

PARENT'S/GUARDIAN'S/STUDENT'S  
RIGHTS  
AND  
RESPONSIBILITIES

Pierce Joint Unified School District  
Carol Geyer  
Superintendent

2021/2022

**PIERCE JOINT UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION:**

Amy Charter, President  
Abel Gomez, Vice President  
Barbara Bair, Clerk

John R. Friel, Member  
George Green, Member

**ADMINISTRATION:**

Carol Geyer, Superintendent

(530) 476-2892  
(530) 476-2289 Fax

**DISTRICT OFFICE STAFF:**

(530) 476-2892  
(530) 476-2289 Fax

Melanie Brackett, Executive Administrative Assistant	x13000
Jeff Stuivenberg, Technology Director	x13002
Tammy Minten, Payroll/Personnel Technician	x13004
Daena Meras, Chief Business Official	x13005
Angela Dorantes, Fiscal Specialist	x13006
Stacie Velazquez, Food Service Manager	x13008
Francisco Mendoza, Maintenance & Operations Manager	(530) 682-0678

**DISTRICT SCHOOLS:**

Arbuckle Elementary School Laura Hansen, Principal Allison Jansen, Vice Principal	(530) 476-2522 (530) 476-2234 Fax
Grand Island Elementary School Laura Hansen, Principal Allison Jansen, Vice-Principal	(530) 437-2416 (530) 437-2296 Fax
Lloyd G. Johnson Junior High School Jessica Geierman, Principal	(530) 476-3261 (530) 476-2017 Fax
Pierce High School David Vujovich, Principal Don Friel, Vice Principal	(530) 476-2277 (530) 476-3285 Fax
Arbuckle Alternative High School David Vujovich, Principal Don Friel, Vice Principal	(530) 476-2173 (530) 476-2674 Fax

The Governing Board of the Pierce Joint Unified School District recognizes that notifications required by law are an essential part of the communications process between home and the school. Therefore, in an effort to ensure that parent/guardians and students are fully informed of their legal rights and responsibilities, the District requests that after you review the following, you sign pages that correspond with this handbook and return such pages to the school office as soon as practicable.

Set forth below is a brief summary of the rules and regulations which govern your child(ren)'s rights, responsibilities and obligations while attending California public schools. The summary is intended to cover all of the required notifications in the area of pupils' rights and responsibilities required by Education Code section 48980.

## **CURRICULUM AND INSTRUCTION**

**Instructional Materials:** All primary and supplemental instructional materials and assessments, including textbooks, teacher manuals, films, tapes and software, will be compiled and stored by the classroom instructor and made available promptly for inspection by a parent in a reasonable time frame or in accordance with school district or county office policies or procedures. Education Code 49091.10; 51101

**Education for English Language Learners:** English learners shall be provided English language development instruction targeted to their English proficiency level and aligned with the State content standards and curriculum framework. The following program is offered in our District: BP 6174

1. **Structured English Immersion (SEI) Program:** A language acquisition program for English Learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for pupils who are learning English. At minimum, students are offered ELD and access to grade level academic subject matter content.

**Observation:** Upon written request, a parent/guardian has the right to observe instruction that involves his or her child or for the purpose of selecting a school in accordance with board policies on inter-district and intra-district transfers. Any observation will be done in accordance with policies established to ensure the safety of pupils and school personnel and to prevent undue interference with instruction or harassment of school personnel. Education Code 49091.10(b); 51101

**Beliefs:** A pupil may not be compelled to affirm or disavow any particular personally or privately held world view, religious doctrine, or political opinion. No pupil shall be relieved of any obligation to complete regular classroom assignments. Education Code 49091.12(a)

**Curriculum:** The curriculum, including titles, descriptions, and instructional aims of every course offered by a public school, shall be compiled at least once annually in a prospectus. The prospectus is available for review upon request and for copying at a reasonable charge. Education Code 49091.14; 49063; AR 5020 and AR5125

**Animal Dissection:** In some secondary school science classes, instruction may include the study of anatomy through animal dissection. If a student has a moral objection to such an activity, he/she may refrain from participation. The classroom teacher may work with the student to develop an alternative activity for obtaining the knowledge, information and experience required. Education Code 32255-32255.6, 48980; AR 5145.8

**Instruction on AIDS/HIV Prevention:** California State law, the California Healthy Youth Act, requires that comprehensive sexual health education and HIV prevention education be provided to students at least once in middle school or junior high school and once in high school, starting in grade 7. Instruction must encourage students to communicate with parents, guardians or other trusted adults about human sexuality. Instruction must be medically accurate, age-appropriate and inclusive of all students. It must include the following:

- Information about HIV and other sexually transmitted infections (STIs), including transmission, FDA approved methods to prevent HIV and STIs, and treatment

- Information that abstinence is the only certain way to prevent unintended pregnancy and HIV and other STIs, and information about value of delaying sexual activity
- Discussion about social views of HIV and AIDS
- Information about accessing resources for sexual and reproductive care
- Information about pregnancy, including FDA approved prevention methods, pregnancy outcomes, prenatal care, and the newborn safe surrender law
- Information about sexual orientation and gender, including the harm of negative gender stereotypes
- Information about healthy relationships and avoiding unhealthy behaviors and situations

You can examine written and audiovisual instructional materials at the school's main office. If you have any questions, please see the teacher or principal at your child's school. You may request a copy of the California Healthy Youth Act (California Education Code Sections 51930-51939) by contacting the District office. This instruction will be provided by physical education and/or science teachers.

State law allows you to remove your students from this instruction. If you do not want your student to participate in comprehensive sexual health or HIV prevention education, please give a written request to your child's principal by the first week in September.

**Family Life and Sex Education:** Depending upon the grade level and the age group of the students, classes may be offered in the public elementary and secondary schools in which human reproductive organs and their functions and processes are described, illustrated or discussed. The parent/guardian of each pupil enrolled in such a class shall first be notified in writing of the class and of your right to review any materials prior to holding such classes. Written consent is not required but written objections shall be honored. Whenever any parts of the instruction conflicts with religious training and beliefs or personal moral convictions of the parent/guardian, the pupil shall be excused from that part of the instruction upon written request. Education Code 51240; 51550; 51820

**Married/Pregnant/Parenting Students:**

The Governing Board Recognized that responsibilities related to marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

**Career and Technical Education Program:** The district receives federal vocational education funding to help meet the needs of secondary students who are interested in enrolling in career and technical education programs. If you would like more information, please contact your student's school counselor.

**Career Planning:** It is the policy of the State and the District that school classes and courses, including nonacademic and elective courses and classes, be conducted, without regard to the sex of the pupil enrolled. It is also the policy of the District to provide parent/guardians with the right to participate in career counseling session and decisions concerning their pupil. Education Code 221.5

**Title I Program:** To enrich the education experiences of qualifying students, federal Title I funds are used to provide additional classroom materials and/or services for those identified students. Annually, parents/guardians will be provided with the opportunity to attend a public meeting to discuss the purpose and the goals of the Title I Program. Additionally, parents/guardians will be provided with periodic opportunities to meet with school representatives to:

1. participate in the planning, operation, and evaluation of the school program;
2. discuss parent's rights;
3. assist with the development, implementation, and evaluation of the school program; and
4. assist with school/community involvement and communications.

Currently, Title I serves all of the schools in our district. BP/AR 6020. For complete policy and administrative regulation, visit the district website.

**Teacher Qualifications:** Parents/Guardians may request information regarding the professional qualifications of their child's classroom teacher including, but not limited to, whether the teacher:

1. Has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction
2. Is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived
3. Is teaching in the field of discipline of his/her certification

**Teacher Aides/Paraprofessionals:** Parents/Guardians may request information regarding whether their child is provided services by a paraprofessional and, if so, the paraprofessional's qualifications.

**School Improvement:** The District shall notify parents/guardians of schools identified for improvement and actions taken to improve schools and will comply with the notice requirements set forth by law. 34 CFR 200.36, 200.37, 200.38

**School Calendar:** For each district school, the Governing Board shall adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s). As appropriate, the Superintendent or designee shall ensure that the proposed calendar is aligned with assessment and accountability schedules in order to support the district's goals for student achievement. Each school calendar shall show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

The school calendar is provided at the beginning of each school year. If, during the school year, these dates are modified, the District shall notify parents/guardians of the affected pupils as early as possible, but in no event later than one month before the scheduled minimum or pupil-free day. Ed Code 48980; BP 6111

## **ABSENCES, TEMPORARY INSTRUCTION AND ENROLLMENT OPTIONS**

**Specific School Request:** Parents/Guardians have the right to request a specific school and to receive a response from the school district. Such a request does not obligate the school to grant the request. Education Code 51101.

**Open Enrollment Policy:** The district shall allow students who reside within district boundaries to apply for enrollment in any district school when the district determines that space is available. More information concerning this program and the district's policy is available at the District office upon request. Education Code 35160.5

**Attendance Options:** The District shall annually notify parents/guardians of all existing attendance options available in the district, including, but not limited to, all options for meeting residency requirements for school attendance. Education Code 35160.5, 48204, 46600-46611, 48980.

- A. Interdistrict Attendance:** The Governing Board recognizes that parents/guardians of students who reside in one district may, for a variety of reasons, choose to apply to enroll their child in a school in another district. Interdistrict transfer forms are available at each school site, at the district office, and on the district website at [www.pierce.k12.ca.us](http://www.pierce.k12.ca.us). See Board Policy 5117.
- B. Intradistrict Attendance:** The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parent/guardians, while also balancing enrollment in order to maximize the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation. See Board Policy 5116.1

**Residency Requirements:** A pupil shall be deemed to have complied with the residency requirements of school attendance in Pierce Joint Unified School District if they have met the requirements outlined in Section 48200 and 48004 (a-f) of the California Education Code. Copies of these sections are available, upon request, at the District office. See Board Policy 5111.1.

- A. **Residence Based on Parent/Guardian Employment:** If one or both parents/guardians of an elementary school student are employed in the boundaries of a school district, other than the one in which they live, the student may be considered a resident of the school district in which his/her parents/guardians work. An application is available at all school district offices. Education Code 48204.
- B. **Residence When Hospitalized:** Notwithstanding compulsory education requirements, a pupil with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent/guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. It shall be the primary responsibility of the parent/guardian of the pupil with a temporary disability to notify the school district in which the pupil is deemed to reside of the pupil's presence in a qualifying hospital. Education Code 48206.3, 48207, 48208, 48980; AR 6183

**Absences and Excuses:** The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure the compliance with all state attendance laws, and may use appropriate legal means to correct the problems of excessive absence or truancy.

Satisfactory explanation is required from the parent or guardian of a pupil, either in person, but phone, or by written note, whenever the pupil is absent a part of or all of a school day. The explanation shall not be required until the day following.

- A. **Excused Absences:** No pupil will have his/her grade reduced or suffer a loss of academic credit on account of an excused absence when missed assignments and tests can reasonably be provided and are satisfactorily completed within a reasonable period of time. Students in grades K-6 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency. Students in grades 7-12 shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

A student's absence shall be excused for the following reasons (Education Code 48205):

1. Due to the pupil's 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 the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days of the service is conducted outside of 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, including absences to care for a sick child for which the school shall not require a note from a doctor.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference in the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent/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 Education Code Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. Authorized at the discretion of a school administrator, as described in subdivision (c) of Education Code Section 48260.

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

For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

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

“Immediate family,: as used in this section, means the parent/guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

If a student is absent from school without a valid excuse, the student is truant. The law states that if a minor is truant/tardy more than three times in a school year, the student is considered a habitual truant. As a way of improving attendance, the Pierce Joint Unified School District has implemented DART (District Attendance Review Team) an attendance program. If during the investigation of truancy, it is shown that the parent/guardian of the truant is responsible for or contributing to the minor not attending school on a regular basis, the parent/guardian may be issued a citation for violation of Section 272 of the Penal Code and the case may be submitted to the District Attorney's Office for prosecution.

**B. Unexcused Absences:** Parents/Guardians will be notified in a timely manner if their child is absent from school without permission. Education Code 51101

**C. Absence for Personal Reasons:** A pupil may be excused from school for justifiable personal reasons, including but not limited to an appearance in court, observance of a holiday or ceremony of his or her religion, attendance at an employment conference, when the pupil's absence has been requested in writing by the parent/guardian and approved by the principal or a designated representative.

A pupil absent from school under this section will be allowed to complete all assignments and tests missed during the absence which can be reasonably provided and, upon satisfactory completion within a reasonable period of time, will be given full credit therefore. The teacher of any class from which a pupil is absent will determine what tests and assignments the pupil will make up. The tests and assignments will be reasonably equivalent to those missed during the absence. Education Code 48205, 48980; BP/AR 5113

**D. Absence for Independent Study:** Students are allowed a maximum of 5 consecutive days on short-term Independent Study Program. If they exceed 5 days, they will be dropped from the enrollment. Please contact the school site for short-term Independent Study Program. A copy of the Board policy is available at the District office. Policy #6410

**E. Temporarily Disabled:** A student with temporary disabilities, which make attendance in regular school day classes impossible or inadvisable, shall receive educational services as provided by the district. You are requested to notify the school principal of your student's temporary disability and the need for individual instruction. A student with a temporary disability who is placed in a hospital or other residential health facility (excluding a State hospital) located outside of the school district in which you reside will comply with the school residency requirements in the school district in which the facility is located. You are requested to notify the school district in which your student is housed of the student's presence and the need for instructional services. Education Code 48206.3; 48206.5; 48207; 48208. AR 6183

**F. Absence for Religious Exercises:** Pupils, with the written consent of their parents/guardians, may be excused from school for religious training/instruction and whenever any part of the school instruction in health, family life education and sex education conflicts with the religious training and beliefs of the parent/guardian. Education Code 46014; 48980; AR 5113

## **PUPIL BEHAVIOR AND DISCIPLINE**

**District Rules:** District rules pertaining to student discipline are available to all parents/guardians upon request. The rules may require that the parent of a pupil who has been suspended may be required to attend a portion of a school day in the child's classroom. Education Code 35291, 48980; AR 5144.1, AR 5144

**Student Behavior Standard:** Each student in the district is expected to abide by all federal, state, and school laws and regulations. Also, each student is expected to exhibit common courtesies of decency, morality, cleanliness, honesty, and cooperation. Any student who fails to comply with the district's student behavior standard is subject to disciplinary action.

A student may be suspended or expelled for acts which occur at any time including, but not limited to:

1. while on school grounds,
2. while going to or coming from school,
3. during the lunch period, whether on or off campus, or
4. during, or while going to or coming from a school-sponsored activity.

A student shall not be suspended from school nor recommended for expulsion unless the Superintendent, or the principal of the school in which the student is enrolled determines that the student has:

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;
3. Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object, 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. "Firearm" means any device designed to be used as a weapon from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion;
4. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance, as defined in Section 11053 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind;
5. Unlawfully offered, arranged or negotiated to sell any controlled substance as defined in Section 11053 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or materials as a controlled substance, alcoholic beverage, or intoxicant;
6. Committed or attempted to commit robbery or extortion;
7. Caused or attempted to cause damage to school property or private property;
8. Stolen or attempted to steal school property or private property;
9. Possessed or used tobacco, or any products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel;
10. Committed an obscene act or engaged in habitual profanity or vulgarity;



11. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code;
12. 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;
13. Knowingly received stolen school property or private property;
14. Possessed an imitation firearm. As used in this subsection "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;
15. Committed or attempted to commit a sexual assault or sexual battery as defined in Penal Code 261,266c, 286, 288, 288a, or 289 or committed a sexual battery as defined in Penal Code 243.4;
16. Harassed, threatened, or intimidated a student who is a complaining witness in a school discipline proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness, or both;
17. Committed sexual harassment as defined in Education Code 212.5. The sexual harassment must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment;
18. Committed, caused, attempted to cause, threatened to cause or participated in an act of hate violence. As used in this section, "hate violence" means any act possessable under Penal Code 422.6, 422.7, or 422.75;
19. Students enrolled in grades 4 - 12, if the student has intentionally engaged in harassment, threats, or intimidation, directed against another student or group of students creating an intimidating and hostile educational environment;
20. Made terroristic threats against school officials or school property, or both. A terroristic threat shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of \$1,000.00, with the intent that the statement is to be taken as a threat, even if there is no intent to actually carry it out;
21. Possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including but not limited to, paging and signaling equipment, without the prior consent of the principal or his/her designee;
22. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma;
23. Engaged in, or attempted to engage in, hazing as defined in Section 32050.

An individual with exceptional needs currently enrolled in Special Education may be expelled for the same reasons as a regular education student providing that an Individual Education Plan (IEP) team has met prior to the Governing Board ordering expulsion. It is necessary for the team to meet because expulsion is considered a change in placement.

**Involuntary Student Transfers:** A student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805 and is enrolled at the same school as the victim of the crime for which he/she was convicted. Before transferring such a student, the District shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee. BP 5116.2; Education Code 48929.

**Code of Conduct:** The district maintains a Discipline Guide. The Discipline Guide includes specified disciplinary actions for theft or for using, possessing or furnishing of tobacco, alcohol or other illegal drugs.

## Pierce Joint Unified School District Discipline Guidelines

ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
<b>48900(a)(1)</b>	<p>Caused, attempted to cause, or threatened to <b>cause physical injury</b> to another person</p> <ul style="list-style-type: none"> <li>• Pre-fight behavior</li> <li>• Fighting – mutual combat, student vs. student</li> </ul>	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May refer to peer counseling (conflict mediation)</li> <li>• May hold Student Study Team meeting</li> <li>• May develop behavior support plan</li> <li>• May use after school detention</li> <li>• May assign community service</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
<b>48900(a)(2)</b>	<p><b>Willfully used force</b> or violence upon the person of another, <b>except in self-defense</b></p> <ul style="list-style-type: none"> <li>• Battery on student</li> <li>• Aiming or pointing a laser scope at another person in a threatening manner, with the specific intent to cause a reasonable apprehension or fear of bodily harm</li> <li>• Directing the beam of a laser pointer directly or indirectly into the eyes of another person or into a moving vehicle with the intent to harass or annoy</li> <li>• Spitting at or on a person</li> </ul>	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May refer to peer counseling (conflict mediation)</li> <li>• May hold Student Study Team meeting</li> <li>• May develop behavior support plan</li> <li>• May use after school detention</li> <li>• May assign community service</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
<b>48900(b)</b>	<p>Possessed, sold, or otherwise furnished any <b>firearm, knife, explosive, or other dangerous object</b>, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred by the principal or the designee of the principal.</p> <ul style="list-style-type: none"> <li>• Any knife, razor blade, locking blade knife, switchblade or gravity knife, dirks or daggers, razor or unguarded blade, ice pick</li> <li>• Any firearm, paint gun, pellet gun, BB gun, air soft pistol, live ammo, stun gun or Taser</li> <li>• Tear gas weapons (mace, pepper spray)</li> <li>• Explosive, fireworks, firecrackers, any projectile containing explosive or incendiary material-bomb, grenade, explosive missile, rocket propelled projectile containing explosive or incendiary material or chemical substance, or breakable container containing flammable liquid or use/possession of a “stink bomb”</li> <li>• Blackjack, Billy club, sand club, sandbag, sap, leaded cane, throwing star, zip gun, cane sword, writing pen</li> </ul>	<ul style="list-style-type: none"> <li>• Confiscate object and give to police if notified</li> <li>• May hold parent conference</li> <li>• May refer to peer counseling (conflict mediation)</li> <li>• May hold Student Study Team meeting</li> <li>• May develop behavior support plan</li> <li>• May use after school detention</li> <li>• May assign community service</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul> <p><b>*If the student brandished (not threatened to) or possessed, sold or furnished a firearm (gun), please refer to EC 48915(c)(1) and EC 48915(c)(2)</b></p>

	knife, metal knuckles, nunchaku, bat, sling shot, crow bar, metal rod <ul style="list-style-type: none"> <li>• Laser pointer</li> <li>• Projectiles (including but not limited to spit wads, rubber bands, and paper clips)</li> </ul>	
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(c)	<b>Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance</b> 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. <ul style="list-style-type: none"> <li>• Alcohol</li> <li>• Marijuana</li> <li>• Prescription drugs</li> <li>• Illegal drugs</li> </ul>	<ul style="list-style-type: none"> <li>• Must notify police within 1 school day (EC 48902)</li> <li>• Confiscate object and offer to police</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May assign educational lesson component</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(d)	<b>Unlawfully offered, arranged, or negotiated to sell any controlled substance</b> listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. <ul style="list-style-type: none"> <li>• Alcohol</li> <li>• Marijuana</li> <li>• Prescription drugs</li> <li>• Illegal drugs</li> <li>• Placebos</li> </ul>	<ul style="list-style-type: none"> <li>• Must notify police within 1 school day (EC 48902)</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(e)	Committed or attempted to <b>commit robbery or extortion</b> <ul style="list-style-type: none"> <li>• Use of force or intimidation</li> </ul>	<ul style="list-style-type: none"> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> </ul> <p><b>*Petty theft is \$900 or less. All felonies, theft over \$900, property crimes and crimes against persons should be reported to Colusa County Sheriff's Department</b></p>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(f)	Caused or attempted to <b>cause damage to school or private property</b> <ul style="list-style-type: none"> <li>• Arson</li> <li>• Tagging</li> <li>• Graffiti</li> <li>• Keying</li> <li>• Etching</li> <li>• Vandalism of any type</li> </ul>	<ul style="list-style-type: none"> <li>• May refer to community service</li> <li>• May request restitution</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>

ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(g)	Stole or attempted to steal school or private property.	<ul style="list-style-type: none"> <li>• May refer to community service</li> <li>• May request restitution</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(h)	Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, e-cigarettes, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.	<ul style="list-style-type: none"> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May assign educational lesson component</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(i)	Committed an <b>obscene act</b> or engaged in <b>habitual</b> profanity or vulgarity.	<ul style="list-style-type: none"> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May file a police report</li> <li>• May use after school detention</li> <li>• May develop behavior support plan</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(j)	Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any <b>drug paraphernalia</b> <ul style="list-style-type: none"> <li>• Drug pipe</li> <li>• Rolling papers</li> <li>• Scale</li> <li>• Bong</li> </ul>	<ul style="list-style-type: none"> <li>• May file a police report</li> <li>• Confiscate object and give to police if notified</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May assign educational lesson component</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(k)	Disrupted school activities or otherwise willfully <b>defied</b> the valid authority of supervisors, teachers, administrators, school officials, or other school personnel <b>engaged in the performance of their duties.</b> <ul style="list-style-type: none"> <li>• Cell Phones or other electronic devices (only if displayed or disruptive to class or school activity)</li> <li>• Public display of affection, (i.e.: embracing, kissing, hugging)</li> <li>• Not serving detention</li> </ul>	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use recess detention (teacher supervised)</li> <li>• May use classroom timeout</li> <li>• May use after school detention</li> <li>• Teacher may suspend from their class for 1 day or 1-2 class periods (parent notified)</li> </ul>

	<ul style="list-style-type: none"> <li>• Cutting class/more than 15 minutes late to class</li> <li>• Gambling</li> <li>• Violating dress code</li> <li>• Computer misuse</li> </ul>	<ul style="list-style-type: none"> <li>• May develop behavior support plan</li> <li>• May require parent attendance in child's classroom</li> <li>• May make a home visit</li> <li>• May shorten school day</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
<b>48900(l)</b>	<b>Knowingly received stolen</b> school property or private <b>property</b>	<ul style="list-style-type: none"> <li>• Require restitution or return of property</li> <li>• May file a police report</li> <li>• May hold parent conference</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use after school detention</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
<b>48900(m)</b>	Possessed an <b>imitation firearm that is “non-firing”</b> . 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.	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
<b>48900(n)</b> Sexual Assault/ Battery/ Sexual Gratification, Arousal or Abuse	<p><b>Committed or attempted to commit a sexual assault</b> 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.</p> <p><b>The site administrator shall review the facts to determine if the action(s) were for the purpose of sexual gratification, arousal or abuse.</b></p> <p><b>If not, then the administrator may suspend under guidelines of 48900.2, 48900.4 or 48900(r).</b></p> <p><b>If sexual gratification was the intent, then the administrator must suspend under 48915(c)(4).</b></p>	<p><b>See 48915(c)(4)</b></p> <p><b>This section shall not apply to pupils enrolled in Transitional Kindergarten, Kindergarten, and grades 1 to 3 inclusive.</b></p>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
<b>48900(o)</b>	<b>Harassed, threatened, or intimidated</b> a pupil who is a complaining witness or a <b>witness</b> in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or <b>retaliating against that pupil for being a witness</b> , or both.	<ul style="list-style-type: none"> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use after school detention</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>

ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(p)	Unlawfully offered, arranged to sell, negotiated to sell, or sold <b>the prescription drug Soma.</b>	<ul style="list-style-type: none"> <li>• May file a police report</li> <li>• Confiscate object and give to police if notified</li> <li>• May hold parent conference</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(q)	Engaged in, or attempted to engage in, <b>hazing.</b> For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use after school detention</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May use behavior contract</li> <li>• May file a police report</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(r)	Engaged in the act of bullying  “electronic act” as the creation and 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, a computer, or pager, of a communication, as specified.	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May refer to community service</li> <li>• May assign after school detention</li> <li>• May use behavior contract</li> <li>• May hold Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> <li>• May request Expulsion Hearing if intervention for current school year has taken place</li> </ul>
<p><b>48900(r) – Engaged in an act of bullying.</b> For purposes of this subdivision the following terms have the following meanings:</p> <p>(1) <b>“Bullying”</b> 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 groups 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:</p> <p>(A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.  (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.  (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.  (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.</p> <p>(2) <b>“Electronic act”</b> means the transmission, 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:</p> <p>(A) A message, text, sound, or image  (B) A post on a social network Internet Web site including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).</li> <li>2. 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.</li> </ol>		

3. 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.

(C) 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 judgement 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.

For purposes of pupil suspension or recommendation for expulsion from a school, define "electronic act" as the creation and 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, as specified.

ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900(t)	A pupil who aids or abets, as defined in Section 31 of the Penal Code, <b>the infliction or attempted infliction of physical injury to another person</b> may be subject to <b>suspension, but not expulsion</b> , 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).	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900.2	<p><b>Additional grounds</b> for suspension or expulsion: <b>sexual harassment:</b></p> <p>In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the <b>pupil has committed sexual harassment as defined in Section 212.5</b></p> <p>Ed Code Section 212.5 states that the <b>conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment.</b></p> <p>This section shall not apply to pupils enrolled in Transitional Kindergarten, Kindergarten and grades 1 to 3 inclusive.</p>	<ul style="list-style-type: none"> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use behavior contract</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing if intervention for current school year has taken place</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900.3	<p><b>Hate Violence</b></p> <p>In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has <b>caused, attempted to cause, threatened to cause, or participated in an act of, hate violence</b>, as defined in subdivision (e) of Section 233.</p>	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May refer to community service</li> <li>• May use after school detention</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900.4	<p><b>Additional grounds</b> for suspension or expulsion: <b>harassment, threats or intimidation</b></p>	<ul style="list-style-type: none"> <li>• May hold parent conference</li> <li>• May refer to community service</li> <li>• May use after school detention</li> <li>• May hold a Student Study Team</li> </ul>

	In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.	<ul style="list-style-type: none"> <li>• May refer student to counseling or health professional</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May request an Expulsion Hearing</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48900.7	<p><b>Additional grounds</b> for suspension or expulsion: <b>terroristic threats against school officials, school property, or both</b></p> <p>a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made <b>terroristic threats against school officials or school property, or both</b>.</p> <p>b) For the purposes of this section, “<b>terroristic threat</b>” shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.</p>	<ul style="list-style-type: none"> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May request an Expulsion Hearing</li> <li>• May use on campus suspension 1 – 5 days</li> <li>• May suspend 1 – 5 days</li> <li>• May file a police report</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48915(c)(1)	Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district. The act of possessing an imitation firearm, as defined in subdivision (m) of Section 48900, is not an offense for which suspension or expulsion is mandatory pursuant to this subdivision and subdivision (d), but it is an offense for which suspension, or expulsion pursuant to subdivision (e), may be imposed.	<ul style="list-style-type: none"> <li>• Must suspend 5 days</li> <li>• Must refer to an expulsion</li> <li>• May refer to community service</li> <li>• May hold a Student Study Team</li> <li>• May refer student to counseling or health professional</li> <li>• May file a police report</li> </ul>



ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48915(c)(2)	<b>Brandishing a knife</b> at another person. Brandish is defined as: <ol style="list-style-type: none"> <li>to wave or flourish (a weapon) in a triumphant, threatening, or ostentatious way.</li> <li>a threatening or defiant flourish</li> </ol>	<ul style="list-style-type: none"> <li>Must suspend for 5 days</li> <li>Must refer to an expulsion</li> <li>May refer to community service</li> <li>May hold a Student Study Team</li> <li>May refer student to counseling or health professional</li> <li>May file a police report</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48915(c)(3)	Unlawfully <b>selling a controlled substance</b> listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code. <ul style="list-style-type: none"> <li>This is not intent to sell. Must have the buyer, seller, money and product</li> <li>For intent see 48900(c)</li> </ul>	<ul style="list-style-type: none"> <li>Must suspend for 5 days</li> <li>Must refer to an expulsion</li> <li>May refer to community service</li> <li>May hold a Student Study Team</li> <li>May refer student to counseling or health professional</li> <li>May file a police report</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48915(c)(4)	Committing or attempting to <b>commit a sexual assault</b> as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.	<ul style="list-style-type: none"> <li>Must suspend for 5 days</li> <li>Must refer to an expulsion</li> <li>May refer to community service</li> <li>May hold a Student Study Team</li> <li>May refer student to counseling or health professional</li> <li>May file a police report</li> </ul>
ED CODE	STUDENT INFRACTION	INTERVENTION/CONSEQUENCE
48915(c)(5)	Possession of an <b>explosive</b> . <ul style="list-style-type: none"> <li>As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code</li> </ul>	<ul style="list-style-type: none"> <li>Must suspend 5 days</li> <li>Must refer to an expulsion</li> <li>May refer to community service</li> <li>May hold a Student Study Team</li> <li>May hold an informal/formal restorative conference</li> <li>May refer student to counseling or health professional</li> <li>May file a police report</li> </ul>

**Note:**

**I understand that there may be incidences not covered in this discipline guide or that are more serious than generally encountered and may require extraordinary consequences (i.e.: expulsion hearing or authorities).**

- All expulsion hearings will be held before the District Board of Education.
- All suspensions REQUIRE a conference with the principal. Students may be refused re-entry if parent/guardian refuses to meet with the principal or principal designee.
- Authorities may search students and school properties for possession of alcohol, drugs, or stolen goods when reasonable suspicion or cause exists. Lockers belong to the school and random searches may be done.
- Classroom teachers will develop classroom behaviors and expectations and make sure they are known by students.
- Classroom discipline shall be developed by each teacher and posted on the wall.
- Only school approved hats may be worn. Other hats will be confiscated and returned to parents only.
- Gang related apparel and paraphernalia is prohibited on school grounds.
- DART: 3 unexcused absences (suspensions) will result in first truancy letter. At 4 unexcused absences, a second truancy letter is sent. At 5 unexcused absences a DART hearing is held.
- A violation of dress code will be considered defiance and disciplined under 48900(k), willingly defy authority.
- Bus consequences for referrals in the following order - (1) warning, (2) 3 days off of bus, (3) 5 days off of bus, (4) 9 weeks off of bus, (5) the rest of the school year off of bus.

**Mandatory Recommendation of Expulsion:**

1. Education Code Section 48915(a) identifies grounds on which a recommendation for expulsion must be made. These grounds are as follows:
  - a. Causing serious physical injury to another person except in self-defense.
  - b. Possessing knife, explosive, or other dangerous object of no reasonable use to the pupil.
  - c. Unlawful possession of any controlled substance listed in Health and Safety Code Section 11053 et seq., except for a first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
  - d. Robbery or extortion
  - e. Assault or battery, as defined in Section 240 and 242 of the Penal Code, upon any school employee.

**Search and Seizure:** School officials may search individual students and their property under their control, when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law, district policy, administrative regulations, or other rules of the district or the school. Education Code 49050.

**Surveillance Systems:** The District utilizes surveillance systems at every school in the district and on all school buses. Signs are posted at conspicuous locations at affected school buildings, grounds, and busses. Any recording from a surveillance system may be used in disciplinary proceedings, and matters captured by the cameras may be referred to local law enforcements, as appropriate.

**Sexual Harassment:** It is the policy of the State of California that all persons, regardless of sex, should enjoy freedom from discrimination. A copy of the District’s policy on sexual harassment, as it pertains to students, is available at the end of this handbook. Education Code 231.5, 48980; AR 5145.7

**Evaluations:** A pupil may not be tested for behavioral, mental, or emotional evaluation without the informed written consent of his or her parent/guardian. Education Code 49091.12

**Student Dress Code:** The Governing Board of this District recognizes that the District has primary responsibilities for ensuring that students and staff are safe and secure in their persons at school. The Governing Board encourages students to dress appropriately for school, noting that when they are neatly attired and take pride in their appearance, there is less misbehaving and a better learning atmosphere is created.

Each school shall allow students to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. In addition, the following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. For safety reasons, no backless shoes in grades TK-8;
2. Clothing, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles etc.) shall be free of writing, pictures or any other insignia which are crude, vulgar, profane or sexually suggestive, which bear drug, alcohol or Tobacco Company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice;
3. Hats, caps and other head coverings shall not be worn indoors;
4. Clothes shall be sufficient to conceal undergarments at all times. See-through or fish-net fabrics, halter tops, off the shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited;
5. Gym shorts may not be worn in classes other than physical education;
6. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.

Coaches and teachers may impose more stringent dress requirements to accommodate the special needs of certain sports and/or classes.

## **PUPIL HEALTH, SAFETY AND MEDICAL TREATMENT**

**Fingerprint Policy:** A fingerprinting program may be available for kindergarten and new students. A fee may be assessed to the parent/guardian of the fingerprinted child. The fee shall be calculated to reimburse the District only for actual cost associated with the program. Children shall not be fingerprinted without the consent of their parent/guardian. Education Code 32390

**Confidential Medical Services:** Pupils enrolled in grades 7 through 12 may be excused from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent/guardian. AR 5113; Education Code 46010.1

**Pupil Immunization:** The school district may administer immunizing agents to prevent or control communicable diseases to pupils whose parents/guardians have consented in writing to such immunization. Education Code 49403; BP 5141.31

Each student must have received all immunizations required by the State of California at the time of school registration to qualify for school enrollment. The District is responsible for maintaining records to ensure that all students have met these requirements. In cooperation with parents/guardians, physicians and/or the Health Department, the District will communicate any immunization needs to you. Failing to comply with the immunization requirements may result in your child being excluded from school and being sent home and not permitted to return until the immunization requirements have been met. Whenever there is a good reason to believe that a student is suffering from a recognized contagious or infectious disease, the student shall be sent home and shall not be permitted to return until the school authorities are satisfied that the condition does not exist.

**Physical Examinations:** A child may be excluded from physical examination whenever the parents/guardians file a written statement with the school that they will not consent to a physical examination of their child. Whenever there is a good reason to believe the child is suffering from a recognized contagious or infectious disease, the child will be excluded from school attendance. (Physical examinations include vision, hearing and scoliosis screening). Education Code 49451; 48980, 20 USC 1232h; AR 5141.3

State law requires that all students in grades K, 2, 5, and 8 be tested on hearing. All students in these grades will be tested unless the student's parent/guardian notifies the District in writing that they will not consent to such a test.

State law requires that for each child enrolled in the first grade, the parent/guardian must present within 90 days after entrance, a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. A parent/guardian may file with the school district a written objection or waiver stating the reasons why he or she was unable to obtain such services. Health and Safety Code 124085; 124105

**Health Screenings:** Systematically, health screenings are provided for children. These include screening students for vision, hearing, and dental. You may notify the principal of the school, in writing, if you do not wish to consent to screening examinations of your student. The student would then be exempt from any screening examinations unless there is a good reason to believe that the student is suffering from a contagious or infectious disease.

**Psychological Testing:** A parent/guardian has the right to receive information about psychological testing the school does involving their child and to deny permission to give the test. Education Code 51101

**Mental Health Services:** A school shall notify pupils and parents/guardians how to initiate access to available pupil mental health services on campus, in the community, or both.

Colusa County Behavioral Health  
162 E. Carson Street  
Colusa CA 95932  
(530) 458-0520  
24-Hour Hotline: 888-793-6580

Yolo County Mental Health  
137 N. Cottonwood Street  
Woodland CA 95695  
(530) 666-8516  
24-Hour Hotline: 888-965-6647

Intervention/Prevention Counselors are available within the district as well. Parents/guardians and/or students may initiate the process at the school's office. Education Code 49428

**Head Lice:** Pierce Joint Unified School District is committed to minimizing the spread of head lice within our school community while promoting students' participation in the education process. Students found to have head lice or nits are excluded from school until such time as school staff certify that the student is free of lice or nits. Once he/she is determined to be free of lice, the student shall be rechecked weekly for up to six weeks. Pierce Joint Unified School District's staff work with parents/guardians and students to enhance knowledge of prevention and treatment activities regarding the control of head lice.

**Students Taking Medication on an Ongoing Basis:** The parent/guardian of any student on continuing medication for a non-temporary condition shall inform the school nurse or other certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the parent's/guardian's consent, the 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 signs and symptoms of adverse side effects, omission or overdose. The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to: 1. Submitting the parent/guardian written statement and the authorized health care provider's written statement each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" found in Board Administrative Regulation 5141.21. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. Education Code 49414.5, 49423, 49423.1. 2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designation certificated employee of the medication being taken, the current dosage, and the name of the supervising physician, and updating the information when needed. Education Code 49480. 3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. AR 5141.21

**Students Requiring Medication During the School Day:** Any student who is required to take, during the regular school day, medication prescribed to him/her by a physician, may be assisted by the school nurse or other designated school personnel if the school district receives:

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

This applies to non-prescription medicine also.

**Pupil Insurance Plan:** Students may be subject to injury when engaged in school activities. While the District does not provide medical or dental insurance and does not recommend any specific insurance plan, student insurance is available for your consideration. A student insurance registration packet and is available at each school site office. If you would care to insure your student through this program, you will need to complete the form and remit payment directly to the Student Insurance Company. Please understand that you will need to

process any claims directly through the insurance company. The school district is not involved in claim processing. Education Code 48980, 49472; BP 5143

**Pupil Safety:** A parent/guardian has the right to have a safe and supportive learning environment for their child. Education Code 51101.

**Human Trafficking Prevention:** In accordance with California Education Code section 49381, Pierce Joint Unified School District provides to parents of students in grades 6 - 12 the following information on human trafficking prevention resources:

“15 Ways You Can Help Fight Human Trafficking,” United States Department of State  
<https://www.state.gov/15-ways-you-can-help-fight-human-trafficking/>

“How to Help Stop Child Trafficking,” UNICEF  
USA <https://www.unicefusa.org/mission/protect/trafficking/end>

“Safety Planning Information (includes internet searching, social media, traveling and other security measures)” National Human Trafficking Hotline <https://humantraffickinghotline.org/faqs/safety-planning-information>

“National Strategy to Combat Human Trafficking” United States Department of Justice <https://www.justice.gov/humantrafficking/page/file/922791/download>

“End Human Trafficking” United Way Worldwide <https://www.unitedway.org/our-impact/featured-programs/end-human-trafficking>

**Tobacco-Free Campus:** The Governing Board recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals to provide a healthy environment for students and staff. The Board prohibits smoking and/or the use of tobacco products at any time in district-owned or leased buildings, on district property, and on district vehicles. BP/AR 3513.3. Health and Safety Code 104420

**Child Abuse:** When a teacher, administrator or other employee in the District observes or reasonably suspects that a student has been physically, mentally, or sexually abused, that person is REQUIRED by California law to immediately file a verbal report with the police, sheriff, probation, welfare department or the Children’s Services office. A follow-up written report must also be filed within 36 hours. The name of the person required to file the report shall be confidential. When Children’s Services follows up on a referral, they may talk to the child without first calling for parental permission, as they are acting on an investigative official capacity.

## **PUPIL PERFORMANCE AND EVALUATION**

**Accountability Report Card:** Each school site prepares an accountability report card which is posted on the web site of each school annually by February 1 of the current school year. Parents/Guardians are entitled to a copy upon request per Education Code 35256; 35258; BP 0510

**Parent/Guardian Meeting with Teacher and Principal:** Upon reasonable notice, a parent has the right to meet with their child’s teacher and principal. Education Code 51100

**Parent/Guardian Notification:** A parent/guardian has the right to be notified concerning their child’s classroom and standardized test performances, when their child has been identified as at risk of retention, and to be informed about school rules, attendance policies, dress codes, school visiting procedures and the person to contact should problems arise with their child. Education Code 48070.5; 51101

**Academic Expectations:** A parent/guardian has the right to be informed of the academic expectations of their child. Education Code 51101

**Level of Student Achievement:** The District shall provide each parent/guardian with information on the level of achievement of the parent's/guardian's child in the State academic assessments required under the law. 20 USCS 6311(h)(6)(B)

**California Assessment of Student Performance and Progress (CAASPP) and Smarter Balanced Assessments:** Students in grades 3-8 and 11 participate in the CAASPP which included Smarter Balance Assessments in English language arts/literacy (ELA) and mathematics. The Smarter Balanced Assessments comprise two components: the computer adaptive component (CAT) and performance tasks (PTs). Students with significant cognitive disabilities who are unable to take the Smarter Balanced Assessments, even with accessibility supports, and whose Individualized Education Plan (IEP) indicates an alternate assessment, will be tested as such. Parents/guardians have the option to exempt their child from participating in all, or parts, of the CAASPP. If you desire to exempt your child from participation, please submit your request in writing to your child's principal. Exemptions are valid for one school year and will need to be requested annually.

**High School Exit Exam:** This exam has been temporarily suspended.

## **PUPIL RECORDS**

**Review of Pupil Records:** Parents/Guardians have the right to question and receive an answer regarding items on their child's record that appear inaccurate, misleading, or that invades the child's privacy. Education Code 51100

**Notification of Privacy Rights of Pupils:** Federal and State laws grant certain privacy rights and rights of access to pupil records to pupils and to their parents/guardians. Full access to all personally identifiable written records maintained by the school district or county office must be granted to:

1. Parents/Guardians of students age 17 or younger
2. Parents/Guardians of students age 18 or older if the student is a dependent for tax purposes.
3. Students age 16 or older, or having completed 10<sup>th</sup> grade.

Parents/Guardians, or an eligible student, may review individual records by making a request to the principal. The principal will see that explanations and interpretations are provided if requested. A parent/guardian has the right to question and receive an answer regarding items on their child's record that appear inaccurate, misleading or that invades his/her child's privacy. Information which is alleged to be inaccurate, inappropriate, or misleading may or may not be removed by the Superintendent or his/her designee. In addition, parents of eligible students may receive a copy of any information in the pupil's records at a reasonable cost per page. School district policies and procedures relating to types of records, kinds of information retained, persons responsible for maintaining pupil records, directory information, access by other persons, review, and to challenge the content of records is available through the principal or his/her designee. Parents/Guardians may contact the school to review the log listing those who have requested or received information from a pupil's file, as required in Education Code 49064. Access to a pupil's records will only be granted to those with a legitimate educational interest.

When a student moves to a new school district, records will be forwarded upon request of the new district. At the time of transfer, the parent/guardian or an eligible student may challenge, review or receive a copy at a reasonable fee of the requested records. Parents/Guardians may contact the school district or county office for any policy regarding the review and expungement of pupil records. Education Code 49063, 49070; AR 5125, 5125.3

If you believe the school district is not in compliance with Federal regulations regarding privacy, you may file a complaint with the United States Department of Health, Education and Welfare.

The school district also makes certain student directory information available in accordance with State and Federal laws. This means that each student's name, birth date, birthplace, address, telephone number, major course of study, participation in school activities, dates of attendance, awards, and the most previous public or private school attendance, may be released to certain specified agencies. In addition, height and weight of athletes may be made available. Appropriate directory information may not be provided to any private, profit making entity other than employers, prospective employers, or to representatives of the news media. Names and addresses of seniors or terminating students may be given to public or private schools and colleges. Education Code 49063, 49073; AR 5125.1

If a student is under age 18 years, the student's GPA will be forwarded to the Student Aid Commission by October 1 unless the student opts out within a period of time specified on the notice, which shall not be less than 30 days.

Upon written request from the parent/guardian of a student age 17 or younger, the school district will withhold directory information about the student. If the student is 18 or older or enrolled in an institution of post-secondary instruction and makes a written request, the pupil's request to deny access to directory information will be honored. Requests should be submitted within 30 calendar days of receipt of this notification. Education Code 49063, 49068, 49069, 20 USC 1232g, 34 CFR 99.7; AR 5125

A student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

**The Protection of Pupil Rights Amendment ("PPRA"):** PPRA requires that the District notify parents/guardians and eligible students, annually at the start of each school year, if it intends to conduct surveys for the collection and use of information for marketing purposes or if it intends to administer certain non-emergency invasive physical exams or screenings. The Pierce Joint Unified School District has adopted a Board policy that prohibits staff from administering or distributing to student's survey instruments that are designed for the purpose of collecting personal information for marketing or selling that information. This policy also prohibits the collection of certain protected information (i.e., political affiliations, mental or psychological problems, etc.) without prior notification to parents/guardians and either express consent or a provision for parents/guardians to opt out and not have their student participate in the survey. The District does not anticipate administering any invasive non-emergency physical exam or screening, that is not already expressly permitted by law such as hearing, vision, head lice checks, etc. A copy of the District's Board Policy and Administrative Regulations are available at the District office upon request. 20 USC 1232h; BP 6162.8, AR 5022

## **MISCELLANEOUS**

**Closed Campus at All Schools:** The Governing Board establishes a "closed campus" at all schools of the District in the interest of student safety and supervision. Once students arrive on the school grounds they must remain on campus until the end of the school day, except with proper authorization. Students shall not be allowed to walk off campus during the lunch period. Students who leave campus without proper written authorization of their parent/guardian, and permission of school authorities, shall be classified as truant and subject to disciplinary action.

**Internet Policy:** The District provides electronic information resources (Internet access) to students. The Internet is an electronic information and communications "highway" connecting millions of computers all over the world and millions of individual people. This connection allows access to local, national and international sources of information and collaboration vital to intellectual inquiry in a democracy. In return for this access, every user has the responsibility to respect and protect the rights of every other user in our community and on the Internet. Users and account holders are expected to act in a responsible, ethical and legal manner.

Use of computer resources is a privilege, not a right. Please refer to the Board of Education "Network/Internet Use by Students Policy", "Students Acceptable Use Policy and Agreement", and "Parental Permission Agreement" that are maintained at your school site office. Parents/Guardians and students will be required to sign the agreements before students are allowed to access the Internet.

**Participation in Advisory Councils:** A parent/guardian has the right to participate as a member of a school site council, a parent/guardian advisory council, or a site-based management leadership team in accordance with the rules governing parent/guardian membership of those organizations. Education Code 51101

**Advisory Programs:** Pierce Joint Unified School District is extremely fortunate to be able to offer a variety of advisory programs to students in grades K-12. These programs are provided by Pierce High School counselors, psychologists, nurses and by qualified personnel from community service agencies. In the event that you do not wish your child to participate in such programs, please contact the school counselors by phone or in writing. Any parent/guardian is encouraged to contact the schools for more information.

**Volunteering Time and Resources:** Parents/Guardians may volunteer their time and resources for the improvement of school facilities and programs under the supervision of district employees. A school plan is available to parents/guardians which describes opportunities to participate in professional development. Education Code 51101; 44670.5

**Parental Involvement:** Each school includes in its school based coordinated plan a parent/guardian involvement component that provides parents/guardians with opportunities to be involved in information and training sessions to:

1. support their child's academic efforts at school and home;
2. help parents/guardians develop parenting skills;
3. build consistent and effective home-school communications; and
4. integrate parent/guardian involvement programs into the school plan

A print copy of the entire District Parental Involvement Plan is available upon request at the District Office.

**Right to Education - Non Discrimination:** The Pierce Joint Unified School District Board is committed to equal opportunity for all individuals in education and in employment and does not discriminate on the basis of sex, ethnic group classification, ancestry, religion, age, lack of English skills, handicap or physical or mental disability, immigration status, or any other unlawful consideration. The Non Discrimination Policy Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against person with a disability in any program. In order to fulfill its obligation under Section 504, Pierce Joint Unified School District recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any of the programs or practices in the school system. 20 USC 1681-1688, 42 USC 2000d-2000d-7, 34 CFR 106.9; BP 0410 and 6178; Education Code 234.7

**Special Education:** "Special Education" refers to specially-designated instruction for students who meet eligibility criteria as having a specific disability. Such services are provided at no cost to the parents/guardians. A pupil shall be referred for special education services only after the resources of the regular education program have been considered and, where appropriate, utilized. Parents/Guardians, teachers, administrators or other individuals who believe that a student may require special educational services may refer the child for consideration for special education. Once a student have qualified for Special Education services, an Individual Education Plan (IEP) will be developed and will focus on the student's long-term vocational/lifestyle goals and the appropriate school-related activities/courses and support needed to help attain these. Any individual, agency or organization has the right to file a written complaint if it believes that a child's rights have not been met under special education laws/regulations. For information regarding referral procedures, complaints, etc., call the Superintendent at the District office at (530) 476-2892. Education Code 56301

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

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
2. Recognize that the best learning takes place when the student learns because of his desire to learn.
3. Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may result wholly or in part from a presentation by his/her teachers or choices of learning projects.



4. Maximizing the opportunity for teachers, parents/guardians and students to cooperatively develop the learning process and its subject matter. The opportunity shall be a continuous, permanent process.
5. Maximize the opportunity for students, teachers, and parents/guardians to continuously react to the changing world, including but not limited to the community in which the school is located.

If you are interested in further information concerning alternative schools, the County Superintendent of Schools, the administrative office of this District and the principal's office at each school site have copies of the law available for your information. This law particularly authorizes interested persons to request the school district to establish alternative school programs in each district. Contact the school for more information. Education Code 58501; AR 6181

The following alternative programs may be provided for students in the District:

- Independent Study Programs
- Continuation High School

Other Educational Opportunities Include:

- Newcomer Programs
- Advanced Placement
- Online Learning
- Courses through community colleges/universities
- Special Education
- Home and Hospital Instruction

**School Lunch Program:** Breakfast and lunch are available at all schools in the district. If parents/guardians choose to take advantage of the school meal program, a positive balance on their account must be maintained. There is no charging of school meals. When a meal account has a balance of \$6.00 or less, it will generate an automated phone call as a reminder to replenish the meal account. Any money left on a meal account at the end of the school year will roll over to the following school year.

**Free or Reduced Price Meals:** Needy pupils are entitled to free or reduced price meals. School staff will provide you with qualifying information for free meals or reduced price meals. Education Code 49510, 49520, 48980; 42 USC 1758; 7 CFT 245.5; AR 3553

**Personal Property:** The District is not responsible for personal property. Students are discouraged from bringing non-instructional items to school.

**Parent/Guardian Responsibility:** Parents/Guardians are liable for all damages caused by the willful misconduct of their minor children which results in the death or injury to other students, school personnel or school property. Education Code 48904; Civil Code 17141.1

**Usage of Student Names/Photos/Videos for Public Release:** The Pierce Joint Unified School District is proud of the many accomplishments of our students and staff. These accomplishments may draw the attention of newspapers, television stations, or other media who visit our schools to photograph or film students and staff during various activities. In addition, we use photographs and video footage of students and/or their names in District-produced materials including printed publications, television productions, and web sites to promote their achievements. These photographs and videos may also include displays of student work. This usage does not include school yearbooks – if you do not want your child's photo used in a yearbook, contact your child's principal.

**Photos & Video:** Unless notified in writing of an objection by a parent, legal guardian, or student of age 18, photographs and video footage of students and/or names may be posted in District-produced materials including printed publications, television productions, and web sites.

If parents/guardians do not want photographs or videos of their student(s) to be used in these materials, they should indicate this during the online registration process, or by filling out the registration card at each school site. Please be aware that opt-out requests are valid for the current school year and must be renewed at the start of the next school year.

Please contact your school office if you have any questions.

**Asbestos:** Pierce Joint Unified School District schools/facilities have been inspected for asbestos-containing materials and “Asbestos Management Plans” have been developed for each facility in the district. A copy of the “Asbestos Management Plan” for each school in the District is at the District office. As required by law, surveillance of all facilities in the district will be completed every six months. All asbestos-containing materials was removed or contained from some secondary and elementary schools during the reconstruction of those schools. Other schools scheduled for reconstruction will receive asbestos abatement services, when those schools are reconstructed in the future years. Additionally, small amounts of asbestos-containing material will be periodically encased and/or removed on an as-needed basis to complement the use and maintenance of those facilities. 40 CFR 763.84, 763.93; AR 3514

**Healthy Schools Act of 2000 - Annual Notification Pursuant to Education Code Section 17612:**

On September 25, 2000, Governor Davis approved Assembly Bill 2260, which established the Healthy Schools Act of 2000. The Healthy Schools Act of 2000 required that the Pierce Joint Unified School District annually provide notification to all staff and parents/guardians of the names of all pesticide products expected to be applied at the school site within the district during the upcoming year. To that end, the District is anticipating using the following pesticide products;

Pesticide Product:	Active Ingredient:
Talstar	Bifenthrin
Tempo	Cyfluthrin, cyano (4-fluoro-3phenoxyphenyl) methyl 3-(2,2-dichloroethenyl) - 2,2 - dimethylcyclopropanecarboxylate
Maki	3-[3-(4-bromo[1,1bipheny1] - 4-yl)-3hydroxy-1-phenylpropy]-4-hydroxy-2H-1-benzopyran-Z-one
Roundup	Glyphosate

Information concerning any identified pesticide product or any active ingredients in the identified pesticide products may be obtained from the Capital Projects Manager at (530) 476-2892 ext. 13003 or from the Department of Pesticide Regulation at (916) 445-4300; <https://apps.cdpr.ca.gov/schoolipm/> If you desire actual notification of individual pesticide applications at any school facility prior to such use, contact the Pierce Joint Unified School District office to register for such notification. Registrants shall receive notification of individual pesticide applications at least 72 hours prior to the application, whenever possible. Such notification will include the product name, ingredient(s), and the intended date of application. Education Code 17611.5, 17612, 48980.3; AR 3514.2

**Grants for Advanced Placement Tests:** Needy pupils may be eligible for State grants to cover the costs of advanced placement examinations. Contact the school for eligibility information. Education Code 48980, 52244; AR 6141.5

**Uniform Complaint Procedure:** The Pierce Joint Unified School District has the primary responsibility for compliance with federal and state laws and regulations. We have established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation, and bullying, and complaints alleging violation of state or federal laws governing educational programs, the charging of unlawful pupil fees and the non-compliance of our Local Control and Accountability Plan (LCAP).

We will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in Education Code section 200 and 220 and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55 or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by the agency, which is funded directly by, or that receives or benefits from any state financial assistance.

The UCP shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in:

1. Accommodation for pregnant and parenting students
2. Adult education programs
3. After School Education and Safety programs
4. Agricultural career technical education
5. Career technical and technical education and career technical and technical training programs
6. Child care and development programs
7. Compensatory education
8. Consolidated categorical aid programs
9. Course periods without education content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from and state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.5, or based on the person's association with a person or group with one or more of these actual or perceived characteristics
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program
12. Every Student Succeeds Act
13. Local control and accountability plan
14. Migrant education
15. Physical education instructional minutes
16. Student fees
17. Reasonable accommodations to a lactating student
18. Regional occupational centers and programs
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding
20. School safety plans
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding
22. State preschool programs
23. State preschool health and safety issues in license-exempt programs
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

A pupil fee includes, but is not limited to, the following:

1. A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.

2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
3. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fees or LCAP complaint may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

We shall post a standardized notice of the educational rights of foster, homeless youth, former juvenile court pupils now enrolled in a school district, children of military families, migrant students, and immigrant student enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

Complaints other than issues relating to pupil fees must be filed in writing with the following designated person who is knowledgeable about the laws and programs that they are assigned to investigate :

Superintendent - District Office  
Carol Geyer  
540A 6<sup>th</sup> Street\*P.O. Box 239  
Arbuckle CA 95912  
530-476-2892  
[cgeyer@pierce.k12.ca.us](mailto:cgeyer@pierce.k12.ca.us)

A pupil fees complaint is filed with the Superintendent and/or the principal of a school.

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the superintendent or his or her designee.

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal our Decision of complaints regarding specific programs, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

The complainant is advised of civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

A copy of the UCP compliant policies and procedures is available free of charge.

**Individuals with Disabilities:** In accordance with Federal and State laws, the school district will not discriminate against an individual with disabilities as far as involvement in programs and activities and in the use of facilities. If your child needs special accommodations, please contact the school or the county office of education.

**California Healthy Kids Survey:** Every other year, students in the 5<sup>th</sup>, 7<sup>th</sup>, 9<sup>th</sup>, or 11<sup>th</sup> grades, will be asked to participate in the California Healthy Kids Survey. This is a very important survey that will help us promote better health among our community's youth and combat problems such as drug abuse and violence. Written permission will be sought prior to your 5<sup>th</sup> grade student participating in the survey. Students in grades 7, 9, and 11 do not require written permission. Parents/Guardians who do not wish for their child to participate may contact the District Coordinator, Mrs. Geyer at (530) 476-2892. The survey will gather information on health behaviors such as physical activity and nutritional habits; alcohol, tobacco, and other drug use; school safety; environment and individual strengths and assets.

- Your child does not have to take the survey. Students only have to answer the questions they want to answer and they may stop taking the survey at any time.
- Your child's privacy is protected. No names will be recorded or attached to the survey.
- You may examine the survey in the school office. If you have any questions about this survey, please call Mrs. Geyer, your District Coordinator at (530) 476-2892.

**CSIS/CALPADS Participation:** The Pierce Joint Unified School District is participating with the California School Information Services (CSIS) Program and 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 postsecondary institutions to which the student is transferring to or applying for admission. All data maintained by the CSIS and CALPADS Programs are in compliance with Federal and State privacy and confidentiality requirements. Student information is encoded such that no personally identifiable information is retained by CSIS or CALPADS.

The benefits of participation to the student and parent/guardian are that student records can be transferred much more promptly, and that information about student assessment and academic placement will be available at the time of transfer. Schools and districts will benefit from the streamlining and reduction of required state reporting.

Parents/Guardians have the right to inspect student information maintained by the CSIS and/or CALPADS Programs. Contact the Pierce Joint Unified School District office to initiate this procedure.

**Code of Ethics of The Education Profession:**

## Preamble:

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

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

## Principle I – Commitment to the Student:

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

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

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning
2. Shall not unreasonable deny the student access to varying points of view
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety
5. Shall not intentionally expose the student to embarrassing or disparagement
6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:
  - a. Exclude any student from participation in any program
  - b. Deny benefits to any student
  - c. Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage
8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law

## Principle II – Commitment to the Profession:

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

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

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

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

*Source: National Education Association - 1975*

## **INVOLUNTARY STUDENT TRANSFERS**

**BP 5116.2**

(Adopted: January 19, 2017)

The Governing Board desires to enroll students in the school of their choice, but recognizes that circumstances sometimes necessitate the involuntary transfer of some students to another school or program in the district. The Superintendent or designee shall develop procedures to facilitate the transition of such students into their new school of enrollment.

As applicable, when determining the best placement for a student who is subject to involuntary transfer, the Superintendent or designee shall review all educational options for which the student is eligible, the student's academic progress and needs, the enrollment capacity at district schools, and the availability of support services and other resources.

Whenever a student is involuntarily transferred, the Superintendent or designee shall provide timely written notification to the student and his/her parent/guardian and an opportunity for the student and parent/guardian to meet with the Superintendent or designee to discuss the transfer.

### **Students Convicted of Violent Felony or Misdemeanor**

A student may be transferred to another district school if he/she is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 26805 and is enrolled at the same school as the victim of the crime for which he/she was convicted. (Education Code 48929)

Before transferring such a student, the Superintendent or designee shall attempt to resolve the conflict using restorative justice, counseling, or other such services. He/she shall also notify the student and his/her parents/guardians of the right to request a meeting with the principal or designee. (Education Code 48929)

Participation of the victim in any conflict resolution program shall be voluntary, and he/she shall not be subjected to any disciplinary action for his/her refusal to participate in conflict resolution.

The principal or designee shall submit to the Superintendent or designee a recommendation as to whether or not the student should be transferred. If the Superintendent or designee determines that a transfer would be in the best interest of the students involved, he/she shall submit such recommendation to the Board for approval.

The Board shall deliberate in closed session to maintain the confidentiality of student information, unless the parent/guardian or adult student submits a written request that the matter be addressed in open session and doing so would not violate the privacy rights of any other student. The Board's decision shall be final.

The decision to transfer a student shall be subject to periodic review by the Superintendent or designee.

The Superintendent or designee shall annually notify parents/guardians of the district's policy authorizing the transfer of a student pursuant to Education Code 48929. (Education Code 48980)

### **Other Involuntary Transfers**

1. If a high school student commits an act enumerated in Education Code 48900 or is habitually truant or irregular in school attendance, he/she may be transferred to a continuation school. (Education Code 48432.5)
2. If a student is expelled from school for any reason, is probation-referred pursuant to Welfare and Institutions Code 300 or 602, or is referred by a school attendance review board or another formal district process, he/she may be transferred to a community day school. (education Code 48662)

### **BULLYING**

**BP/AR 5131.2**

(Adopted: January 16, 2020)

#### **Board Policy-**

The Governing Board recognizes the harmful effects of bullying on students well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5131 – Conduct)

(cf. 5136 – Gangs)

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

(cf. 1220 – Citizens Advisory Committees)

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

(cf. 6020 – Parent Involvement)

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

(cf. 0420 – School Plans/Site Council)

(cf. 0450 – Comprehensive Safety Plan)

(cf. 0460 – Local Control and Accountability Plan)

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it



is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.3 – Uniform Complaint Procedures)

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code 48900, the Superintendent or designee shall advise the student’s parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code 46600, the Superintendent or designee shall allow the transfer in accordance with law and district policy on Intradistrict or Interdistrict transfer, as applicable.

(cf. 5116.1 – Intradistrict Open Enrollment)

(cf. 5117 – Interdistrict Attendance)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 – Dismissal/Suspension/Disciplinary Action)

(cf. 4119.21/4219.21/4319.21 – Professional Standards)

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

## **Administrative Regulation-**

### **Examples of Prohibited Conduct**

Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person’s electronic account or assuming that person’s online identity in order to damage that person’s reputation.

(cf. 5145.2 – Freedom of Speech/Expression)

(cf. 6163.4 – Student Use of Technology)

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. **Physical Bullying:** An act that inflicts harm upon a person’s body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone’s possessions, or making cruel or rude had gestures
2. **Verbal bullying:** An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threat to cause harm
3. **Social/relational bullying:** An act that harms a person’s reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. **Cyberbullying:** An act such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sties, or posting or sharing embarrassing photos, videos, web site, or fake profiles.

## **Measures to Prevent Bullying**

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school established clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

(cf. 5131 – Conduct)

(cf. 5137 – Positive School Climate)

2. Providing information to students, through student handbooks, district and school web sites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying.
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another students is being bullied, and providing means by which students may report threat or incidents confidentially and anonymously
4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a students has a responsibility to immediately intervene to stop the incident when it is safe to do so

## **Staff Development**

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying.

(cf. 4131 – Staff Development)

(cf. 4231 – Staff Development)

(cf. 4331 – Staff Development)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

## **Information and Resources**

The Superintendent or designee shall post on the district's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6

(cf. 5141.52 – Suicide Prevention)

2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8
3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6
4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying

(cf. 5145.3 – Nondiscrimination/Harassment)

(cf. 5145.7 – Sexual Harassment)

(cf. 5145.9 – Hate-Motivated Behavior)

5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media
6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5
7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

(cf. 1113 – District and School Web Sites)

## **Student Instruction**

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 61142.8 – Comprehensive Health Education)

(cf. 6142.94 – History-Social Science Instruction)

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Student should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about other online.

## **Reporting and Filing of Claims**

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 – Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

(cf. 1312.3 – Uniform Complaint Procedures)

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

### **Discipline/Corrective Actions**

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5116.2 – Involuntary Student Transfer)

(cf. 5138 – Conflict Resolution/Peer Mediation)

(cf. 5144 – Discipline)

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

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

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

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

### **Support Services**

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 – Guidance/Counseling Services)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

## **SEXUAL HARASSMENT**

**BP/AR 5145.7**

(Adopted: October 20, 2016; Revised November 19, 2020)

### **Board Policy-**

The Governing board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult how has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, Title IX Coordinator shall ensure that complaint or allegation is addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 – Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's website, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.

### **Instruction/Information**

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even where the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other persons reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address and continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual complaint continues

8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

### **Disciplinary Actions**

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

### **Record-Keeping**

In accordance with law and district policies and regulations, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in district schools.

### **Administrative Regulation-**

#### **Definitions:**

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

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

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of district policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct

2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

### **Examples of Sexual Harassment**

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment under state and/or federal law, in accordance with the definitions above, include, but are not limited to:

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

### **Title IX Coordinator/Compliance Officer**

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 5145.71 – Title IX Sexual Harassment Complaint Procedure, as well as to oversee investigation, and/or resolve sexual harassment complaints processed under AR 1312.3 – Uniform Complaint Procedures. The Title IX Coordinator(s) may be contacted at:

Superintendent  
540A 6<sup>th</sup> Street, Arbuckle CA  
530-476-2892  
[cgeyer@pierce.k12.ca.us](mailto:cgeyer@pierce.k12.ca.us)

### **Notifications**

The Superintendent or designee shall notify students and parents/guardians that the district does not discriminate on the basis of sex as required by Title IX and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education (34 CFR 106.8)

The district shall notify students and parents/guardians of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

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

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

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted. (Education Code 231.5)
3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)
4. Be posted, along with then name or title and contact information of the Title IX Coordinator, in a prominent location on the district's webs site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6; 34 CFR 106.8)
5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
6. Appear in an school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
7. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to students or parents/guardians (34 CFR 106.8)

The Superintendent or designee shall also post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the district's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

### **Reporting Complaints**

A student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or Title IX Coordinator. The report shall be made regardless of whether the alleged victim files a formal complaint or requests confidentiality.

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures.

### **Complaint Procedures**

All complaints and allegations of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 – Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to BP/AR 1312.3 – Uniform Complaint Procedures.



If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

**TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES**  
(Adopted: November 19, 2020)

**E 5145.71**

**NOTICE OF TITLE IX SEXUAL HARASSMENT POLICY**

The Code of Federal Regulations, Title 34, Section 106.8 requires the district to issue the following notification to students at all grade levels and their parents/guardians:

The district does not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law (20 USC 1681-1688; 34 CFR Part 106) and extends to employment. The district also prohibits retaliation against any student for filing a complaint or exercising any right granted under Title IX.

Title IX requires a school district to take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the district's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The district has designated and authorized the following employee as the district's Title IX Coordinator to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking:

Superintendent  
540A 6<sup>th</sup> Street \* P.O. Box 239  
Arbuckle CA 95912  
530-475-2892  
[cgeyer@pierce.k12.ca.us](mailto:cgeyer@pierce.k12.ca.us)

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon receiving an allegation of sexual harassment, the Title IX Coordinator will promptly notify the parties, in writing, of the applicable district complaint procedure.

To view an electronic copy of the district's policies and administrative regulation on sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see BP/AR 5145.7 – Sexual Harassment and AR 5145.71 – Title IX Sexual Harassment Complaint Procedures on the district's website at [www.pierce.k12.ca.us/board\\_of\\_trustees/goals\\_and\\_policies](http://www.pierce.k12.ca.us/board_of_trustees/goals_and_policies).

To inspect or obtain a copy of the district's sexual harassment policies and administrative regulations, please contact Melanie Brackett at 530-476-2892 x13000 or email [mbrackett@pierce.k12.ca.us](mailto:mbrackett@pierce.k12.ca.us).

Materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process are also publicly available on the district's website or at the district office upon request.

## **HATE-MOTIVATED BEHAVIOR**

**BP 5145.9**

(Adopted: September 10, 2009; Revised: June 21, 2018)

The Governing Board is committed to providing a safe learning environment that protects students from discrimination, harassment, intimidation, bullying, and other behavior motivated by a person's hostility towards another person's real or perceived ethnicity, national origin, immigrant status, sex, gender, sexual orientation, religious belief, age, disability, or any other physical or cultural characteristic. The Superintendent or designee shall design strategies to promote harmonious relationships among students, prevent incidents of hate-motivated behavior to the extent possible, and address such incidents if they occur.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131- Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. Such collaborative efforts shall focus on ensuring an efficient use of district and community resources, developing effective prevention strategies and response plans, providing assistance to students affected by hate-motivated behavior, and/or educating students who have perpetrated hate-motivated acts.

(cf. 1020 - Youth Services)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

(cf. 5148.2 - Before/After School Programs)

The district shall provide students with age-appropriate instruction that includes the development of social-emotional learning, promotes their understanding of and respect for human rights, diversity, and acceptance in a multicultural society, and provides strategies to manage conflicts constructively.

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 6142.3 - Civic Education)

(cf. 6142.4 - Service Learning/Community Service Classes)

(cf. 6142.94 - History-Social Science Instruction)

As necessary, the district shall provide counseling, guidance, and support to students who are victims of hate-motivated behavior and to students who exhibit such behavior.

(cf. 6164.2 - Guidance/Counseling Services)

The Superintendent or designee shall ensure that the rules prohibiting hate-motivated behavior and procedures for reporting a hate-motivated incident are provided to students and parents/guardians.

The Superintendent or designee shall provide staff with training on recognizing and preventing hate-motivated behavior and on effectively enforcing rules for appropriate student conduct.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

## **Complaint Process**

A student or parent/guardian who believes the student is a victim of hate-motivated behavior is strongly encouraged to report the incident to a teacher, the principal, or other staff member.

Any staff member who is notified that hate-motivated behavior has occurred, observes such behavior, or otherwise becomes aware of an incident shall immediately contact the principal or the compliance officer responsible for coordinating the district's response to complaints and complying with state and federal civil rights laws. As appropriate, he/she shall also contact law enforcement.

(cf. 3515.3 - District Police/Security Department)  
(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Any complaint of hate-motivated behavior shall be investigated and, if determined to be discriminatory, shall be resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3 - Uniform Complaint Procedures. If, during the investigation, it is determined that a complaint is about nondiscriminatory behavior, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

(cf. 1312.1 - Complaints Concerning District Employees)  
(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

## **STUDENT USE OF TECHNOLOGY**

**BP/AR/E 6163.4**

(Adopted: April 17, 2003; Revised: January 17, 2008; Revised: October 15, 2015)

### **Board Policy-**

The Governing Board intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

(cf. 0440 - District Technology Plan)  
(cf. 1113 - District and School Web Sites)  
(cf. 1114 - District-Sponsored Social Media)  
(cf. 4040 - Employee Use of Technology)  
(cf. 6163.1) - Library Media Centers)

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

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

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Before a student is authorized to use district technology, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the district

or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

(cf. 6162.6 - Use of Copyrighted Materials)

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

(cf. 5145.12 - Search and Seizure)

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 - Student Records.

(cf. 5125 - Student Records)

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

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts) (cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)  
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

## **Internet Safety**

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. (20 USC 6777; 47 USC 254; 47 CFR 54.520)

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

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

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others

based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs

(cf. 5131 - Conduct) (cf. 5131.2 - Bullying)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 5145.9 - Hate-Motivated Behavior)

2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

#### **Administrative Regulation-**

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources receive training in their proper and appropriate use.

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

Students are authorized to use District equipment to access the Internet or other online services in accordance with Board policy, the use obligations and responsibilities specified below, and the District's Acceptable Use Agreement.

1. The student in whose name an online service account is issued is responsible for its proper use at all times. Students shall keep personal account numbers, home addresses, and all telephone numbers private. They shall only use the account to which they have been assigned.
2. Students shall use the Districts' system safely, responsibly and primarily for educational purposes.
3. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disparaging of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.

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

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

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

5. Students shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law, Board policy, or administrative regulation.
6. Students shall not use the system to engage in commercial or other for-profit activities.
7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.

8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.
9. Students shall not intentionally upload, download, or create computer viruses and/or maliciously attempt to harm or destroy District equipment or materials or manipulate the data of any other use, including so-called "hacking".
10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.
11. Students shall report any security problem or misuse of the services to the teacher or principal.

The District reserves the right to monitor the system for improper use.

The principal or designee may cancel a student's user privileges whenever the student is found to have violated Board policy, administrative regulation, or the District's Acceptable Use Agreement. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

### **Exhibit (1)**

## **STUDENT ACCEPTABLE USE POLICY AND AGREEMENT**

The Pierce Joint Unified School District is providing all schools with access to its Digital Telecommunications Network (Network) and through it to the vast resources available on the Internet. These resources will be used by students (you) primarily in conjunction with teacher directed classroom study. In addition, you may be able to explore and research many fields of study through directed or independent study.

This document includes guidelines that identify your responsibilities. If you violate these provisions, your access to the Network may be suspended or canceled and all future access may be denied to you. You may also be subject to other disciplinary action by the school and/or the District.

### **Acceptable Use:**

The purpose of providing access to the Network and through it the Internet, is to support classroom instruction and educational research by students in the District. Your use of the Network and through it, the Internet, must be in support of the educational objectives of the District.

Transmission of or access to materials which violate federal or state laws are prohibited. This prohibition includes, but is not limited to, copyrighted materials, threatening or obscene materials, or material restricted through passwords or other user access codes. Use of commercial advertising and political lobbying is also prohibited.

You are prohibited from using obscenities, vulgarities, racist, sexist, or inflammatory speech when communicating with others using the Network and through it, the Internet.

You are prohibited from introducing a computer virus to the Network or any computers connected to the Network. If you import a file from another computer onto a District computer by any means, you are responsible to assure that you are not introducing a computer virus to the Network.

Any messages sent or actions taken by you on the Network must be done under your private user account secured by your private password. You are prohibited from using another's private account or from allowing another to use your private account. You are prohibited from sharing your private password with anyone else or from using another's private password to access their account.

### **Privileges:**

The use of the Network and access to the Internet is a privilege, not a right. If you use the Network inappropriately, or if a District or school staff member suspects that you have done so, your access privileges may

be suspended or revoked at any time. Reinstatement of your access privileges shall be at the discretion of district or school staff members. Your use of the district Network should not be regarded as private. District staff may be monitoring your communications on, and use of the Network, and may inspect files in your network file systems at any time.

**Agreement:**

I understand that when I am using the Pierce Joint Unified School District's Network, or through it, the Internet, I must adhere to generally accepted standards of courtesy and etiquette, obey any and all laws regarding access and use of the Network, and all rules detailed in the Student Acceptable Use Policy and Agreement (this document) and the District's Board Policy and Administrative Regulation (See Above).

I understand that if I break these rules, my privilege to access the Network, and through it the Internet, may be revoked and may not be reinstated. I also may be subject to other disciplinary action. I understand that my use of the Network is not private and may be subject to monitoring by District staff.

As parent/guardian of my child listed above, a student in the Pierce Joint Unified School District, I am aware of, understand and agree to the Student Acceptable Use Policy and Agreement (this document), the policies stated in it, the District's Board and Administrative Policy, and the Agreement I have signed here. I further agree to be responsible for supervising my student's use of the District Network when he/she is not at school.

**Exhibit (2)**

**STUDENT ACCEPTABLE USE POLICY AND AGREEMENT**

The Pierce Joint Unified School District (District) is providing all students with access to its Digital Telecommunications Network (Network) and through it to the vast resources available on the Internet. These resources will be used by students in conjunction with teacher directed classroom study. In addition, students will be able to independently explore and research many fields of study.

By signing this document, you agree to allow your child to access the District Network, and through it, the Internet, using the District's Network, computers and facilities.

The Internet is a global computer network which enables connected computers, such as many computers in the district, to share files, send and receive messages, and to publish information. As there are millions of computers connected to the Internet serving people in most countries of the world, tremendous information resources are available to students of the District via its Network connected computers. This is the reason why the District has enabled Internet access for all of its schools and students. The Internet is an extremely important communication and research facility for science, literature, history, mathematics, social studies and many more areas of study. Using and exploring the Internet is commonplace at most universities, and is beginning to be considered an important part of a student's college preparatory instruction.

However, just as there are many wonderful people in the world who share accurate and important information with others over the Internet, there are also people who use this global public computer network for inappropriate purposes. These purposes range from spreading false information and rumors, to criminal activities including, financial fraud and theft, and the entrapment, solicitation and exploitation of minors. Your student may be exposed to pornography, racism, sexism, abusive language, and possibly solicitation when he/she accesses the Internet.

The District intends to take various measures to protect the students from some of these elements on the Internet. You need to know that it is impossible for the District to protect your child from every kind of risk that exists on the Internet. Therefore, the District requires that you explicitly permit your child to take part in the District sponsored Internet access via the District Network prior to allowing your child to do so.

The District intends to implement the following security and protection precautions:

1. Block access to sex, hate and other inappropriate World Wide Web sites as they are identified;
2. Block “chat” group access to all outside sources (except those set up with other educational institutions);
3. Block sex, hate, and other Internet News Groups as they are identified;
4. Monitor unusual Network usage to screen and detect inappropriate use;
5. Train students to use the Internet properly and to avoid inappropriate materials;
6. Counsel students on Internet safety and precautions.

### **Exhibit (3)**

#### **INDEMNIFICATION/RELEASE AND ASSUMPTION OF THE RISK**

In consideration of the Pierce Joint Unified School District permitting my child to access the District’s Network and through it, the Internet, I agree to indemnify, defend and hold harmless the Pierce Joint Unified School District and its officers, employees and representatives, from and against any and all claims for damage or injury caused by or related to my child’s willful and/or intentional violations of the provisions of the Student Acceptable Use Policy and Agreement.

I hereby agree to **RELEASE** the Pierce Joint Unified School District, its officers, employees and representatives from any claims regarding injury to my child, including claims from **NEGLIGENCE**, however caused, arising from or in connection with my child’s use of the District’s Network, and through it the Internet.

#### **Parental Permission**

I grant permission for my student, who is enrolled in the Pierce Joint Unified School District, to use the District’s Network, the services and applications software running on it, and to access the Internet through the Network.

I understand that my student may be exposed to some unacceptable materials or communications in the course of using the District Network and through it, the Internet. I accept the risk of this happening, and will take action on my own part to counsel my child with respect to these materials and risks.

I understand that when my student is using the District’s Network, or through it, the Internet, my student must adhere to generally accepted standards of courtesy and etiquette, obey any and all laws regarding access and use of the Network, and through it the use of the Internet, may be revoked and may not be reinstated. I understand that my student’s use of the Network is not private and may be subject to monitoring by District staff.

As the parent/guardian of my child, a student in the Pierce Joint Unified School District, I agree to allow my student to use the District Network and through it to access the Internet. I understand that my student may be exposed to materials of communications that I may find offensive, but agree that this is an acceptable risk given the positive educational benefits expected of the District Network and Internet access program.

### **Exhibit (4)**

(Adopted: September 13, 2018)

#### **BRING YOUR OWN DEVICE (BYOD) RESPONSIBLE USE AGREEMENT**

##### **Introduction and Purpose**

The Pierce Joint Unified School District (PJUSD) recognizes that our information-based world is becoming increasingly complex and students who are skilled in creativity, critical thinking, communication, and collaboration are better prepared for college and careers. PJUSD currently provides its students with a variety of communications and information technologies that are appropriate and relevant to support instructional purposes. These technologies, when properly used, promote educational excellence in the District by facilitating resource sharing, innovation, collaboration, and communication.



In an effort to bring more technology tools into our classroom and to leverage student-owned technology, PJUSD will allow personal technology devices to be brought onto campuses and onto our guest wireless network, subject to the rules, procedures, and limitations set forth below and in any laws, rules, policies, regulations, or agreements referenced or incorporated herein.

The purpose of this Bring Your Own Device (BYOD) Responsible Use Agreement (Agreement) is to allow for student possession and educational use of personal electronic devices while ensuring appropriate behavior and protecting the security and integrity of the District's data and technology infrastructure. Therefore, student access to the District's network via personally-owned devices is a privilege, and students must abide by this Agreement, the Student Responsible Use of Technology Agreement, the Standards for Student Behavior, and all policies and regulations related to student conduct and use of technology.

The use of personal technology devices by students is optional. The use of personal technology devices will not be used as a factor in grading or assessing student work. However, if an assignment requires the use of a personal technology device, students who do not have access to the necessary personal technology device will be provided with the temporary use of comparable District-owned equipment. When this is not possible, students will be given similar or equivalent assignments that do not require access to personal technology devices.

### **Definition of Personal Technology Device**

A Personal Technology Device (PTD) is any privately-owned technological device that includes, but is not limited to: laptops, netbooks, tablets, e-readers, iPads, iPods, cell phones, smart phones, personal digital assistants (PDAs), or any other current or emerging devices that can be used for word processing, Internet access, recording of images and/or sound, email, messaging, apps, etc.

### **Responsibility, Security and Damages**

Responsibility to keep the PTD secure rests with the individual owner. PJUSD is not liable for any PTD that is lost, stolen, damaged, or infected by malware on campus, at school functions, or coming to and from school. If a PTD is lost, stolen, or damaged, the matter will be handled through the administrative office in the same manner as other personal belongings.

PJUSD is not liable for any charges or fees incurred by students from their cellular service provider if they fail to use the District's wireless network while working on school-related projects or activities under the direction of PJUSD staff.

### **Guidelines**

It is a privilege, rather than a right, for a student to bring personal technology devices to school. When all relevant policies are followed, our learning environment will be enhanced. However, when policies are abused, the privileges may be taken away and confiscation and/or disciplinary action may occur. By electronically signing the Online Re-Enrollment Page at the beginning of each school year (hard copies will be signed by parents/guardians not utilizing the Online Re-Registration Page), students and their parents/guardians acknowledge that they agree to the rules, criteria, and/or requirements contained therein when using a personal technology device at school. They further understand that if the law or District policy is violated, the device may be searched by authorized personnel and/or law enforcement and may result in the loss of BYOD privileges in PJUSD as well as any and all applicable disciplinary action.

1. Students bringing PTDs to school must follow: all applicable California laws, PJUSD Policies, including but not limited to Board Policy 5131 and Board Policy and Administrative Regulation 6163.4; PJUSD Standards for Student Behavior, the Student Responsible Use of Technology Agreement, and the criteria set forth in this Agreement. In addition, students will be expected to comply with all applicable teacher, class, and school rules, policies and procedures while using personal technology devices.
2. PTDs are only to be used for educational purposes.

3. Any PJUSD staff member has the right to prohibit use of devices at any time, inside and outside of the classroom. Students must comply with all staff requests regarding technology, such as shutting down, closing screen, storing, etc.
4. Internet access is filtered by the District on personal technology devices in the same manner as District-owned equipment. If Internet access is needed, connection to the filtered, guest wireless network provided by the District is required and students must not bypass or attempt to bypass it. Devices may not be plugged into the wired network.
5. PJUSD shall not be liable for any loss or damages resulting from the loss of data as a result of delays, non-deliveries, or service interruptions sustained or incurred in connection with the use, operation, or inability to use the District's system.
6. If a student uses a personal data plan instead of the provided Internet connection, the District will not be responsible for data or messaging charges. In addition, the District shall not be responsible for any data or messaging charges incurred by students when completing school assignments on PTDs while off District property.
7. Each student is responsible for his/her own device including set-up, maintenance, charging, and security; District staff will not diagnose, repair, or work on a student's PTD.
8. Technology devices have educational and monetary value. Students are prohibited from trading, buying, or selling these items on District property.
9. Students will not monopolize or disrupt the resources of the PJUSD network including, but not limited to: online gaming or video not associated with directed instructional activities; using a computer to host games, videos, files, etc. accessed from the network; setting up hotspots; network use intended to deny service to a computer, service, or network; or attempts to gain unauthorized access to network service and management devices.
10. PTDs should be charged prior to school and run on battery power while at school. Students should not have the expectation that PJUSD will provide access to charging stations/facilities or storage of personal devices while on campus.
11. Site staff will determine and administer consequences for PTD misuse according to the Guidelines for Responsive Discipline for elementary and secondary schools.
12. Students shall not have access to District printers from their PTDs and shall not print anything from their PTD unless specifically authorized by their teacher as part of an instructional activity.

**Additional Parameters for Bringing Personal Devices to School:**

1. **No Expectation of Privacy**
  - a. PJUSD may monitor and review files and communications, without notice to the student, to maintain system integrity and ensure that users are using the system responsibly. The District's system and network are not private means of communication or data gathering, students do not have an expectation of privacy in anything they create, store, delete, send or receive on the district systems and/or network.
  - b. PJUSD may collect and examine any PTD on campus that it has reasonable suspicion to believe has been used to commit or facilitate conduct that violates the law, District policies, rules, regulations, or student conduct guidelines, including but not limited to, cyberbullying, hacking, or cracking.
  - c. PJUSD may collect and examine any PTD on campus that is has reasonable suspicion to believe is the source of a computer virus or other malware infection or of hacking attacks.
2. **Cyber Ethics**

- a. Students shall not view, create, publish, submit or display any materials/media that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. Students must report any instances of the above they encounter while using a PTD at school or on the school's network.
- b. Students shall not harass or bully another person. Cyberbullying is prohibited by state law and District policy.
- c. Students shall not use devices to record, transmit, or post photographic images, sound, or video of a person or persons on campus during school activities and/or hours, unless otherwise directed by a teacher for a specific educational purpose.
- d. Students shall not use devices to engage in any illegal activity, including but not limited to: peer to peer file sharing, hacking, or cracking the District's or another network.
- e. The District cannot guarantee that its filters will prevent the viewing of all objectionable materials. Students who inadvertently access such objectionable material must inform a responsible adult of the offending website so that the District may take measures to prevent future access to such sites.