

# Bear Valley Unified School District

# Annual Notice of Parents' Rights & Responsibilities



2016-17



## Bear Valley Unified School District

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Superintendent of Schools

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Christina San Nicholas

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Dena Arbaugh  
**Big Bear High School**  
Tina Fulmer

**Chautauqua  
High School**  
Tina Fulmer

**Fallsvale  
Elementary School**  
To Be Determined

**North Shore  
Elementary School**  
Manny Marquez

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**EMERGENCY COMMUNICATIONS SYSTEMS FOR PARENTS/GUARDIANS**

In the event of an emergency, please access the following:

- San Bernardino County Sheriff’s Office of Emergency Services’ website [http://www.sbcounty.gov/calmast/sbc/html/contact\\_us.asp](http://www.sbcounty.gov/calmast/sbc/html/contact_us.asp) or (909) 356-3998
- KBHR 93.3 or KTIE AM 590 (English)  
KEZY AM 1240 (Spanish)
- Automated Phone Messaging System – voice message on your telephone from your student’s school or the district office.

**IMPORTANT DATES**

**First Day of School**

August 1, 2016

**Early Out Days**

Elementary Schools

August 4, 11, 18 & 25, 2016  
 September 1, 8, 15, 22 & 29, 2016  
 October 27, 2016  
 November 3, 10 & 17, 2016  
 December 1, 8 & 15, 2016  
 January 19 & 26, 2017  
 February 2, 9, 16 & 23, 2017  
 March 2, 9, 16 & 23, 2017  
 April 13, 20 & 27, 2017  
 May 4, 11, 18 & 25, 2017  
 June 1 & 8, 2017

**Last Day of School**

June 15, 2017

**Minimum Days (Conferences)**

Elementary Schools  
 October 3 – 7, 2016

**Finals**

Middle School  
 December 19 – 21, 2016  
 June 13 – 15, 2017

**Pupil-Free Days**

November 23, 2016

**Late Start Days**

Middle & High Schools  
 August 8 & 22, 2016  
 September 12 & 26, 2016  
 October 31, 2016  
 November 14 & 28, 2016  
 December 12, 2016  
 January 23, 2017  
 February 6 & 20, 2017  
 March 6 & 20, 2017  
 April 10 & 24, 2017  
 May 8 & 22, 2017

**Finals**

High Schools  
 December 19 – 21, 2016  
 June 13 – 15, 2017

**Holidays**

September 5, 2016 – Labor Day  
 October 10 – 21, 2016 – Fall Break  
 November 11, 2016 – Veterans’ Day  
 November 24 & 25, 2016 – Thanksgiving Holiday  
 December 25, 2016 – January 13, 2017 – Winter Break  
 January 16, 2017 – Martin Luther King Day  
 February 10, 2017 – Lincoln’s Birthday (Observed)  
 February 13, 2017 – President’s Day (Observed)  
 \*\*March 27 – April 7, 2017 – Spring Vacation  
 May 29, 2017 – Memorial Day

\*Any days from March 24 – 31, 2017 not used as Snow Days will be considered Spring Break

## ACADEMICS

### MINIMUM DAYS

EC §48980(c)

At the beginning of the first semester or quarter of the regular school term, the Governing Board shall notify parents/guardians of all pupils of the schedule of minimum days and pupil-free staff development days. For any minimum or pupil-free days scheduled thereafter, parents/guardians shall be notified one month before the scheduled minimum or pupil-free day.

#### Minimum Days

Elementary Schools

October 3 – 7, 2016

#### Early Out Days

Elementary Schools

August 4, 11, 18 & 25, 2016

September 1, 8, 15, 22 & 29, 2016

October 27, 2016

November 3, 10 & 17, 2016

December 1, 8 & 15, 2016

January 19 & 26, 2017

February 2, 9, 16 & 23, 2017

March 2, 9, 16 & 23, 2017

April 13, 20 & 27, 2017

May 4, 11, 18 & 25, 2017

June 1 & 8, 2017

#### Late Start Days

Middle & High Schools

August 8 & 22, 2016

September 12 & 26, 2016

October 31, 2016

November 14 & 28, 2016

December 12, 2016

January 23, 2017

February 6 & 20, 2017

March 6 & 20, 2017

April 10 & 24, 2017

May 8 & 22, 2017

### COURSE CATALOGUE/PROSPECTUS

EC §49091.14, EC §49063 & BVUSD Board Policy 6161.1

The curriculum, including titles, descriptions, and instructional aims of every course offered by the district are compiled annually in a prospectus. Parents/guardians may contact the school principal, their student's counselor, or the District's Executive Director of Educational Services to request a copy of the prospectus. When requested, the prospectus shall be reproduced and made available.

### EXCUSAL FROM HEALTH, FAMILY LIFE, AND SEX EDUCATION INSTRUCTION

EC §231.5, EC §51930-51939 & BVUSD Board Policy 6142.1

The district is required to give parent/guardians written notification regarding sexual education, HIV/AIDS prevention, and related assessments for students in grades 7-12. A parent/guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV/AIDS prevention education, and assessments related to that education. Written and audiovisual educational materials used for sexual health education and HIV/AIDS prevention education are available for inspection.

Parents/guardians will receive notice prior to instruction, assessments, if district staff will provide instruction or, in the case of an outside speaker, the date of the instruction and name of the organization or affiliation of each guest speaker, how and where to inspect written and audiovisual materials to be used, and how to request a copy of EC §51930 through EC §51939 concerning sexual health and HIV/AIDS prevention education.

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

The District may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given opportunity to review the research instrument and to request in writing that their child not participate.

### SEXUAL ABUSE AND SEX TRAFFICKING PREVENTION / SEXUAL ABUSE AND SEXUAL ASSAULT AWARENESS AND PREVENTION

EC §51900.6 & EC §51950

The middle and/or high school may offer sexual abuse/sexual assault awareness and prevention or sex trafficking prevention instruction to teach strategies to reduce their risk, techniques to set healthy boundaries and how to safety report incidents. Parents or guardians may submit a written request to excuse their child from participation in any class involving sexual abuse, sexual assault awareness and prevention or sex trafficking prevention education.

### OBJECTION TO DISSECTING, HARMING, OR DESTROYING ANIMALS

EC §32255.1, EC §48980(a)

BVUSD Board Policy 5145.8 & Administrative Regulation 5145.8

Any pupil with a moral objection to dissecting or otherwise harming or destroying animals, or any parts thereof, shall notify his/her teacher regarding this objection. If a student chooses to refrain from participation in an education project involving the harmful or destructive use of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with a student to develop and agree upon an alternate education project for the purpose of providing the student an alternate avenue for obtaining the knowledge, information, or experience required by the course of study in question.

Pupils choosing an alternative education project shall pass all examinations of the respective course of study in order to receive credit for that course of study. However, if tests require the harmful or destructive use of animals, a pupil may, similarly, seek alternative tests pursuant to this chapter. A pupil's objection to participating in an educational project pursuant to this section shall be substantiated by a note from his/her parent/guardian.

Each teacher teaching a course that utilizes live or dead animals or animal parts shall inform their students of their rights pursuant to EC §32255.

### STUDENTS WITH DISABILITIES

EC §56301, USC §1415(d)(2) of Title 20, CFR §300.504(c) of Title 34 & §504 Rehabilitation Act

#### Section 504 Accommodations for Students

The Rehabilitation Act of 1973, commonly referred to as "Section 504," is a nondiscrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who a) has a physical or mental impairment which substantially limits a major life activity, b) has a record of such an impairment, or c) is regarded as having such an impairment. The regulations define "major life activities" as functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

It is the purpose of this notice to identify the rights ensured by Section 504. If parents have questions regarding parents' rights under IDEA (Individuals with Disabilities Education Act), they should contact the District office at the Bear Valley Unified School District.

The enabling regulations for Section 504 as identified in 34 CFR Part 104 provide parents and/or students with the following rights:

1. You have the right to be informed by the school district of your rights under Section 504. (The purpose of this notice is to advise you of those rights.) 34 CFR 104.32
2. Your child has the right to a free appropriate public education, if he or she is a qualified handicapped person, regardless of the nature or severity of his or her handicap. 34 CFR 104.33
3. Your child has the right to an appropriate education, which is the provision of regular or special education and related services that are designed to meet the individual educational needs of handicapped persons as adequately as the needs of non-handicapped persons are met, and which are based upon the adherence to procedures that satisfy the requirement of the regulations. 34 CFR 104.33
4. Your child has the right to a free education, which is the provision of educational and related services without cost to the handicapped person or to his or her parents or guardian, except for those fees that are imposed on non-handicapped persons or their parents or guardian. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 CFR 104.33
5. Your child has the right to placement in the least restrictive environment. 34 CFR 104.34
6. Your child has the right to facilities, services and activities that are comparable to those provided for non-disabled students. 34 CFR 104.34

7. Your child has a right to an evaluation prior to an initial placement of the person in a regular or special education program and any subsequent significant change in placement. 34 CFR 104.35
8. Testing and other evaluation procedures must meet the following requirements:
  - a. They must be validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;
  - b. Include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
  - c. Are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure). 34 CFR 104.35
9. Placement decisions shall (1) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior, (2) establish procedures to ensure that information obtained from all such sources is documented and carefully considered, (3) ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, and (4) ensure that the placement decision is made in conformity with 104.34, regarding, among other things, placement in the least restrictive environment and the provision of comparable facilities. 34CFR 104.35
10. If eligible under Section 504, your child has the right to periodic reevaluations. 34 CFR 104.35

#### Section 504 Parent/Student Rights

You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child. 34 CFR 104.36

You have the right to examine relevant records. 34 CFR 104.36

You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation or educational placement, with opportunity for parental participation in the hearing and representation by counsel. 34 CFR 104.36

If you wish to challenge the actions of the district's Section 504 Committee in regard to your child's identification, evaluation, or educational placement, you should file a written Notice of Appeal with the, Executive Director of Student Services/Personnel, 42271 Moonridge Road, Big Bear Lake, California, 92315, (909) 866-4631 Ext. 1235 within 30 calendar days from the time you received written notice of the Section 504 Committee's action(s). A hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time and place for the hearing.

If you disagree with the decision of the impartial hearing officer, you have the right to a review of that decision by a court of competent jurisdiction. 34 CFR 104.36

On Section 504 matters other than your child's identification, evaluation, and placement, you have the right to file a complaint with the district's Section 504 Coordinator – Executive Director of Student Services/Personnel, 42271 Moonridge Road, Big Bear Lake, California, 92315, (909) 866-4631 Ext. 1235 who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.

You also have the right to file a complaint with the Office of Civil Rights. The address of the regional office, which covers California is:

United States Department of Education  
Office of Civil Rights  
50 Beale Street, Suite 7200  
San Francisco, CA 94105  
Tel: (415) 486-5555  
Fax: (415) 486-5570

#### Special Education

Special education services are available to meet the needs of students who have been assessed, found to have a disability and to be eligible for services from ages 3-21 years. Early intervention services are available for "at risk infants and toddlers" under 3 years of age.

It is the policy of our district to provide a free, appropriate public education to each student with disabilities. Parents/guardians who believe their student may have a disability are to contact the principal of the school to initiate a referral to the Student Study Team (SST) for review.

#### Procedural Safeguards

The parents or guardians shall be notified in writing, by the 504 Site Coordinator, of all actions or decisions made by the 504 Team, including those in which the parent participated, concerning the identification, evaluation, and accommodations made for a student. 504 Site Coordinators will be

responsible for the maintenance of a record or file of all communications sent to the parent or guardian.

At each step of the process, parents or guardians should be advised of their right to:

- Be informed of any proposed actions related to eligibility and plan for services.
- Examine all records maintained by the district.
- Receive all information in the parents/guardian's native language and primary mode of communication.
- Have an evaluation that draws on information from a variety of sources.
- Periodic reevaluations and evaluation before any significant change in program or services occurs.
- Right to file a grievance with the district over an alleged violation of Section 504 regulations.
- An impartial hearing if there is disagreement with the school district's proposed action.
- Be represented by counsel in the impartial hearing process.
- Right to appeal the impartial hearing officer's decision.

#### Child Find Systems

All children with disabilities residing in the District, including children with disabilities who are homeless children or wards of the state and children with disabilities attending private, including religious elementary and secondary schools, regardless of the severity of their disabilities, and who are in need of special education and related services, will be identified, located, and assessed. The child find process will ensure the equitable participation in special education and related services of parentally placed private school children with disabilities and an accurate count of those children.

### SPECIALIZED EDUCATIONAL PROGRAMS

EC §310, EC §311, EC §48850, EC §52164.3, EC §52173.5, CCR Title 5 §3831, CCR Title 5 §11301, USC Title 20 §6316, USC Title 20 §7912, BVUSD Board Policy 5116.1, 6173, 6173.1 & Administrative Regulation 6173

#### Gifted & Talented Education (GATE)

The GATE plan is available by contacting the District's Executive Director of Educational Services at (909) 866-4631.

#### English Learner Program

District procedures regarding designation of students as English Learners or Fluent English Proficient include home language survey, language assessments, notice of assessment results, and opportunity for reassessment. Program placement takes place with written parent notification, opportunity for parent consultation, and procedures for granting waivers for alternative programs. For more information, contact the District's Executive Director of Educational Services at (909) 866-4631.

#### Foster/Homeless Youth

Foster and homeless youth are ensured school placements in their best interest, including the least restrictive educational program, access to academic resources/services/extracurricular/enrichment activities, full and partial credit for courses taken, and opportunities to meet state pupil academic achievement standards. Foster/homeless youth can be assisted by the Executive Director of Educational Services and can be reached at (909) 466-8631.

#### Persistently Dangerous Schools

The Bear Valley USD Governing Board has adopted a policy stating that students who attend a persistently dangerous school must be allowed to attend a safe public school.

### ADVANCED PLACEMENT EXAM FEES GRANT APPLICATION PROCESS

EC §48980(k), EC §52244 & BVUSD Administrative Regulation 6141.5

Students meeting eligibility criteria may apply for state funds to cover the costs of advanced placement examination fees. Students should contact their high school counselor to obtain an application and information about the application process.

### CAL GRANT PROGRAM

EC §69432.9 & BVUSD Administrative Regulation 5125

A Cal Grant is money for college that does not have to be paid back. To qualify, a student must meet the eligibility and financial requirements as well as any minimum grade point average (GPA) requirements. Cal Grants can be used at any University of California, California State University or California Community College. Some independent and career colleges or technical schools in California also take Cal Grants.

In order to assist students in applying for financial aid, all students in grade 12 are automatically considered a Cal Grant applicant and each grade 12 student's GPA will be submitted to the California Student Aid Commission (CASC) electronically by a school or school district official. A student, or the parent/guardian of a student under 18 years of age, may complete a form to indicate that he/she does not wish for the school to electronically send CASC

the student's GPA. Until a student turns 18 years of age, only the parent/guardian may opt out the student. Once a student turns 18 years of age, only the student may opt himself/herself out, and can opt in if the parent/guardian had previously decided to opt out the student.

**CALIFORNIA HIGH SCHOOL PROFICIENCY EXAMINATION**

CCR Title 5 §11523, EC §48412, BVUSD Board Policy 6146.2 & BVUSD Administrative Regulation 6146.2

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

**CAREER COUNSELING AND COURSE SELECTION**

EC §221.5, BVUSD Board Policy 6164.2 & Administrative Regulation 6164.2

Career counseling and course selection will take place in the district's schools and will include affirmative exploration of careers and career courses. Counseling will commence at the beginning of the seventh grade. Parents are encouraged to participate in the counseling sessions and decisions. For more information, parents/guardians should contact their child's school. Students have the right to meet with a school counselor to obtain help on choosing courses at their school that will meet college admission requirements or to enroll in career technical education courses, or both. Students who wish to make an appointment with their counselor/career counselor (based on site availability) may do so through their school's office or counseling department.

**CAREER TECHNICAL EDUCATION**

EC §51229, EC §48980(m), BVUSD Board Policy 6178, 6178.2 & BVUSD Administrative Regulation 6178

The California Department of Education defines "career technical education" as a program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. Career technical education may include agricultural education, apprenticeship opportunities, business and marketing coursework, health careers education, home economics, industrial and technology education, regional occupational programs, student organizations, technical preparation coursework, and work experience. More information related to the state's career technical education program can be found at [www.cde.gov/ci/ct](http://www.cde.gov/ci/ct). Detailed information related to each high school's career technical education programs and course offerings can be located in the counseling office/department.

**COLLEGE ADMISSION REQUIREMENTS**

EC §51229

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for students who wish to continue their education after high school. In order to attend a community college you need only be a high school graduate or 18 years of age. In order to attend a CSU you have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Parents/guardians and students may find the following list of website references helpful in learning about college admission requirements and high school courses that have been certified by the University of California as satisfying the requirements for admission to the University of California and the California State University.

- [www.cccco.edu](http://www.cccco.edu)
- [www.assist.org](http://www.assist.org)
- [www.californiacolleges.edu](http://www.californiacolleges.edu)
- [www.universityofcalifornia.edu/admissions](http://www.universityofcalifornia.edu/admissions)
- [www.ucop.edu/doorways/](http://www.ucop.edu/doorways/)
- [www.csumentor.edu](http://www.csumentor.edu)
- [www.cde.ca.gov/ci/g/hs/hsgtable.asp](http://www.cde.ca.gov/ci/g/hs/hsgtable.asp)
- [www.calstate.edu/admission](http://www.calstate.edu/admission)

**GRADUATION REQUIREMENTS**

EC §51224.5 & BVUSD Board Policy 6146.1

All students enrolled in grades 9-12 are required to earn a total of 220 units to qualify for graduation from any of the district's high schools. General requirements include the units/courses described in the chart shown below.

**Foster Youth Exemption from Local Graduation Requirements**

Foster and homeless youth are allowed educational rights such as immediate enrollment, remain in school of origin, enrollment in local comprehensive school, partial credits, graduation with state minimum requirements with possible fifth year/exemption from local graduation requirements, and access to academic resources, services and extracurricular activities. A local educational agency must provide a remedy to the affected pupil following the Uniform Complaint Procedures, including information regarding exemption from local graduation requirements, if educational rights are not allowed at the public high school.

**CALIFORNIA HIGH SCHOOL EXIT EXAM**

EC §60840, EC §60851.1, EC §60851.6 & BVUSD Board Policy 6146.1

The California High School Exit Exam (CAHSEE) has been suspended for any pupils completing grade 12 through the 2017-18 school years. All schools, including state special schools, are to grant a diploma of graduation from high school to any pupil who completed grade 12 in the 2003-04 school year or a subsequent school year and has met all applicable graduation requirements other than the passage of the high school exit examination.

Bear Valley Unified School District Graduation Requirements		University of California Admission Requirements For Freshman Entry		California State University Admission Requirements For Freshman Entry	
Courses	Units	Courses	Units	Courses	Units
Social Science World History (10 units) US History (10 units) Government/Economics (10 units)	30	(a) Social Science US History (10 units) or American Govt. (5 units) & American History (5 units) World History (10 units)	30	(a) Social Science US History (10 units) or American Govt. (5 units) & American History (5 units) World History (10 units)	20
English	40	(b) English (college prep or higher)	40	(b) English (college prep or higher)	40
Math (must include Algebra and Math I)	30	(c) Math (must include Algebra I, Geometry, Algebra II or higher) (4 years recommended)	30	(c) Math (must include Algebra I, Geometry, Algebra II or higher) (4 years recommended)	30
Science Life Sciences (15 units) Physical Science (15 units)	30	(d) Laboratory Science Biological Science (10 units) Physical Science (10 units) (3 years recommended)	20	(d) Laboratory Science Biological Science (10 units) Physical Science (10 units) (3 years recommended)	20
Fine Arts or Foreign Language	10	(e) Foreign Language (units must be in same language) (3 years recommended)	20	(e) Foreign Language (units must be in same language) (3 years recommended)	20
Electives	55	(f) Visual/Performing Arts (dance, drama or theater, music, or visual art)	10	(f) Visual/Performing Arts (dance, drama or theater, music, or visual art)	10
Physical Education	20	(g) College Prep Elective (chosen from UC "a-f" list)	10	(g) College Prep Elective (chosen from UC "a-f" list)	10
Freshman Studies B	5				

## ATTENDANCE

### ABSENCES DUE TO RELIGIOUS PURPOSES

EC §46014, BVUSD Board Policy 5113 & Administrative Regulation 5113

Students with the written consent of their parents/guardians, may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at their respective places of worship or at other suitable place or places away from school property designated by the religious group, church, or denomination, which shall be in addition and supplementary to the instruction in manners and morals required elsewhere in this code.

### ABSENCES FOR CONFIDENTIAL MEDICAL SERVICES

EC §46010.1, BVUSD Board Policy 5113 & Administrative Regulation 5113

The Governing Board of each school district shall, each academic year, notify pupils in grades 7 to 12, inclusive, and the parents/guardians of all pupils enrolled in the district, that school authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent/guardian.

### ACADEMIC CREDIT FOR MISSED ASSIGNMENTS

EC §48980(j) & BVUSD Board Policy 6154

A student shall not have his/her grade reduced or lose academic credit for any absence or absences excused pursuant to Section 48205 if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

### CHRONIC ABSENTEEISM

EC §60901, BVUSD Board Policy 5113.1 & Administrative Regulation 5113.1

A student becomes a "chronic absentee" as defined in California *Education Code (EC)* Section 60901(c)(1) when "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."

You will receive a written notification alerting you when your student has missed 10% of the school day even if your student has excused absences/illness. Following the written notification, if additional day(s) are missed, a second notification will be mailed requesting that the parent/guardian of the student attend a meeting at the school with the Student Attendance Review Team (SART). The goal of the SART is to help both the parents/guardians and the student find solutions to the barriers that are preventing regular school attendance.

If absenteeism continues, the parent/guardian may be summoned to attend a Student Attendance Review Board (SARB) meeting held at the school district's office.

### EXCUSED ABSENCES

EC §48205, BVUSD Board Policy 5113 & Administrative Regulation 5113

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

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

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to his or her illness.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  - (5) For the purpose of jury duty in the manner provided for by law.
  - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
  - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing

by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the Governing Board.

- (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC §49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

### TRUANCY

EC §48260, EC §48262, EC §48263, EC §48263.6, EC §48264, BVUSD Board Policy 5113.1 & Administrative Regulation 5113.1

A student is considered truant after three absences or three tardies of more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the school days in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC §48205.

## COMPLAINT PROCESS

### UNIFORM COMPLAINT PROCEDURES

EC §32289, CCR Title 5 §4622, BVUSD Board Policy 1312.3 & BVUSD Administrative Regulation 1312.3

The Board of Trustees recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The district shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, or bullying in accordance with the uniform complaint procedures.

The district shall use the uniform complaint procedures to resolve any complaint alleging unlawful discrimination, harassment, intimidation, or bullying in district programs and activities based on actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Penal Code 422.55, or Government Code 11135, or based on association with a person or group with one or more of these actual or perceived characteristics.

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities, the requirements for the development and adoption of a school safety plan, and state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs.

The Board prohibits any form of retaliation against any complainant in the complaint process. Participation in the complaint process shall not in any way affect the status, grades, or work assignments of the complainant.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

The Board prohibits retaliation against any complainant in the complaint process. Participation shall not in any way affect the status, grades or work assignments of the complainant.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations. In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate for any complaint alleging discrimination, harassment, intimidation, or bullying, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed.

The district's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff
3. Teacher vacancies and misassignments
4. Deficiency in the district's provision of instruction and/or services to any student who, by the completion of grade 12, has not passed one or both parts of the high school exit examination.

For more information, please contact the District's Executive Director of Student Services/Personnel at (909) 866-4631.

**WILLIAMS LAWSUIT SETTLEMENT COMPLIANCE**

EC §35186 & BVUSD Board Policy 1312.4

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe and maintained in good repair. There should be no teacher vacancies or misassignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a Williams Uniform Complaint Form may be obtained at the school site. The individual responsible for processing complaints at the school district level is the Superintendent, who may be contacted at (909) 866-4631. Parents, guardians, pupils, teachers, or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns.

**ENROLLMENT**

**ATTENDANCE OPTIONS**

EC §48490(h), EC §48204, EC §48200, EC §31560.5(b), EC§ 48350, EC§ 46600, BVUSD Administrative Regulation 5111.11, 5111.12 & 5111.13

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

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; a pupil who is a foster child who remains in his or her school of origin; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a care-giving adult that is located within the boundaries of the school district; or a pupil residing in a state hospital located within the boundaries of the school district.

**Intradistrict Enrollment/Transfer Requests**

Parents/guardians of students living within the City of Big Bear Lake who were not drawn in the School of Choice lottery process or who moved to the attendance area of a different school may apply for an Intradistrict Transfer. These requests are based on enrollment and staffing needs. Parents of high school athletes should check on CIF sports eligibility rules before pursuing open enrollment. Transportation to any other school is the responsibility of the parent. Contact the school office for further information.

**Interdistrict Enrollment/Transfer Requests**

Parents/guardians of students living outside the boundary of Bear Valley Unified School District may apply for an Interdistrict Transfer. The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other school district. School districts may enter into agreements for the interdistrict transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers, and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an interdistrict

transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled.

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

Requests are based on the district's enrollment and staffing needs. Preferences will be given to pupils whose parents are enlisted in the military. Parents/guardians should contact the Director of Educational Service at (909) 866-4631 for further information.

**Interdistrict Open Enrollment Act**

Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may seek to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index.

Due to the transition to the new California Assessment of Student Performance and Progress system, the calculation of the 2014 Growth and Base and 2015 Growth APIs were suspended by the State Board of Education. With the absence of a 2015 API score, the California Department of Education (CDE) cannot produce a new Open Enrollment Act list. The last available list is based on the assessment results from the 2013 California Standards Tests which were developed under the prior state content standards. To apply, parents must directly contact the district office. To apply, parents must directly contact the district office. For the 2016-17 school year, Bear Valley Unified School District's Open Enrollment School is Big Bear Elementary. The Open Enrollment List can be found on the California Department of Education website at [www.cde.ca.gov/sp/eo/op/](http://www.cde.ca.gov/sp/eo/op/).

Parents of high school athletes should check on CIF sports eligibility rules before pursuing a transfer under this option. Transportation to any other school is the responsibility of the parent. School districts are allowed to adopt specific, written standards for acceptance and rejection of applications as long as students are selected through a random and unbiased process. Unless the school board waives the deadline, requests for transfers are to be submitted by January 1 of the prior school year.

**NOTICE OF ALTERNATIVE SCHOOLS**

EC §58501, EC §58500, BVUSD Board Policy 6181 & Administrative Regulation 6181

The Board of Trustees desires to provide a variety of education programs designed to address students' diverse learning needs and enhance student achievement through innovative methods and ideas. The Board may establish and maintain alternative schools or separate class groups within a school in order to fulfill the objectives specified in Education Code §58500.

Alternative schools or class groups shall offer the Board-adopted core curriculum. With Board approval, the schools or programs may differ from ongoing programs in other ways that include, but are not limited to, the following:

1. They may emphasize a specific element of the approved curriculum.
2. They may present the approved curriculum in a sequence different from that used in other district programs.
3. Their staff may emphasize specific instructional strategies.
4. The decision-making process for their governance may differ from the processes used in other programs.

Alternative schools shall comply with state and federal law and Board policy regarding nondiscrimination in district programs.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each school 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.

Bear Valley Unified School District Alternative Schools:

- Chautauqua High School (Continuation Education) (9-12)

**VICTIM OF VIOLENT CRIME**

USC Title 20 §7912a, BVUSD Board Policy 5116.1 & BVUSD Administrative Regulation 5116.1

A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends has the right to transfer to another school within the district. The district has 14 calendar days to offer students the option to transfer. For more information, please contact the Executive Director of Educational Services at (909) 866-4631.



## HEALTH

### ANNUAL HEALTH SCREENINGS

EC §49452, EC §49452.5,  
BVUSD Board Policy 5141.3 & BVUSD Administrative Regulation 5141.3

Annual vision and hearing screenings are conducted in kindergarten, second, fifth, and eighth grade. Parent teacher referrals or students receiving special education services may be included in these screenings as required by law unless the parent/guardian files a written objection. Scoliosis screening is provided for female pupils in seventh grade and male pupils in eighth grade. Notification will be sent to the parent/guardian of a student for any noted condition discovered through the screenings.

### ENTRANCE HEALTH SCREENING

HSC §124085, HSC §124100, HSC §124105,  
BVUSD Board Policy 5141.3 & BVUSD Administrative Regulation 5141.3

The district requires a physical examination prior to entering transitional or regular kindergarten. The State of California requires a physical exam 18 months before entering first grade. If the physical examination is done after March of the year the student enters kindergarten, it will meet both requirements. If it is before March of that year, another physical will be required prior to first grade.

### IMMUNIZATIONS

EC §48216, EC §49403, HSC §120335, HSC §120365, HSC §120370  
BVUSD Board Policy 5141.31 & BVUSD Administrative Regulation 5141.31

#### Age 4-6

Diphtheria, Pertussis, and Tetanus (DTaP) - Five (5) doses  
Polio - Four (4) doses  
Measles, Mumps, and Rubella (MMR) - Two (2) doses  
Hepatitis B - Three (3) doses  
Varicella (chickenpox) - One (1) dose

Students must meet these requirements in order to enroll in school:

#### Age 7-17

In addition to the above immunizations: 1 dose Tdap but can be given after 7th birthday; and 1 dose measles are required to begin 7th grade

Age 13: One dose Varicella is required  
(Hepatitis B is not required for ages 7-17)

#### As of January 1, 2016:

For the new Immunization law SB277, Personal and Religious Belief Exemptions (waivers) are no longer accepted at schools in the State of California. Proof of immunization will be required for students entering grades TK, K, and 7 beginning 7/1/2016.

Medical exemptions - A parent or guardian must submit a written statement from a licensed physician (M.D. or D.O.) which states:

- 1) That the physical condition or medical circumstances of the child are such that the required immunization(s) is not indicated.
- 2) Which vaccines are being exempted.
- 3) Whether the medical exemption is permanent or temporary.
- 4) The expiration date, if the exemption is temporary.

If your child has received these immunizations, please bring the immunization record to the school so that we may update their records. You may need to take this form along with your child's yellow California Immunization Record to your doctor or the local health department or clinic to get the needed immunization(s). Then bring us the updated immunization record.

Personal Belief Exemptions on file for grades TK-6 will be good through 6th grade only. All previously unvaccinated students entering 7th grade must provide documentation of all vaccines needed for school entry based on age. Exemptions on file for grades 7-12 will be good through grade 12. Immunization requirements are specified under the California School Immunization Law Health and Safety Code Sections 120325-120375. Your child may be excluded from attending school if he/she does not have the required immunizations.

### LACTATION ACCOMMODATIONS

EC §222 & BVUSD Board Policy 5146

The Bear Valley Unified School District provides reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. These accommodations include, but are not limited to, 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 any equipment used to express breast milk, access to a power source for that equipment, and access to a place to safely store breast milk, A reasonable amount of time to

accommodate the need to express breast milk or breast-feed an infant child is also given, and no academic penalty will be incurred as a result of use of these reasonable accommodations during the school day.

### ORAL HEALTH ASSESSMENT

EC §49452.8,  
BVUSD Board Policy 5141.6 & BVUSD Administrative Regulation 5141.6

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31 of the pupil's first school year.

### PHYSICAL EXAMINATION EXEMPTION

EC §49451, BVUSD Administrative Regulation 5141.3

A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists.

### ADMINISTRATION OF MEDICINE DURING THE SCHOOL DAY

EC §49423, EC §49480, EC §49414.7, BVUSD Board Policy 5141.21 & Administrative Regulation 5141.21

When a child is required to take any medication, including over-the-counter and herbal products, during the regular school day, the parent/guardian must request assistance of school personnel in administering medication. To provide this assistance, parents must submit an "Authorization for Medication to be Taken During School Hours" form to the school. The authorization must include a written statement from the physician, who is licensed to practice in California, detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken.

At the elementary level, parents/guardians must bring the medication to school. Middle school and high school students may bring the medication to the health office at the beginning of the school day. All medication must be in the original labeled container. Sending of cough drops and over-the-counter medication is discouraged.

Parents/guardians who request that a student be allowed to self-administer, monitor or treat his/her existing medical condition must make this request in writing and provide written approval by the student's physician.

A parent/guardian of a pupil on a continuing medication regimen for a nonepisodic condition shall inform the school nurse or other designated certificated school employee of medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent/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 on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

#### Administration of Epilepsy Medication

If a pupil with epilepsy has been prescribed an emergency anti-seizure medication by his or her health care provider, the school nurse will work with the family, physician, and school staff to ensure an emergency procedure is in place for that student.

#### Emergency Treatment for Anaphylaxis

EC §49414

School staff who may be required to administer anaphylactic injections shall receive training from qualified medical personnel. They will be authorized to administer the injections in accordance with administrative regulations. (cf. 5141)

1. Parents/guardians of students who may require emergency anaphylactic injections shall provide written permission for authorized staff to administer these injections.
2. Each year, school employees designated by the principal shall receive training in administering anaphylactic injections. Qualified medical personnel shall provide this training.
3. The principal or designee shall schedule in-service meetings to:
  - a. Familiarize authorized staff with the prescribed medications and their location.
  - b. Ensure that authorized staff are competent to administer anaphylactic injections.
  - c. Train all school personnel to recognize the symptoms of anaphylactic reactions. Physicians and parents/guardians of students who may require anaphylactic injections may be invited to attend these meetings.
4. The principal or designee shall prepare a list naming the students who may need emergency anaphylactic injections. This list shall be given to all staff who work with such students on a regular basis and shall be

- updated annually.
- All medication for injections shall be labeled with the student's name, type of medicine and expiration date.
  - The parents/guardians of students who carry their own kits for the purpose of anaphylactic injections shall so inform the principal or designee, who shall prepare a list naming these students, give it to concerned staff and update the list annually.
  - The principal or designee shall post in the school health office a list of symptoms usually associated with anaphylactic reactions and a clear, specific procedure for administering injections in case of emergency. If authorized staff are not available at the time of an emergency, this written procedure will be followed by anyone who must administer the injection in order to save a life.

## MEDICAL SERVICES AT SCHOOL

EC §32221.5, EC §49472, EC §49471, BVUSD Board Policy 5143

### Medical Services Provided

The school district may provide or make available medical or hospital service through nonprofit membership corporations, defraying the cost of medical or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance for injuries to pupils arising out of accidents related to school activity or attendance. No pupil is required to accept such service without the consent of his/her parent or legal guardian.

### Health Insurance Coverage for Athletes

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

Low- or no-cost insurance for students is available through Medi-cal Healthy Families for those who qualify. Parents/guardians may call the school site for an application or information on this or other programs that may be available to them.

### Medical Attention at School for Accidents/Injuries

An emergency card will be used to contact parents/guardians in the event of a medical emergency. The school will act in the absence of parent contact to ensure appropriate medical treatment is provided even if the parent/guardian cannot be reached. The school may make available medical or hospital services for students while at or on the way to or from any school activity. Specific direction regarding emergency care must be noted on emergency cards.

## CONCUSSION AND HEAD INJURIES

EC §49475 & BVUSD Administrative Regulation 6145.2

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete shall also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

## TEMPORARY DISABILITY

EC §48206.3, EC §48207, EC §48208 & BVUSD Administrative Regulation 5111.1

A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day. Please contact the school nurse or Personnel/Educational Services.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to

receive individualized instruction and, if so, provide the instruction within five working days or less.

## TOBACCO FREE CAMPUS

HSC §104420, HSC §104495, BVUSD Board Policy 3513.3 & Administrative Regulation 3513.3

The District prohibits the use of tobacco products any time in district-owned or leased buildings, on district property, in district vehicles, and prohibits the disposal of cigarette butts, cigar butts, or any other tobacco-related waste within 25 feet of any playground or tot lot sandbox area (does not apply to private property or a public sidewalk located within 25 feet of a playground or a tot lot sandbox area).

## PARENTS' RIGHTS

### NONDISCRIMINATION IN DISTRICT

CFR Title 34 §106.9, BVUSD Board Policy 0410 & 5145.3 & BVUSD Administrative Regulation 5145.3

The Board of Trustees is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities. District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination. Such notification shall be included in each announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups. (34 CFR 104.8, 106.9)

The Superintendent or designee shall also provide information about related complaint procedures.

In compliance with law, the district's nondiscrimination policy shall be published in the individual's primary language to the extent practicable.

For a complaint form or additional information, contact the Executive Director of Business Services at (909) 866-4631.

### CHILD ABUSE AND NEGLECT REPORTING

Penal Code 11164, BVUSD Board Policy 5141.4 & BVUSD Administrative Regulation 5141.4

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

### DISCLOSURE OF STUDENT INFORMATION

USC Title 20 §1232(h), EC §51513 & BVUSD Administrative Regulation 5125.1

#### Marketing

Parents/guardians will be notified and will be given the opportunity to opt their child out of participation in an activity involving the collection, disclosure, or use of personal information collected from pupils for the purpose of marketing or selling that information.

#### Tests/Surveys on Personal Beliefs

Students will not be given any test, questionnaire, survey, or examination, containing questions about personal beliefs/practices in sex, family life, mortality, and religion; unless parent/guardian gives written permission.

#### Survey/Analysis/Evaluation

Students will not be given a survey, analysis, or evaluation that reveals sensitive personal information (i.e., political affiliations or beliefs, mental or psychological problems, sex behavior or attitudes, illegal and social, self-incriminating, or demeaning behavior, critical appraisals of other individuals with whom respondent has close family relationships, legally recognized privileged or analogous relationships, religious practices, affiliations or beliefs, or income) without the prior written consent of the parent. Parents/guardians

may inspect surveys created by a third party used to collect personal information.

### ACCESS BY MILITARY RECRUITERS

USC Title 20 §7908, Administrative Regulation 5125.1

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

### CALIFORNIA LONGITUDINAL PUPIL ACHIEVEMENT DATA SYSTEM

This district is participating with the California Longitudinal Pupil Achievement Data System (CALPADS) in the electronic transfer of student data for state reporting to the California Department of Education and to districts and/or public post-secondary institutions to which the student is transferring or applying for admission. All data maintained by the CALPADS is in compliance with federal and state privacy and confidentiality requirements. Parents have the right to inspect student information maintained by CALPADS. Contact the district's Educational Services at (909) 866-4631 to initiate this procedure or obtain more information.

### COMPETITIVE ATHLETICS

EC §221.9 & BVUSD Administrative Regulation 6145.2

Each school site that offers competitive athletics shall publicly make available at the end of the school year on their school website the following information:

1. The total enrollment of the school, classified by gender.
2. The number of pupils enrolled at the school who participate in competitive athletics, classified by gender.
3. The number of boys' and girls' teams, classified by sport and by competition level.

### FREE/REDUCED PRICE MEALS

EC §49510 & BVUSD Board Policy 3553

Free or reduced-price lunches are available at school for pupils whose parents/guardians qualify, based on annual household income, and complete the required application form. Application forms may be obtained through the school office or at the district's Child Nutrition Services Department.

### PARENT/GUARDIAN RIGHTS

EC §51101, EC §51102 & BVUSD Administrative Regulation 5020

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 or for the purpose of selecting the school in which their child will be enrolled. 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.
2. To meet, within a reasonable time of their request, with their child's teacher(s) and the principal.
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.
4. To be notified on a timely basis if their child is absent from school without permission.
5. To receive the results of their child's performance and the school's performance on standardized tests and statewide tests.

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.

6. To request a particular school for their child and to receive a response from the district.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of the class(es) in which their child is enrolled.

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, audio and video recordings, and software.

Each school site 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.

The school may charge an amount not to exceed the cost of duplication.

9. 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.
  10. For parents/guardians of English learners, to support their child's advancement toward literacy.
- The Superintendent or designee may make available, to the extent possible, surplus or undistributed instructional materials to parents/guardians pursuant to Education Code 60510.
11. 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.
  12. To have access to the school records of their child.
  13. To receive information concerning the academic performance standards, proficiencies or skills their child is expected to accomplish.
  14. 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.
  15. 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.
  16. To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
  17. 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.
  18. To participate as a member of a parent advisory committee, school site council or site-based management leadership team in accordance with any rules and regulations governing membership in these organizations.
- For parents/guardians of English learners, this right shall include the right to participate in school and district advisory bodies in accordance with federal and state law and regulations.
19. 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.
  20. 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.

### PROPERTY DAMAGE

EC §48904 & BVUSD Board Policy 3515.4

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

### SCHOOL ACCOUNTABILITY REPORT CARD

EC §35256 & EC §35258

Parents may obtain a copy of any school's annual School Accountability Report Card at the district office, each school site, or the district website ([www.bearvalleyusd.org](http://www.bearvalleyusd.org)). Each school is required to maintain copies of their individual School Accountability Report Card which shall be provided upon request.

### STUDENT RECORDS

EC §49063, EC §49069, CFR Title 34 §99.7, USC Title 20 §1232(g), BVUSD Board Policy 5125 & Administrative Regulation 5125 - 5125.1

The district maintains a cumulative record on the history of each student's development and educational progress, attendance records, suspension records, health information, and parental restrictions. The district is committed to protecting the privacy of such records. Parents/guardians have the right to inspect, review, or challenge any and all records related to their child. Records are available for review within five days upon request at the school office.

**Custodian of Records**

The superintendent or a district designee shall designate a certificated employee to serve as custodian of student records at the district level. At each school, the principal or a certificated designee shall act as custodian of records for students enrolled.

**Requests for Student Records/Information**

The district shall maintain for each pupil's record a list of all persons, agencies, or organizations requesting or receiving information from the record and the legitimate educational interests thereof. The list will not include:

- Parents or pupils to whom access is granted pursuant to Section 49069 or paragraph (6) of subdivision (a) of Section 49076.
- Parties to whom directory information is released pursuant to Section 49073.
- Parties to whom written consent has been executed by the parent pursuant to Section 49075.
- School officials or employees having a legitimate educational interest pursuant to paragraph (1) of subdivision (a) of Section 49076.

The district's log is available for inspection only by a parent and the school official, or his/her designee, responsible for the maintenance of pupil records, and to the Comptroller General of the United States, the Secretary of Health, Education, and Welfare, and administrative head of an education agency as defined in Public Law 93-380, and state educational authorities as a means of auditing the operation of the system.

School officials and employees, to include but not limited to the District's Law Enforcement Unit, with legitimate educational interests, schools of intended enrollment, specified federal and state educational administrators, a county-placing agency fulfilling court-ordered case management responsibilities or assisting with enrollment of a student, and those who provide financial aid are entitled access to student records without parental consent. A legitimate educational interest is one held by officials or employees whose duties and responsibilities to the district require that they have access to student records. Record access may also be obtained without parental consent in response to a lawfully issued subpoena or court order.

**Procedures for Challenging Content of Student Records**

Following the inspection and review of a student's records, the parent/guardian of a pupil or former pupil of a school district may challenge the content of any pupil record. The parent/guardian of a pupil may file a written request with the principal (or appropriate official) to correct or remove any information recorded in the written records concerning his/her child which the parent/guardian alleges to be any of the following:

- Inaccurate
- An unsubstantiated personal conclusion or inference
- A conclusion or inference outside of the observer's area of competence
- Not based on the personal observation of a named person with the time and place of the observation noted
- Misleading
- In violation of the privacy or other rights of the pupil

If the principal (or official designee) decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

**Student Directories**

The district does not release information or records concerning its students to non-educational organizations, unauthorized individuals, or without written consent. No information is released to a private profit-making entity other than employers, prospective employers, and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations.

The names and addresses of pupils enrolled in grade 12 or who have terminated enrollment prior to graduation may be provided to a private school or college operating under Chapter 7 (commencing with Section 94700) of Part 59 or its authorized representative. However, no such private school or college shall use that information for other than purposes directly related to the academic or professional goals of the institution, and any violation of this provision is a misdemeanor, punishable by a fine of not to exceed two thousand five hundred dollars (\$2,500). The district may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based upon a determination of the best interests of pupils.

At the beginning of each grade level (kindergarten, sixth, and ninth grades) or when a new student enrolls, the parent/guardian may choose "Yes" or "No" on the "Release of Directory Information" form for release of directory information. Unless the parent/guardian signs and checks "No" on the "Release of Directory Information" form, the following items of directory information relating to a student will be made public and released if requested:

- The student's name, address, student's e-mail address, date of birth, photo, attendance record, scholastic record
- Information concerning participation in athletics, other school activities, the winning of scholastic or other honors and awards, and other such information

- Name and addresses of graduating seniors
- Parents/guardians must notify the school office of any decision changes to their child's "Release of Directory Information".

**Student Records from Social Media**

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety
2. Provide a student with access to any information that the district obtained from his/her social media activity and an opportunity to correct or delete such information
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the district, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or his/her parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980.
5. If the district contracts with a third party to gather information on a student from social media, ensure that the contract:
  - a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the district, the student, or his/her parent/guardian
  - b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the district notifies the third party that the student has turned 18 years of age or is no longer enrolled in the district, whichever occurs first.

**Right to File a Complaint**

Parents/guardians have the right to file a complaint with the United States Department of Health, Education, and Welfare concerning an alleged failure by the district to comply with the provisions of Section 438 of the General Education Provisions Act (20 U.S.C.A. Sec). The address of the office that administers FERPA (Family Educational Rights and Privacy Act) is:

Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202-5920  
1-800-872-5327

**TEACHER QUALIFICATIONS**

USC Title 20 §6311, CFR Title 34 §200.61  
BVUSD Board Policy 4112.4 & Administrative Regulation 4112.4

Parents/guardians of each student may request, and district will provide the parents on request (and in a timely manner), information regarding the professional qualifications of their student's classroom teachers, including, at a minimum, the following:

- Whether the teacher has met state qualification and licensing criteria for the 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.

In addition to the information that parents may request, a school that receives Title I funds shall provide to each individual parent information on the level of achievement of the parent's child in each of the State academic assessments as required under this part; and timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks, by a teacher who is not highly qualified.

**SAFETY**

**SCHOOLMESSENGER/COMMUNICATION FROM SCHOOLS**

Telephone Consumer Protection Act

In accordance and to comply with the Telephone Consumer Protection Act (TCPA), parents have the right to opt-out of receiving any messages sent from school sites through SchoolMessenger. At any time, while listening to a recorded phone message sent through SchoolMessenger recipients may press "5" on their phone to initiate the opt-out process. After pressing "5", they will be asked to press "1" to confirm they no longer wish to receive any recorded messages on that particular phone.

Please note:

- 1) All requests to opt-out will be processed on a regular basis and may not be instantaneous.
- 2) Opt-out requests only apply to the number on which they submit the request.
- 3) Phone opt-out requests only apply to voice broadcast messages and SMS Text, not Email.

Please call the school should you wish to be opted back in or feel your number has been opted out by mistake.

**SCHOOL SAFETY PLAN**

EC §32280, BVUSD Board Policy 0450 & Administrative Regulation 0450

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

**SCHOOL SAFETY**

BVUSD Board Policy 3515

Surveillance cameras are in use at various school sites.

**SCHOOL BUS SAFETY**

EC §39831.5 & BVUSD Administrative Regulation 3543

All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (i.e., a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops).

Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

**ASBESTOS MANAGEMENT PLAN**

CFR Title 40 §763.93

The district has developed an asbestos management plan for each school, including all buildings that they lease, own, or otherwise use as school buildings in accordance with CFR Title 40 §763.93. A copy of the complete, updated management plan for asbestos-containing material in school buildings may be reviewed in the office of the Director of Maintenance & Operations at (909) 866-4179.

**USE OF PESTICIDES**

EC §48980.3, EC §17612, BVUSD Administrative Regulation 3514.11c

Parents receive 24 hours notification before the planned pesticides are applied at their student's school site via notices posted at the school site and through the school site's automated telephone message system. Notices remain posted at the school site for 72 hours after pesticides are used. To obtain a copy of all pesticide products and expected use at the school facility during the year, and to receive notification of individual pesticide applications at the school at least 72 hours before the application, please contact the Director of Maintenance & Operations at (909) 866-4179.

**STUDENT CONDUCT & DISCIPLINE**

**SAFE PLACE TO LEARN ACT**

EC §234 and §234.1

The Bear Valley Unified School District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC §220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity,

religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion. To report an incidence and/or to receive a copy of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact the school principal.

**SCHOOL DISCIPLINE POLICIES**

EC §35291 & BVUSD Board Policy 5144

Each school district may prescribe procedures to provide written notice to pupils and parents/guardians regarding school rules and procedures. School sites may adopt rules and procedures established by school committees with specific membership and filed with the Governing Board. Parents/guardians will be notified regarding the availability of site and district rules as well as procedures pertaining to discipline.

**STUDENT USE OF THE INTERNET AGREEMENT**

BVUSD Board Policy 6163.4 & Administrative Regulations 6163.4

One of the adopted goals of the Bear Valley Unified School District is to assist in advancing the use of technology to enhance student learning. All Bear Valley Unified School District students and their parents/guardians shall sign the Student Use of the Internet Agreement prior to using district technological resources. The Bear Valley Unified School District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet. Students shall take responsibility not to initiate access to inappropriate or harmful matter while using District technology. In supervised classroom settings, students may participate in online activities aligned with adopted goals. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability. The Student Use of the Internet Agreement may be obtained from the district website at [www.bearvalleyusd.org](http://www.bearvalleyusd.org) or any district school.

**GROUND FORS SUSPENSION & MANDATORY EXPULSION**

EC §48900, EC §48915, BVUSD Board Policy 5144, 5144.1 & 5144.2

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 110535) 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. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for 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 pre-initiation 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:
- Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
  - Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
  - Causing a reasonable pupil to experience substantial interference with his or her academic performance.
  - 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:
- A message, text, sound, or image.
  - A post on a social network Internet website, including, but not limited to:
    - Posting to or creating a burn page. "Burn page" means an Internet website created for the purpose of having one or more of the effects listed in paragraph (1).
    - 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.
    - 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.
- (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:
- While on school grounds.
  - While going to or coming from school.
  - During the lunch period, whether on or off the campus.
  - 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.

## SEXUAL HARASSMENT POLICY

EC §48980(g), BVUSD Board Policy 5145.7 & Administrative Regulations 5145.7

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

### 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:

- What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex.
- A clear message that students do not have to endure sexual harassment.
- Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained.
- Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.

### Complaint Process

Any student who feels that he/she is being or has been sexually harassed by a school employee, another student, or a non-employee on school grounds or at a school-related activity (e.g., 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 of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

### Confidentiality and Record-Keeping

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (CCR Title 5 §4964)

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

#### **Notifications**

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

- Be included in the notification that are sent to parents/guardians at the beginning of each school year (EC 48980; 5 CCR 4917).
- 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 (EC 231.5).
- Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session (EC 231.5).
- Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct (EC 231.5).
- Be provided to employees and employee organizations.

## **UNIFORM & GROOMING POLICIES**

EC §35183, EC §35183.5, BVUSD Board Policy 5132 & Administrative Regulation 5132

#### **General**

The Board of Trustees believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process. In cooperation with teachers, students and parents/guardians, the principal or designee shall establish school rules governing student dress and grooming which are consistent with law, Board of Trustees policy and administrative regulations. These school dress codes shall be regularly reviewed.

#### **Gang Related Apparel**

The principal, staff and parents/guardians at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students.

At individual schools that have a dress code prohibiting gang-related apparel at school or school activities, the principal, staff and parents/guardians participating in the development of the school safety plan shall define "gang-related apparel" and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (EC 32282)

Because gang-related symbols are constantly changing, definitions of gang-related apparel shall be reviewed at least once each semester and updated whenever related information is received.