed continued enrollment until they enroll in the next grade span. The District must exclude from school any student who does not supply evidence of inoculation (for any of the diseases listed in Health & Safety Code section 120335), and will notify the parent that he/she has two weeks to supply evidence that the student is immunized.

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

### **Child Nutrition; School Meals (Ed. Code §§ 49510-49520, 48980)**

Buena Vista School is participating in the Community Eligibility Provision of the National School Lunch and School Breakfast Program for the 2022-23 school year. This provides that **ALL** students at Buena Vista will receive breakfast and lunch at no charge. No further action is required of you. Your child(ren) will be able to participate in these meal programs without having to pay or submit an application. If you have any questions, please contact the office at 6862015.

### **INSTRUCTION**

#### **Minimum and Staff Development Days (Ed. Code § 48980)**

See Appendix for the District’s pupil-free staff development day and minimum day schedule. A student’s parent will be notified during the school year of any additional minimum days or pupil-free staff development days no later than one month before the actual date.

#### **Career Counseling and Course Selection (Ed. Code § 221.5)**

Counselors, teachers, instructors, administrators, and aides may not, on the basis of a student’s sex, offer vocational or school program guidance to the student that is different from that offered to a student of the opposite sex in counseling, nor may a counselor differentiate career, vocational, or higher education opportunities on the basis of the sex of the student counseled. Any District personnel acting in a career counseling or course selection capacity shall affirmatively explore with the student the possibility of careers or courses leading to careers that are nontraditional for that student’s sex.

#### **Right to Refrain From the Harmful or Destructive Use of Animals (Ed. Code § 32255 et seq.)**

Any student with a moral objection to dissecting, harming, or destroying animals shall notify his/her teacher regarding this objection. An alternative education project may be arranged if the teacher believes the alternative education project can provide the course of study in question. The alternative requires a comparable amount of time and effort, but must not be more arduous than the original project. The District requires a signed note from a parent indicating their child’s objection.

#### **Special Education (Ed. Code § 56000 et seq.; 20 U.S.C. § 1412; 35 C.F.R. § 300.111)**

Students with exceptional needs have a right to a free appropriate public education in the least restrictive environment. The District wants to locate, identify, and assess all children with disabilities whether homeless, wards of the state or enrolled in public or private schools. Parents should inform school officials if they have reason to believe their child has a disability requiring special services or accommodations. The child will be evaluated to determine whether he/she is eligible for free special instruction or services.

### **Excuse from Health Instruction Based on Religious and Moral Grounds (Ed. Code § 51240)**

Upon written request of a parent, a student shall be excused from any part of health instruction that conflicts with his/her religious training and beliefs (including personal moral convictions).

### **Comprehensive Sexual Health Education and HIV/AIDS Prevention (Ed. Code §§ 51938, 51939, 48980)**

A parent has the right to excuse his or her child from all or part of comprehensive sexual health education, HIV/AIDS prevention education, and assessments related to that education, as follows:

A parent may request in writing that his/her student be excused from participating in HIV/AIDS prevention or comprehensive sexual health education. Students so excused by their parent shall be given an alternative educational activity.

Parents may inspect the written and audio visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them a copy of Education Code sections 51930-51939.

Every student's parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified. Parents have a right to request that the District provide them a copy of Education Code sections 51933, 51934, and 51938.

Anonymous, voluntary and confidential research and evaluation tools to measure students' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the students' attitudes concerning or practices relating to sex may be administered to pupils in grades 7-12. Parents will be notified in writing and given the opportunity to review such tests, questionnaires and surveys and be informed that in order to excuse their student, they must state their request in writing. If a school receives a written request from a parent excusing a student from this activity, the student may not be subject to disciplinary action, academic penalty or other sanction and an alternative educational activity must be made available to the student.

### **Student Surveys, Tests, and Questionnaires Regarding Beliefs and Practices (Ed. Code §§ 51513, 60614; 20 U.S.C. § 1232h)**

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

**California Assessment of Student Performance & Progress (CAASPP) (Ed. Code §§ 60604, 60615, 60640; 5 C.C.R. § 852)**

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

**Parent and Guardian CAASPP Notification Letter**

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Dear Parent/Guardian:

The California Assessment of Student Performance and Progress, or CAASPP, is the state academic testing program. CAASPP is a system intended to provide information that can be used to monitor student progress on an annual basis and ensure that all students leave high school ready for college and career. CAASPP assessments include computeradaptive tests in English–language arts/literacy (ELA) and mathematics for students in grades 3 – 8 and 11 and paper-based tests in science for students in grades 5, 8 and 10. Eligible Spanish-speaking English learners enrolled in grades 2-11 also take the Standards-based Test in Spanish (STS).

This year, students will take the CAASPP tests on assigned dates beginning ***April 1 through May 31***. To learn about the types of questions on the computer-based tests or for additional information about CAASPP tests, you and your child can visit the Parent and Student tab of the California Department of Education (CDE) at <http://www.cde.ca.gov/ta/tg/ca/> and select the Parent and Student tab.

Following spring CAASPP testing, individual student score reports displaying CAASPP results will be sent home to parents. Student score reports will include an overall score and a description of the student’s achievement level for ELA and mathematics. Score reports for students in grades 5, 8 and 10 will include results of the Science test

With CAASPP, the purpose of statewide annual assessments shifted from producing annual accountability reports to assisting teachers, administrators, and pupils and their parents to improve teaching and learning throughout the school year. Results from the CAASPP assessments will be used, along with other available data, to determine the impact of selected curriculum/programs, and to make other instructional plans.

As the parent or guardian, you have the option of excusing your child from any part of the CAASPP. If you would like to excuse your child from the test, you must submit your request in writing to the school. [Education Code 60615.] We will grant your request. Please let the school know as soon as possible so we can make alternative arrangements for your student.

If you have any questions regarding CAASPP, please contact Carole Mederos at 559-686-2015 or [cmederos@buenavistaeagles.org](mailto:cmederos@buenavistaeagles.org)

Sincerely,

Carole Mederos, Superintendent/Principal

## **Notification of Potential Failing Grade (Ed. Code §§ 49063, 49067)**

Parents will be notified when a teacher has determined that your student is in danger of failing a course.

## **Teacher and Paraprofessional Qualifications (20 U.S.C. § 6312)**

Upon request, parents have a right to request information regarding the professional qualifications of the classroom teachers who instruct their student. Federal law allows parents to request the following information: (1) If the student's teacher has met the state credential or license criteria for grade level and subject matter taught; (2) If the student's teacher is teaching under an emergency or other provisional status because of special circumstances; (3) If the teacher is teaching in the field of discipline of the certification of the teacher; and (4) If the student is receiving services from paraprofessional and, if so, their qualifications.

## **RECORDS**

### **Student Records Policy (Ed. Code §§ 49063, 49064; 5 C.C.R. § 432)**

The District maintains mandatory permanent (kept indefinitely) and interim (may be destroyed after a stipulated length of time) student records. Mandatory permanent student records include the student's legal name; date of birth; method of verification of birth date; sex of student; name and address of parent of minor student; entering and leaving date of each school year and for any summer session or other extra session; subjects taken during each year, half-year, summer session, or quarter; if marks or credit are given, the mark or number of credits toward graduation allows for work taken; verification of or exemption from required immunizations; and date of high school graduation or equivalent. Mandatory interim student records include a log or record identifying those persons (except authorized school personnel) or organizations requesting or receiving information from the record; health information, including Child Health Developmental Disabilities Prevention Program verification or waiver; participation in special education programs including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge; language training records; progress slips and/or notices; parental restrictions regarding access to directory information or related stipulations; parent or adult student rejoinders to challenged records and to disciplinary action; parental authorizations or prohibitions of student participation in specific programs; and results of standardized tests administered within the preceding three years. In addition, permitted student records (may be destroyed when no longer useful) are kept. Permitted student records include objective counselor and/or teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavioral patterns, all disciplinary notices, and attendance records. The following position is responsible for maintaining all student records: Superintendent or Designee at 21660 Rd. 60, Tulare, CA 93274 or 559-686-2015.

An access log or record of who has requested or received information from a student's records is kept at the school office. The Education Code and the District's Administrative Regulation 5125 set forth the criteria under which school officials and employees may access, change, or delete information in a student's records.

### **Parent Access to Records (Ed. Code §§ 49063, 49065, 49069, 49070, 56504; 34 C.F.R. § 99.7)**

Parents of currently enrolled or former students have an absolute right of access to any and all student records related to their children that are maintained by the District. Parents have the right to inspect and review their children's student records during regular school hours within five business days of a request. The District may charge parents a reasonable fee not to exceed the actual copying cost for reproducing copies of student records.

Parents may challenge the content of a student record if there is an inaccuracy, an unsubstantiated personal conclusion or inference, a conclusion or inference outside of the observer's area of competence, a comment not based on the personal observation of a named person with the time and place of the observation noted, or if the student record includes misleading information or violates the student's privacy or other rights. The Superintendent or designee will meet with the parent and the certificated employee who recorded the information in question, if any, and presently employed by the District, within 30 days. The Superintendent will determine whether to sustain or deny the allegations. If the challenge is sustained, the changes will be made. If the challenge is denied, the parent may appeal the decision in writing to the District's governing board within 30 days of the refusal. The District's governing board will determine whether to sustain or deny the allegations within 30 days of receipt of an appeal. The decision of the District's governing board is final. The Superintendent and the District's governing board cannot order a student's grade to be changed unless the teacher who determined the grade is given an opportunity to state the reasons for which the grade was given and is included in all discussions relating to changing the grade.

**Curriculum Review (Ed. Code §§ 49063, 49091.14)**

A prospectus of curriculum, including titles, descriptions, and instructions aims of every course offered, is available at the school site for parent review upon request. Copies are available for a reasonable fee not to exceed the actual copying cost.

**Student Records Review (Ed. Code §§ 49063, 49064, 49076; 34 C.F.R. §§ 99.7, 99.31)**

The District may share student records with school officials and employees who have a legitimate educational interest. “School officials and employees” and “legitimate educational interest” are defined in the attached Administrative Regulation 5125.

**Parental Consent to Release Student Information; No Parental Consent to Release Directory Information (Ed. Code §§ 49061(c), 49063, 49073, 49076, 49077; 10 U.S.C. § 503; 20 U.S.C. §§ 1232g, 7908; 34 C.F.R. § 99.37)**

Federal and state law require that the District obtain parent written consent prior to the disclosure of personally identifiable information contained in a student's records, except to the extent disclosure without consent is permitted by law (e.g. subpoena or court order). However, the District may disclose directory information without parental consent to certain entities. Directory information released to law enforcement agencies, employers and prospective employers, news media and may include student's name, address, telephone number, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, most recent educational agency or institution attended. Upon request by a military recruiter or an institution of higher education, the District must give the requester the names, addresses, and telephone numbers of its secondary students.

If you do not want the District to disclose directory information from your student's education records without your prior written consent, you must notify the District in writing by August 30 or by using the attached Directory Information Opt-Out Form.

The District will not release directory information pertaining to a homeless student, unless a parent or student accorded parental rights has provided written consent that the directory information may be released.

**Transfer of Student Records (Ed. Code § 49068; 34 C.F.R. §§ 99.7, 99.34)**

The District will forward student records, including transcripts, immunization records, and, when applicable, suspension notices, expulsion records, and individualized education programs, to other school districts that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

**Student Records Complaints (Ed. Code § 49063; 20 U.S.C. § 1232g; 34 C.F.R. §§ 99.7, 99.63)**

Parents have the right to file a complaint with the U.S. Department of Education concerning an alleged failure by the District to comply with the requirements of the General Education Provisions Act or FERPA. The name and address of the office that administers FERPA are:

Student Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW Washington, DC 20202



## APPENDIX

### Attachments:

1. Sexual Harassment Policy
2. Nondiscrimination/Harassment Policy
3. Open Enrollment Policy
4. Interdistrict Transfers Policy
5. Form to Request a Change of Attendance
6. Uniform Complaint Procedures
7. Williams Complaint Procedures
8. Student Records Procedures
9. List of Pesticide Products
10. Calendar listing minimum or pupil free days and all school activities planned.
11. Type 1 Diabetes Information
12. Type 2 Diabetes Information Sheet
13. Directory Information Opt-Out Form
14. Participation in Voluntary Field Trip/Athletic Event –Permission Form
15. Firearms Safety Memorandum

## **1. Sexual Harassment Policy (BP 5145.7)**

### **Sexual Harassment**

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

#### Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable

#### Complaint Process

Any student who feels that he/she is being or has been sexually harassed on school grounds or at a school sponsored or school-related activity (e.g., by a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

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

#### Disciplinary Actions

Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

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

## **2. Nondiscrimination/Harassment Policy (BP 5145.3)**

### **Nondiscrimination/Harassment**

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

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

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

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

In providing instruction, guidance, supervision, or other services to district students, employees and volunteers shall carefully guard against segregating or stereotyping students.

The Superintendent or designee shall develop a plan to provide students with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

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

### **Grievance Procedures**

The following position is designated Coordinator for Nondiscrimination to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the district's nondiscrimination policies: Superintendent, 21660 Road 60, Tulare, CA 93274 or (559) 686-2015.

Any student who feels that he/she has been subjected to discrimination, harassment, intimidation, or bullying should immediately contact the Coordinator, the principal, or any other staff member. In addition, any student who observes any such incident should report the incident to the Coordinator or principal, whether or not the victim files a complaint.

Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying or to whom such an incident is reported shall report the incident to the Coordinator or principal, whether or not the victim files a complaint.

In addition, the employee shall immediately intervene when safe to do so. (Education Code [234.1](#))

Upon receiving a complaint of discrimination, harassment, intimidation, or bullying, the Coordinator shall immediately investigate the complaint in accordance with the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures.

The Superintendent or designee shall ensure that the student handbook clearly describes the district's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that are available

to students who feel that they have been the victim of any such behavior. The district's policy shall also be posted on the district web site or any other location that is easily accessible to students.

### **3. Open Enrollment Policy (BP 5118)**

#### **Open Enrollment Act Transfers**

The Board of Trustees desires to offer enrollment options in order to provide children with opportunities for academic achievement that meet their diverse needs. Such options shall also be provided to children who reside within another district's boundaries in accordance with law, Board policy, and administrative regulation.

Whenever the district school is identified by the Superintendent of Public Instruction as a school on the Open Enrollment List, a student may transfer to another school as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

In order to ensure that priorities for enrollment in the district school are implemented in accordance with law, the Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment List in another district. Transfer applications shall be submitted between January 1 and March 15 of the preceding school year for which the transfer is requested.

The Board may deny a transfer out of or into the district upon a determination by the Board that the transfer would negatively impact a court-ordered or voluntary desegregation plan in accordance with Education Code 48355.

#### **Standards for Rejection of Transfer Applications**

Pursuant to Education Code 48356, the Board has adopted the following standards for acceptance and rejection of transfer applications submitted by a parent/guardian of a student attending a school in another district on the Open Enrollment List. The Superintendent or designee shall apply these standards in accordance with Board policy and administrative regulation and shall ensure that the standards are applied uniformly and consistently.

As applicable, the Superintendent or designee may deny a transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer application would negatively impact the capacity of a program, class, or grade level, including:
  - a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program or the Morgan/Hart Class Size Reduction Program for Grades 9-12
  - b. The school, classroom, or program exceeding the maximum student-teacher ratio specified in the district's collective bargaining agreement
  - c. The school, classroom, or program exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document
  - d. The class or grade level exceeding capacity pursuant items #a-#c above in subsequent years as the student advances to other grade levels at the school
2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including:
  - a. The hiring of additional certificated or classified staff
  - b. The operation of additional classrooms or instructional facilities
  - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students

### **Appeal Process for Denials of Transfer Applications**

A parent/guardian may appeal the district's denial of a transfer application to the Board by filing a written request of appeal with the Superintendent or designee within 10 days of the receipt of the written notification of denial. In addition, a parent/guardian who believes he/she has been subject to discrimination may file an appeal using the district's Uniform Complaint Procedures.

The Board shall schedule an appeal hearing as soon as practicable at a regular or special meeting of the Board. At the hearing, the parent/guardian shall have the right to present oral or written evidence, rebut district evidence, and question any district witnesses. Unless the parent/guardian requests that the hearing be held in open session, the hearing shall be held in closed session in order to protect the privacy of students in accordance with law.

The Board shall make its decision by the next regularly scheduled meeting and shall send its decision to all concerned parties. The Board's decision shall be final.

### **Program Evaluation**

The Superintendent or designee shall collect data regarding the number of students who transfer out of the district pursuant to the Open Enrollment Act. He/she also shall collect data regarding the number of students who apply to transfer into the district, and the number of requests granted, denied, or withdrawn.

The Superintendent or designee shall regularly report to the Board regarding the implementation of this program.

#### **4. Interdistrict Transfers Policy (BP 5117)**

##### **Interdistrict Attendance**

The Board of Trustees recognizes that parents/guardians of students who reside in one district may, for a variety of reasons, choose to enroll their child in a school in another district.

##### **School District of Choice Program**

The Board has designated the district as a "school district of choice" and shall accept students who reside in other California districts who wish to attend the district school. Each year, the Superintendent or designee shall recommend to the Board the number of transfer students that the district will be able to accept and shall identify the grade levels and programs that will be able to accept these students.

Upon receiving the Superintendent's recommendation, the Board shall determine the number of students that will be accepted into the district through this program. This number shall be reflected in the minutes of the Board's meeting.

The Superintendent or designee shall establish a selection process which ensures that students are admitted to the district school through a random, unbiased process that prohibits evaluation of whether a student should be enrolled based upon his/her academic or athletic

performance. If the number of student applications exceeds the number of transfers the Board has designated for acceptance under the program, the Superintendent or designee shall conduct a random drawing in public at a regularly scheduled Board meeting. (Education Code 48301)

Because the district admits students in accordance with the school district of choice program, the Superintendent or designee shall not admit students based on individual interdistrict attendance permits pursuant to Education Code 46600-46611 except under extraordinary circumstances.

The Superintendent or designee shall maintain a record of requests for admittance that contains all of the following: (Education Code 48313)

1. The number of requests granted, denied, or withdrawn and, for denied requests, the reason for the denial
2. The number of students transferred out of and transferred into the district pursuant to this program
3. The race, ethnicity, gender, self-reported socio-economic status, and the district of residence for each student in item #2 above
4. The number of students in item #2 above who are classified as English learners or students with disabilities

The Superintendent or designee shall report to the Board, at a regularly scheduled meeting, the information specified in items #1-4 above. By May 15 of each year, the Superintendent or designee shall provide the same information, as well as information regarding the district's status as a school district of choice in the upcoming school year, to each geographically adjacent school district, the county office of education, the California Department of Education, and the Department of Finance. (Education Code 48313)

The report to the Board and other agencies shall also include a summary of audit exceptions, if any, resulting from the compliance review of components of the district of choice program conducted as part of the annual district audit. (Education Code 48301, 48313)

##### **Transportation**

The district shall not provide transportation beyond its geographical boundaries. Upon request, the Superintendent or designee may authorize transportation for interdistrict transfer students to and from designated bus stops within the attendance area if space is available.

##### **Limits on Student Transfers Out of the District to a School District of Choice**

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the

County Superintendent has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice. (Education Code 48307)

The district may deny a transfer of a student out of the district to a school district of choice if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district. (Education Code 48301)



5. Form to Request a Change of Attendance Options

## Buena Vista School District Interdistrict Permit



21660 Rd. 60 – Tulare, Ca 93274    Phone (559)686- 2015 Fax (559)684-0932

New Request

Renewal

Student Names	Birthdate	Grade for requested school year

SCHOOL DISTRICT OF RESIDENCE: \_\_\_\_\_ SCHOOL OF RESIDENCE: \_\_\_\_\_

DESIRED DISTRICT: \_\_\_\_\_ SCHOOL: \_\_\_\_\_

REASON:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

**Parent/Guardian Information:**

Name: _____	Name: _____
Address: _____	
Phone: _____	Phone: _____

FOR OFFICE USE

To be completed by District of Residence	To be completed by Desired District
<input type="checkbox"/> Release Approved <input type="checkbox"/> Release Denied _____  Signature: _____ <small>Carole Mederos, Superintendent/Principal</small>  Date: _____	<input type="checkbox"/> Approved <input type="checkbox"/> Denied _____  Signature: _____  Date: _____

## 6. Uniform Complaint Procedures

### UNIFORM COMPLAINT PROCEDURES

(Las formas uniformes la queja estan disponibles en la oficina)

#### COMPLAINTS

##### **5 CCR § 4622 ■ Uniform Complaint Procedures**

Each local educational agency shall annually notify in writing, as applicable, its students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, and other interested parties of their local educational agency complaint procedures, including the opportunity to appeal to the California Department of Education and the provisions of Title 5 of the California Code of Regulations commencing with section 4600. The notice shall include the identity (identities) of the person(s) responsible for processing complaints. The notice shall also advise the recipient of the notice of any civil law remedies that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal process pursuant to Education Code section 262.3. This notice shall be in English, and when necessary, in the primary language, pursuant to Section 48985 of the Education Code, or mode of communication of the recipient of the notice.

The school district maintains a uniform complaint procedure for investigating complaints regarding: (1) discrimination on the basis of age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, immigration status, religion, color, or mental or physical disability; (2) violations of the laws and regulations governing consolidated categorical aid programs, Adult Education, Migrant Education, Career/Technical Education, Regional Occupational Centers and Programs, Child Development, Special Education, Nutrition services, school safety planning and Local Control Accountability Plans; (3) the imposition of pupil fees for participation in educational activities; (4) noncompliance with laws pertaining to homeless students and students in foster care; (5) failure to comply with graduation and coursework requirements for former juvenile court school students; (6) failure to comply with graduation and coursework requirements for students living in active duty military households; (7) the failure to accommodate lactating students; (8) failure to comply with physical education instructional minute requirements for elementary schools; and (9) educational content course requirements for grades 9-12. The school district has designated **Carole Mederos, Superintendent/Principal** as the Compliance Officer to receive and investigate uniform complaints that fall within these categories and ensure compliance with the law. For more information concerning the filing of uniform complaints, copies of the Board Policies and Administrative Regulations pertaining to these complaint procedures are available free of charge upon request at the school office.

##### **§ 49010-49013 ■ Complaint of Noncompliance; Pupil Fees**

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. This article is declarative of existing law and should not be interpreted to prohibit the imposition of a fee, deposit, or other charge otherwise allowed by law.

- (a) *A complaint of noncompliance with the requirements of this article may be filed with the principal of a school under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.*
- (b) *A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements of this article.*

If it is found that the complaint has merit, the school shall provide a remedy to all affected parties (pupils, parents/guardians) which shall ensure full reimbursement to the parties subject to procedures established by the State Board of Education. In addition, schools should have policies and procedures in place.

If a complainant is not satisfied with the decision of the school, the decision may be appealed to the California Department of Education.

- (e) *Information regarding the requirements of this article shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations.*

##### **§ 52075 ■ Local Control Accountability Plan Noncompliance**

School districts, charter schools and county offices of education are required to adopt and annually update their LCAPs. LCAP non-compliance complaints may be filed under the educational agency's Uniform Complaint Procedures and may be filed anonymously. If

a complainant is not satisfied with the school district or county office's decision, the complainant may appeal to the California Department of Education and receive a written decision within 60 days.

**§§ 48853, 49069.5, 51225.1, 51225.2 ■ Rights of Homeless Students and Students in Foster Care**

The uniform complaint procedures cover complaints pertaining to the education of homeless students and students in foster care, including, but not limited to, a county office's failure to:

- a) Allow a foster child to remain in his/her school of origin while resolution of a school placement dispute is pending;
- b) Place a foster child in the least restrictive educational programs and provide access to academic resources and services, and extracurricular and enrichment activities available to all students and make educational and school placement decisions based on the best interests of the child;
- c) Provide educational services for foster children living in emergency shelters;
- d) Designate a staff person as the educational liaison for foster children. The educational liaison must ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children, and assist foster children when transferring from one school or district to another by ensuring the proper transfer of credits, records and grades;
- e) Compile and transfer the complete educational record, including full or partial credits earned and the current classes and grades, of a transferring foster child to the next educational placement;
- f) Ensure the proper and timely transfer between schools of students in foster care;
- g) Within two business days of receipt of a transfer request or notification of enrollment from the new local educational agency, transfer the student and deliver the student's complete educational information and records to the next educational placement;
- h) Ensure that no lowering of grades will occur as a result of a foster student's absence due to a change in placement by a court or placing agency, or due to a verified court appearance or related court activity;

A complainant not satisfied with the local educational agency's decision may appeal to the CDE and receive a written decision from the CDE within 60 days. (Ed. Code § 48853, 49069.5, 51225.1, 51225.2)

**§ § 51225.1 and 51225.2 ■ Uniform Complaints – Graduation and Coursework Requirements for Foster Youth, Homeless, Former Juvenile Court, and Students Living in Active Duty Military Households**

The following rights apply to foster youth, homeless student, former juvenile court students, and students living in the households of parents/guardians who are active duty members of the military:

- a.) Within 30 days of transferring, after the completion of the second year of high school, students must be notified that they may be exempt from local graduation requirements and that this exemption continues after the court's jurisdiction over a foster child ends, when a homeless student is no longer homeless, when a student is no longer under the jurisdiction of a juvenile court, or when the student no longer lives in the household of an active duty service member;
- b.) Accept coursework satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency, even if the student did not complete the entire course; and must issue full or partial credit for the coursework completed. For student living in active duty military households, "public schools" include schools operated by the United States Department of Defense;
- c.) Students may not be required to retake a course satisfactorily completed elsewhere. If the student did not complete the entire course, the school district or county office may not require that the student retake the portion already completed, unless the

school district or county office, in consultation with the holder of the student's educational rights, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the student must be enrolled in the same or equivalent course in order to continue and complete the entire course;

- d.) A student may not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California;
- e.) Exempt students transferring between schools at any time after the completion of his/her second year of high school from all coursework and other requirements adopted by the district's governing board that are in addition to the statewide coursework requirements for graduation found in Education Code section 51225.3, unless the district makes a finding that the student is reasonably able to complete the district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school;
- f.) For students deemed reasonably able to complete the district's graduation requirements within the student's fifth year of high school, the district must do all of the following: (a) inform the student of his/her option to remain in school for a fifth year to complete the school district's graduation requirements; (b) inform the student, and the person holding the right to make educational decisions for the student, about how remaining in school for a fifth year to complete the school district's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution; (c) provide information to the student about transfer opportunities available through the California Community Colleges; (d) upon agreement with an adult student or upon agreement with the person holding the right to make educational decisions for a student under 18 years of age, permit the student to stay in school for a fifth year to complete the school district's graduation requirements;
- g.) Within 30 calendar days of the school transfer, the school district must notify a student who may qualify for the exemption from local graduation requirements, the person holding the right to make educational decisions for the student, the foster student's social worker or probation officer, and, in the case of homeless students, the school district's liaison for homeless students, of the availability of the exemption from local graduation requirements and whether the student qualifies for the exemption;  
  
If the school district fails to provide timely notice of these rights, the student will be eligible for the local graduation requirements exemption even after the student is no longer: (1) homeless, (2) in foster care, (3) under the juvenile court's jurisdiction: or (4) living in the household of an active military service member, if the student otherwise qualifies for the exemption.
- h.) Students exempted from local graduation requirements who complete statewide coursework requirements before the end of their fourth year of high school may not be required or asked to graduate before the end of their fourth year of high school, if otherwise entitled to remain in attendance.
- i.) If a student is exempted from local graduation requirements, the school district must notify the student and the person holding the right to make educational decisions for the student of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and must provide information about transfer opportunities available through the California Community Colleges;
- j.) A student who is eligible for the exemption from local graduation requirements and who would otherwise be entitled to remain at the school, shall not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements;

If a student is not exempted from local graduation requirements or has previously declined the exemption, the school district must exempt the student at any time if he/she requests and qualifies for the exemption;

- k.) Once exempted from local graduation requirements, the school district shall not revoke the exemption;
- l.) If a student in foster care is exempted from local graduation requirements, the exemption must continue to apply after the termination of the court's jurisdiction over the student while he/she is enrolled in school or if the student transfers to another school or school district;
- m.) If a homeless student is exempted from local graduation requirements, the exemption must continue to apply after the student is no longer homeless while he/she is enrolled in school or if the student transfers to another school or school district;
- n.) If a former juvenile court school student is exempted from local graduation requirements, the exemption must continue to apply after the termination of the court's jurisdiction over the student while s/he is enrolled in school or if the student transfers to another school or school district;
- o.) For students living in active duty military households, the exemption will continue to apply after; (1) a student transfers to another school or school district, or (2) a student no longer meets the "child of military family" definition;
- p.) A school district may not require or request that a student in foster care or a homeless student transfer schools in order to be exempted from local graduation requirements; and
- q.) Transfer requests may not be made on a student's behalf solely to qualify the student for and exemption under this section.

#### Non-Compliance Complaints

Complainants of non-compliance may be filed with the local educational agency under its Uniform Complaint Procedures. A complainant not satisfied with the local educational agency's decision may appeal to the California Department of Education (CDE) and receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

**A complainant not satisfied with the applicable school district or county office decision may appeal to the CDE and receive a written decision from the CDE within 60 days.**

#### **§ 51225.2 ■ Uniform Complaints – Former Juvenile Court School Student Graduation Requirements**

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

#### **§ § 48645.5 and 48645.7 ■ Juvenile Court Students- Graduation Requirements and Continuing Education Options**

In addition to being exempt from local graduation requirements and the right to receive credit for coursework completed while in juvenile court schools, the law provides more extensive graduation and continuing education options for juvenile court student who have qualified for a diploma.

Education Code section 48645.7 has been added to require that the county offices of education notify juvenile court student who have qualified for a diploma, their educational rights holders, and their social workers or probation officers of the following:

1. The student's right to a diploma without having to complete coursework or other requirements that are in addition to statewide graduation requirements;
2. How taking coursework and other requirements adopted by the governing board of the county office of education, or continuing education upon release from the juvenile detention facility will affect the student's ability to gain admission to a postsecondary educational institution.
3. Information about transfer opportunities available through the California Community Colleges;

4. The student's or, if a minor, the education rights holder's option to allow the pupil to defer or decline the diploma in order to take additional coursework if the county office of education makes a finding that the student could benefit from the additional coursework and graduation requirements adopted by the county office of education.

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

- a. Enroll in a school operated by a local educational agency or charter school;
- b. Benefit from continued instruction; and
- c. Graduate from high school

## **Uniform Complaint Procedure**

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

If a staff member, district resident, or parent/guardian of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, he/she shall informally discuss the material in question with the Superintendent.

### **Step 2: Formal Complaint**

If the complainant is not satisfied with the Superintendent's initial response, he/she shall present a written complaint to the Superintendent. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection shall be given. Complainants shall sign all complaints and provide identifying information so that the district is able to make a proper reply. Anonymous complaints will not be accepted.

Upon receiving a complaint, the Superintendent shall acknowledge its receipt and answer any questions regarding procedure. The Superintendent then shall notify the teacher(s) involved of the complaint.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of the parent/guardian who has filed the complaint, his/her child may be excused from using challenged materials until a resolution has been reached. The teacher shall assign the student an alternate material of equal merit.

### **Step 3: Superintendent Determination**

The Superintendent or designee shall determine whether a review committee should be convened to review the complaint.

If the Superintendent or designee determines that a review committee is not necessary, he/she shall issue a decision regarding the complaint.

### **Step 4: Review Committee**

If the Superintendent or designee determines that a review committee is necessary, he/she shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint community members to serve on the committee.

The review committee shall review the criteria specified in Board policy and shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

Within 30 days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant of the committee's decision within 15 days of receiving the committee's report.

### **Step 5: Appeal to the Board of Trustees**

If the complainant remains unsatisfied, he/she may appeal the Superintendent's or the review committee's decision to the Board. The Board's decision shall be final.

## **Compliance Officers**

The following compliance officer(s) shall receive and investigate complaints and shall ensure district compliance with law:

Superintendent – Carole Mederos

21660 Rd. 60, Tulare, CA 93274

559-686-2015

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

## **Notifications**

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013; 5 CCR 4622)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
  - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
  - c. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.
  - d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.
  - e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
  - f. Copies of the district's uniform complaint procedures are available free of charge.

## **Procedures**

All complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

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

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

### **Step 1: Filing of Complaint**

Any individual, public agency, or organization may file a written complaint of the district's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630)

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 calendar days. (5 CCR 4630)

A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013)

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

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

### **Step 2: Mediation**

Within three business days of receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

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

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

### **Step 3: Investigation of Complaint**

Within 10 calendar days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.

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

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

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

### **Step 5: Final Written Decision**



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

The district's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language.

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

1. The findings of fact based on the evidence gathered
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition
5. Corrective actions, if any are warranted
6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

In addition, any decision concerning a discrimination, harassment, intimidation, or bullying complaint based on state law shall include a notice that the complainant must wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If investigation of a complaint results in discipline to a student or an employee, the decision shall simply state that effective action was taken and that the student or employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges is found to have merit, the district shall provide a remedy to all affected students and parents/guardians, which, where applicable, shall include reasonable efforts to ensure full reimbursement to them. (Education Code 49013)

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

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE. (Education Code 49013; 5 CCR 4632)

The complainant shall file his/her appeal within 15 calendar days of receiving the district's decision and the appeal shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

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

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

The CDE may directly intervene in a complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists, including when the district has not taken action within 60 calendar days of the date the complaint was filed with the district. (5 CCR 4650)

### **Civil Law Remedies**

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

### **Forms and Notices**

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

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

**COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURES**

Education Code 35186 creates a 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 misassignment, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested?  Yes  No

Contact Information

Name: \_\_\_\_\_

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

Phone Numbers: Day \_\_\_\_\_ Evening: \_\_\_\_\_

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

Location of the problem that is the subject of this complaint:

Course title/grade level and teacher name: \_\_\_\_\_ Room number/name of room/location of facility: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

**Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate district complaint procedure.**

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

- 1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)
  - A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
  - A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
  - Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
  
- 2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)
  - A semester begins and a teacher vacancy exists. A *teacher vacancy* is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
  - A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
  - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
  
- 3. Facility conditions: (Education Code 17592.72, 35186, 35292.5; 5 CCR 4683)
  - A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.
  - A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers.
  
  - The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when temporary closing of the restroom is necessary for pupil safety or to make repairs.

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health or safety of pupils or staff.

\_\_\_\_\_

Please file this complaint at the following location: Carole Mederos, 21660 Rd. 60, Tulare, CA 93274 or [cmaderos@buenavistaeagles.org](mailto:cmaderos@buenavistaeagles.org).

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

\_\_\_\_\_  
(signature)

\_\_\_\_\_  
(date)

## 7. Williams Uniform Complaint Procedures (AR 1312.4)

### Williams Uniform Complaint Procedures

Cautionary Notice: AB 97 (Ch. 47, Statutes of 2013) repealed Education Code 42605, which provided temporary flexibility for specified "Tier 3" categorical programs, and instead redirects the funding for those categorical programs into the Local Control Funding Formula (LCFF) (Education Code [42238.01-42251](#)). The supplemental and concentration grant portions of the LCFF may be used for any schoolwide or districtwide educational purpose in accordance with state regulations to be adopted by January 31, 2014, with a goal of increasing or improving services for English learners, foster youth, and students eligible for free and reduced-price meals. Certain requirements related to Tier 3 categorical program(s) in the following policy or regulation are no longer applicable.

#### Types of Complaints

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code [35186](#); 5 CCR [4681](#), [4682](#), [4683](#))

##### 1. Textbooks and instructional materials

- a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
- b. A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each student.
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

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

##### 2. Teacher vacancy or misassignment

- a. A semester begins and a teacher vacancy exists.
- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner student in the class.
- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code [35186](#); 5 CCR [4600](#))

Beginning of the year or semester means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (5 CCR [4600](#))

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

##### 3. Facilities

- a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code [17592.72](#))

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code [35292.5](#).

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code [35292.5](#))

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code [35292.5](#))

### Filing of Complaint

A complaint alleging any condition(s) specified above shall be filed with the principal or designee. (Education Code [35186](#); 5 CCR [4680](#))

### Investigation and Response

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

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. (Education Code [35186](#); 5 CCR [4680](#), [4685](#))

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

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Board of Trustees at a regularly scheduled meeting. (Education Code [35186](#); 5 CCR [4686](#))

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3a in the section entitled "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR [4632](#). (Education Code [35186](#); 5 CCR [4687](#))

All complaints and written responses shall be public records. (Education Code [35186](#); 5 CCR [4686](#)) Reports

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

### Forms and Notices

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

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

## 8. Student Records Procedures (AR 5125)

### Definitions

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

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

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

Student records do not include: (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

1. Directory information
2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee
3. Records of the law enforcement unit of the district, subject to the provisions of 34 CFR 99.8
4. Records created or received by the district after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student
5. Grades on peer-graded papers before they are collected and recorded by a teacher

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

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

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

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

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

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

1. The student's name
2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)

5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the district reasonably believes knows the identity of the student to whom the student record relates

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

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

School officials and employees are officials or employees whose duties and responsibilities to the district, whether routine or as a result of special circumstances, require that they have access to student records.

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

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose duties, responsibilities, or contractual obligations to the district, whether routine or as a result of special circumstances, require him/her to have access to student records.

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

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

### **Persons Granted Access**

The following persons shall have absolute access to any and all student records in accordance with law:

1. Parents/guardians of students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)
2. An adult student age 18 years or older, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to his/her student records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

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

1. Parents/guardians of a student age 18 or older who is a dependent child as defined under 26 USC 152 (Education Code 49076; 34 CFR 99.31)
2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076; 34 CFR 99.31)
3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)



4. Members of a school attendance review board (SARB) who are authorized representatives of the district and any volunteer aide age 18 or older who has been investigated, selected, and trained by the SARB to provide follow-up services to a referred student (Education Code 49076)
5. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

When the district discloses personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall make a reasonable attempt to notify the parent/guardian or adult student at his/her last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

6. Federal, state, and local officials, as needed for an audit, evaluation, or compliance activity related to a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)
7. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #6 above (Education Code 49076)
8. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

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

9. Any district attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)
10. A district attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)
11. Any probation officer, district attorney, or counsel of record for a minor student for the purposes of conducting a criminal investigation or an investigation in regards to declaring the minor student a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

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

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

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

13. Any foster family agency with jurisdiction over currently enrolled or former students for purposes of accessing those students' records of grades and transcripts and any individualized education program developed and maintained by the district (Education Code 49069.3)
14. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the district provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #11 above. (Education Code 49076)

15. Designated peace officers or law enforcement agencies in cases where the district is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the district, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5; 34 CFR 99.1-99.67)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district or California private school. (Education Code 49076.5)

At his/her discretion, the Superintendent or designee may release information from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

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

2. Accrediting associations (Education Code 49076; 34 CFR 99.31)
3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)
  - a. The study is conducted in a manner that does not permit personal identification of parents/guardians and students by individuals other than representatives of the organization who have legitimate interests in the information.
  - b. The information is destroyed when no longer needed for the purposes for which the study is conducted.
  - c. The district enters into a written agreement with the organization that complies with 34 CFR 99.31.

4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)
5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, in which case the Superintendent or designee shall notify the student's parent/guardian of his/her rights in accordance with law prior to releasing the information (Health and Safety Code 120440)
6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract by the district, excluding volunteers or other parties (Education Code 49076)
7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or his/her parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (Education Code 49076; 34 CFR 99.31, 99.36)
8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the provisions of 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.31, 99.37)

Persons, agencies, or organizations not afforded access rights by law may be granted access only through written consent of the parent/guardian or adult student, or by judicial order. (Education Code 49075)

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

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

#### **De-identification of Records**

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

#### **Process for Providing Access to Records**

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained in different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

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

The custodian of records shall develop reasonable methods, including physical, technological, and administrative controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

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

When prior written consent is required by law, the parent/guardian shall provide a written, signed, and dated consent before the district discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The district's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian, the district shall provide him/her a copy of the records disclosed. (34 CFR 99.30)

Within five business days following the date of request, a parent/guardian or other authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)  
Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

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

### **Access Log**

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

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

The log does not need to include record of access by: (Education Code 49064)

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

The log shall be accessible only to the parent/guardian, adult student, dependent adult student, student who is age 16 years or older or who has completed the 10th grade, custodian of records, and certain state or federal officials. (Education Code 49064; 5 CCR 432)

### **Duplication of Student Records**

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

### **Changes to Student Records**

Only a parent/guardian having legal custody of a student or an adult student may challenge the content of a record or offer a written response to a record. (Education Code 49061)

No additions except routine updating shall be made to a student's record after high school graduation or permanent departure without prior consent of the parent/guardian or adult student. (5 CCR 437)

### **Retention and Destruction of Student Records**

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

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

1. Legal name of student

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

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

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

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program, including: (5 CCR 432, 437)

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

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

#### **Transfer of Student Records**

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

When a student transfers into this district from another district, the Superintendent or designee shall request that the student's previous district provide any records, either maintained by that district in the ordinary course of business or received from a law enforcement agency, regarding acts committed by the transferring student that resulted in his/her suspension or expulsion. (Education Code 48201) When a student transfers from this district to another school district or to a private school, the Superintendent or designee shall forward a copy of the student's mandatory permanent record within 10 school days of the district's receipt of the request for the student's records. The original record or a copy shall be retained permanently by this district. If the transfer is to another California public school, the student's entire mandatory interim record shall also be forwarded. If the transfer is out of state or to a private school, the mandatory interim record may be forwarded. Permitted student records may be forwarded to any other district or private school. (Education Code 48918, 49068; 5 CCR 438)

Upon receiving a request from a county placing agency to transfer a student in foster care out of a district school, the Superintendent or designee shall transfer the student's records to the next educational placement within two business days. (Education Code 49069.5) All student records shall be updated before they are transferred. (5 CCR 438)

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

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

#### **Notification of Parents/Guardians**

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. Insofar as practicable, the district shall provide these notices in the student's home language and shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063; 34 CFR 99.7)

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

1. The types of student records kept by the district and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records

4. District criteria for defining school officials and employees and for determining legitimate educational interest
5. District policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records
9. The categories of information defined as directory information pursuant to Education Code 49073
10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school
12. Any other rights and requirements set forth in Education Code 49060-49078, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the district to comply with 20 USC 1232g
13. A statement that the district forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

## 9. List of Pesticides

To meet the requirements of the Healthy Schools Act of 2000, the Buena Vista Elementary School District is required to provide annual written notification to staff, parents and guardians regarding the intended applications of pest management products. For the 2022-23 school year, Buena Vista Elementary School District may apply the following pest management products as necessity dictates:

**Rescom Pest Control: 305 South “M” Street, Tulare, CA 93274 559-685-8989**

### Products

1. Demon Max – Cypermethrin
2. Demand CS – Lambda-Cyhalothrin
3. Termidor – Fipronil
4. Cykick – Cyfluthrin
5. CT 511 – Pyrethrin
6. D-Force H.P.X. – Deltamethrin
7. Maxforce ant killer bait gel – Fipronil
8. Suspend Polyzone – Deltamethrin
9. Maxforce magnum roach bait gel – Fipronil
10. Suspend SC – Deltamethrin
11. Gentrol Aerosol – Hydroprene
12. Gentrol – Hydroprene
13. Advion WDG – Indoxacarb
14. Wisdom TC – Bifenthrin
15. Maxforce Impact roach gel bait – clothianidin
16. Niban granular bait – orthoboric acid
17. Nyguard plus – pyriproxyfen
18. Cynoff EC – cypermethrin
19. Wasp-Freeze- d-trans allethrin, Phenothrin
20. Maxforce Complete granular insect bait –Hydramethylnon
21. Phantom- Chlorfenapyr
22. Alpine - Dinotefuran

### Non pesticides

1. Glueboards for mice/rats
2. Lo-line –insect monitor stations

For additional information on pest management products, you may access the California Department of Pesticide Regulation website at [www.cadpr.ca.gov](http://www.cadpr.ca.gov).

The Buena Vista Elementary District does not use any pest management products with the signal word “danger” and in the majority of cases, the products used fall into the safest category, “caution”. Pest management products are applied when children are not present.

Applicators receive annual safety training, strictly follow the W.S. EPA label instructions and only apply pesticides when they are necessary.

Notice of pesticide application will be posted in the office at least 72 hours before use. If you would like to receive notification of individual pest management product applications, please call me at (559) 686-2015. Registrants shall be notified of individual applications at least 72 hours in advance.



10. Calendar listing minimum or pupil free days and all school activities planned

BUENA VISTA SCHOOL DISTRICT									
DISTRICT CALENDAR FOR 2023-2024									
Month	M	T	W	TH	F	Instructional Days	Staff Development Days	Significant Dates	Explanation
<b>August 2023</b>		1	2	3	4			August 7-8	Teacher Duty Days
	7	8	9	10	11			August 9	First day of school
	14	15	16	17	18	17	2		
	21	22	23	24	25			August 24	Back to School Night - 1:45 Dismissal
	28	29	30	31					
<b>September 2023</b>					1				
	4	5	6	7	8			September 4	Labor Day
	11	12	13	14	15	19	0	September 12	1:45 Dismissal
	18	19	20	21	22			September 13	Fair Day
	25	26	27	28	29				
<b>October 2023</b>		2	3	4	5			October 9	Teacher Inservice Day
	9	10	11	12	13	21	1	October 10	1:45 Dismissal
	16	17	18	19	20			October 13	End of Quarter (45 days)
	23	24	25	26	27			Oct. 23-27	1:45 Dismissal -- Parent-Teacher Conferences
	30	31							
<b>November 2023</b>			1	2	3			November 7	1:45 Dismissal
	6	7	8	9	10	16	0	November 10	Veteran's Day
	13	14	15	16	17			November 17	1:45 Dismissal
	20	21	22	23	24			November 20-24	Thanksgiving Holiday
	27	28	29	30					
<b>December 2023</b>					1				
	4	5	6	7	8	14	0	December 20	1:45 Dismissal
	11	12	13	14	15				
	18	19	20	21	22			December 21-	Winter
	25	26	27	28	29				
<b>January 2024</b>		1	2	3	4			January 12	Break
	8	9	10	11	12	12	0	January 15	Martin Luther King Jr. Day
	15	16	17	18	19			January 19	End of the Quarter (46 days)
	22	23	24	25	26				
	29	30	31						
<b>February 2024</b>				1	2			February 6	1:45 Dismissal
	5	6	7	8	9	19	0	February 12	Lincoln's Birthday
	12	13	14	15	16			February 19	President's Day
	19	20	21	22	23				
	26	27	28	29					
<b>March 2024</b>					1			March 5	1:45 Dismissal
	4	5	6	7	8	16	0	March 22	End of Quarter (43 days)
	11	12	13	14	15			March 22	1:45 Dismissal
	18	19	20	21	22			March 25 --	Spring Break
	25	26	27	28	29				
<b>April 2024</b>	1	2	3	4	5			April 1	Spring Break
	8	9	10	11	12	21	0	April 9	1:45 Dismissal
	15	16	17	18	19				
	22	23	24	25	26				
	29	30							
<b>May 2024</b>			1	2	3			May 7	1:45 Dismissal
	6	7	8	9	10	22	0		
	13	14	15	16	17				
	20	21	22	23	24			May 27	Memorial Day
	27	28	29	30	31				
<b>June 2024</b>	3	4	5	6*	7*	5	1	June 7	12:00 Dismissal/End of Quarter (48 days)
	10	11	12	13	14			June 10	Last Teacher Duty/Staff Development Day
Total Student Instructional Days: 180* + 4 staff development days = 184 Total Teacher Duty Days									
Legal Holiday	○								
Teacher Duty Day No School	■								
Board Holiday	■								
Grade Periods	■								
School Activities	■								
Note: * 2 possible fog make-up days are included. If not used they will be credited in May or at the end of the school year									
Board Approved March 8, 2023									

## 11. Type 1 Diabetes Information -

### § 49452.6 ■ Type 1 Diabetes Information

Pursuant to California Education Code Section 49452.6, this type 1 diabetes information is for local educational agencies to provide to parents and guardians of incoming elementary school students beginning January 1, 2023.

Type 1 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.

#### Description

#### **Type 1 diabetes usually develops in children and young adults but can occur at any age**

- According to the U.S. Centers for Disease Control and Prevention (CDC), cases of type 1 diabetes in youth increased nationally from 187,000 in 2018 to 244,000 in 2019, representing an increase of 25 per 10,000 youths to 35 per 10,000 youths, respectively.
- The peak age of diagnosis of type 1 diabetes is 13-14 years, but diagnosis can also occur much earlier or later in life.

#### **Type 1 diabetes affects insulin production**

- As a normal function, the body turns the carbohydrates in food into glucose (blood sugar), the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood into the cells.
- In type 1 diabetes, the body's pancreas stops making insulin, and blood glucose levels rise.
- Over time, glucose can reach dangerously high levels in the blood, which is called hyperglycemia.
- Untreated hyperglycemia can result in diabetic ketoacidosis (DKA), which is a life-threatening complication of diabetes.

#### Risk Factors Associated with Type 1 Diabetes

It is recommended that students displaying warning signs associated with type 1 diabetes, which are described below, should be screened (tested) for the disease by their health care provider.

#### **Risk Factors**

Researchers do not completely understand why some people develop type 1 diabetes and others do not; however, having a family history of type 1 diabetes can increase the likelihood of developing type 1 diabetes. Other factors may play a role in developing type 1 diabetes, including environmental triggers such as viruses. Type 1 diabetes is not caused by diet or lifestyle choices.

#### Warning Signs and Symptoms Associated with Type 1 Diabetes and Diabetic Ketoacidosis

Warning signs and symptoms of type 1 diabetes in children develop quickly, in a few weeks or months, and can be severe. If your child displays the warning signs below, contact your child's primary health care provider or pediatrician for a consultation to determine if screening your child for type 1 diabetes is appropriate:

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

DKA is a complication of untreated type 1 diabetes. DKA is a medical emergency. Symptoms include:

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

#### Types of Diabetes Screening Tests That Are Available

- **Glycated hemoglobin (A1C) test.** 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.
- **Random (non-fasting) blood sugar test.** A blood sample is taken any time 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 for 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.

Contact your student's school nurse, school administrator, or health care provider if you have questions.

The CDE's Type I Diabetes Information sheet may be found at: <https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp>

## 12. Type 2 Diabetes Information Sheet

### TYPE 2 DIABETES INFORMATION

#### § 49452.7 ■ Type 2 Diabetes Information

The school districts shall provide an information sheet regarding type 2 diabetes to the parent or guardian of incoming 7<sup>th</sup> grade pupils. The information sheet may be provided to the parent or guardian of incoming 7<sup>th</sup> graders with the annual parent rights notification, or it may be provided separately.

The information sheet is available to school districts through the California Department of Education website at <http://www.cde.ca.gov/ls/he/hn/type2diabetes.asp>. Written copies of the information sheet are available to school districts upon written request to the California Department of Education.

Pursuant to California *Education Code* Section 49452.7, this type 2 diabetes information is for local educational agencies to provide to parents and guardians of incoming seventh grade students beginning July 1, 2010.

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. Also see available translations of this information.

#### **Description**

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 (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

- The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
- In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.
- Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.
- Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

#### Risk Factors Associated with Type 2 Diabetes

It is recommended that students displaying or possibly experiencing the 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:

- **Being overweight.** 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 is overweight. The chances are more than double that an overweight child will develop diabetes.
- **Family history of diabetes.** Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.
- **Inactivity.** Being inactive further reduces the body's ability to respond to insulin.

- **Specific racial/ethnic groups.** Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- **Puberty.** Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

#### Warning Signs and Symptoms Associated with Type 2 Diabetes

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.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fats levels

#### Type 2 Diabetes Prevention Methods and Treatments

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.

- **Eat healthy foods.** Make wise food choices. Eat foods low in fat and calories.
- **Get more physical activity.** Increase physical activity to at least 60 minutes every day.
- **Take medication.** If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

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).

#### Types of Diabetes Screening Tests That Are Available

- **Glycated hemoglobin (A1C) test.** 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.
- **Random (non-fasting) blood sugar test.** 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.
- **Fasting blood sugar test.** 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.
- **Oral glucose tolerance test.** 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.

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 your student's school nurse, school administrator, or health care provider if you have questions.

**References**

[American Diabetes Association Clinical Journal](#) (Outside Source)

[Helping Children with Diabetes Succeed: A Guide for School Personnel](#) (PDF; Outside Source)

[KidsHealth](#) (Outside Source)

[Mayo Clinic](#)

13. Directory Information Opt-Out Form

**Directory Information Opt-Out Form 2022-2023**

This form provides parents and guardians the opportunity to opt their student out of the release of directory information. Please read each section of the form carefully. If you have any questions about this form, please contact the District’s Superintendent, Carole Mederos at Buena Vista School 21660 Rd. 60, Tulare, CA 93274 or 686-2015.

Pursuant to the Family Educational Rights and Privacy Act (FERPA) and the California Education Code, the District may release directory information to certain persons or organizations, as specified in this annual notice, when it is requested. Directory information may be released to law enforcement agencies, employers and prospective employers, news media and may include student’s name, address, telephone number, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, most recent educational agency or institution attended. In the case of students who have been identified as having special needs or homeless, no material can be released without parent or guardian consent.

**Please note: This is an OPTIONAL form. The form should only be returned to the school if you wish to opt your child out of one of these areas.**

If you do not want your child’s directory information released, please check the box below. This opt-out does not apply to directory information released for District yearbook purposes.

I do not want my child’s directory information to be released.

For Grades 9-12 only:

I do not want my child’s directory information to be released to military recruiters.

I do not want my child’s directory information to be released to institutions of higher education.

The District may use and release such directory information to third parties for purposes, including, without limitation, compiling, completing, and printing the District’s annual yearbook and/or awards listings. If you do not want your child’s directory information released and/or used for such purposes, please check the box below.

I do not want my child’s directory information to be released in yearbooks and awards listings.

**Parent/Guardian Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

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

ID#: \_\_\_\_\_

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

Phone: \_\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

**14. Participation in Voluntary Field Trip/Athletic Event – Permission Form**

**BUENA VISTA ELEMENTARY SCHOOL DISTRICT Participation in Voluntary Field Trip/Athletic Event**

I give my permission for my student, \_\_\_\_\_, to participate in the field trips/athletic events for the 2022-2023 school year and to be transported by the Buena Vista Elementary School District to all field trips/athletic events, including sports practices and competitions, in which he/she is a participant. I understand students will not be allowed to use transportation other than District transportation without advance written permission of their parent/guardian and authorization from the school.

As provided for in Education Code section 35330, I agree to waive all claims against the Buena Vista Elementary School District and hold the District, its officers, agents, employees, Governing Board, members of the Governing Board, members of the Governing Board and the State of California harmless from any and all liability or claims which may arise out of or in connection with my student's participation in this field trip/athletic activity.

Printed Name of Parent/Guardian	Signature	Date
Address		Phone Number
Alternate emergency contact person:		
Name		Phone Number

**Emergency Medical Authorization**

In the event of an illness or injury, I consent to whatever medical treatment or hospital care for my student that is considered necessary in the best judgment of the attending physician or dentist in the hospital or facility furnishing medical or dental services. I further acknowledge that the District does not provide medical coverage for participants in this field trip/athletic event.

Printed Name of Parent/Guardian	Signature	Date
Health Insurance Company		Policy Number



## Firearms Safety Memorandum

**To:** Parents and Guardians of Students attending Buena Vista School District

**From:** Carole Mederos

**Subject:** California Law Regarding Safe Storage of Firearms

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The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the Buena Vista School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.<sup>1</sup>
  - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a 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.<sup>2</sup>
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.<sup>3</sup>
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.<sup>4</sup>

**Note:** Your county or city may have additional restrictions regarding the safe storage of firearms.

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

Sincerely,

Carole Mederos

Date published: 8-9-23  
California Department of Education