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PART 1

WELCOME TO THE BANTA UNIFIED SCHOOL DISTRICT
MESSAGE FROM THE SUPERINTENDENT

Welcome to the Banta Unified School District. We are committed to our student's social, emotional, and educational needs and value the well-being of every child. We believe that high-quality instruction sparks curiosity, creativity, and engagement. At Banta, we strive to work together as a team to support our students and their families. Our commitment to continuous improvement reinforces our promise to measure our impact and make necessary adjustments to programs and services. In Banta Unified, we believe that all students deserve access, opportunity, support, and resources.

This Parent and Student Handbook contains essential information about laws related to public schools and the rights and responsibilities of students and parents. It outlines our expectations for students and our professionals. It provides information to help you understand and navigate our District policies and procedures and contains valuable information to help parents guide their child's education. Complementing this handbook is our District's website, which in many cases will be able to provide more in-depth and detailed information about the many programs and services we offer to students and their families.

Throughout the year, to help keep you informed and engaged, please expect regular communications from me, my staff, and the school via newsletters, flyers, mass notifications by phone, email, or text, as well as through Facebook. I invite you to get to know the staff at the Banta school site, and I wish every family an excellent educational experience.

Sincerely,

Rechelle Pearlman

Rechelle L. Pearlman

Superintendent
Banta Unified School District
Meet Our Board of Trustees

The Banta Unified School District is governed by an elected five-member Board of Education. Board members are elected for four-year Terms.

Patricia Speer - President
pspeer@bantasd.org
Elected: 2020
Term Expires: 2024

Doug Diestler - Vice-President
ddiestler@bantasd.org
Elected: 2020
Term Expires: 2024

Karen Dell’Oso - Clerk
kdellosso@bantasd.org
Appointed: 2020
Term Expires: 2022

Joshua Anderson
janderson@bantasd.org
Elected: 2020
Term Expires: 2024

Gene Neely
gneely@bantasd.org
Appointed: 2020
Term Expires: 2022

About Our Governing Board
The Board of Education is responsible for approving District policy and the District’s annual budget. Together, board members and district staff work hard to ensure that the District’s mission and core values are fulfilled in all classrooms. The public is welcome to attend board meetings the first Thursday of each month beginning at 7 p.m. The schedule can vary during the summer and holidays. Please check the District’s website for meeting changes. Meetings are held at the Banta School library at 22345 El Rancho Road. For more information about board meetings, call (209) 229-4651.
School, Staff and District Responsibilities

Staff and Professional Standards

We have a districtwide standard of professional conduct for all district employees to maintain the highest ethical standards, to follow district policies and regulations, and to abide by state and national laws. Employee conduct should enhance the integrity of the district and the goals of the educational program and student unity. The Board of Trustees encourages all employees to accept as guiding principles codes of ethics published by professional associations to which they may belong.

Our teachers and administrators are responsible for demonstrating appropriate school and classroom behavior in their interactions and in their communication with students and parents. We will:

- Adopt a comprehensive school safety plan and disaster preparedness procedures;
- Establish an environment in which students can meet their academic standards;
- Communicate regularly with families about their child’s academic progress and behavior;
- Involve students in an ongoing process of self-evaluation;
- Communicate district standards of behavior;
- Enforce district policy and school rules fairly and consistently; and

School Safety Plan

Each year schools are required by law to update a school safety plan by March 1. The plan includes earthquake emergency procedures and a disaster policy for buildings with a capacity of 50 or more people. Schools must report on the status of the safety plan to numerous community leaders. In addition, a description of the safety plan’s key elements must be detailed in the school accountability report card. [E.C. 32286, 32288]

School and District Liability

The District assumes no liability for accidents to students at school [E.C. 49472, 49471, 48980] and the District does not provide medical insurance for individual students. However, if you are interested in purchasing Student Accident Insurance, you can contact your family insurance provider for policies available to you, or you can inquire about student insurance at the District Office.

The coverage you purchase should provide coverage for your child while on school grounds or in school buildings during the time your child is required to be there during a regular school day; while being transported by the District to and from school or other place of instruction; or while at any other place as an incident to school sponsored activities and while being transported to, from and between such places.
Parent/Guardian Responsibilities

Every member of the school community shares the responsibility for maintaining a safe and productive environment at your child’s school. As a parent or guardian of a child in our school district, you share in this responsibility when you:

- Accept the rights and authority of the school and the Board of Education to maintain standards of behavior for all students;
- Review the District’s Parent & Student Handbook with your family and understand the rules;
- Understand that punctuality and good attendance are family responsibilities and make every effort to get your children to school on time every day;
- Know that parents have a great influence on the study habits of their children and encourage and provide a suitable time, place and routine for study at home; and
- Understand that children learn more when somebody monitors their progress and you keep track of your child’s academic achievement.

As a parent or guardian, you have a right to:

- Have information about your children’s achievement, behavior in school and attendance.
- A safe environment that is non-threatening and allows your children to achieve.
- Information about all school rules, regulations and expectations.

Parent/Guardian Liability

Parents or guardians are liable for all damages caused by the willful misconduct of their minor children, which result in death or injury to other students, school personnel or damage to school property. Also, the District will not be responsible for damage caused by any student to any item of personal property which another student brings to school.

Parents are also liable for any school property loaned to the student that is willfully not returned. Parents’ or guardians’ liability may be as much as $20,900 in damages and another maximum of $20,300 for payment of a reward, if any. These amounts are expected to be indexed and rise annually.

The District may withhold the grades, diploma or transcript of the student responsible until such damages are paid, the property returned or until completion of a voluntary work program in lieu of payment of money.

If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities or otherwise willfully defies the authority of school personnel and is suspended for such misconduct, you may be required to attend a portion of a school day in your child’s classroom. [E.C. 48900.1, 48904, 48914; Civil Code 1714.1]

Student Responsibilities

To encourage a consistent, firm and fair culture of discipline that affirms positive behavior, we have adopted a standard of conduct that includes the rights and responsibilities of students, student expectations, interventions for specific disruptive behaviors and appropriate consequences.
Student Expectations

Students are expected to be good citizens and:

- Follow rules and laws;
- Avoid mutual combat situations and any activity that has the potential to cause a verbal or physical conflict;
- Respect authority, property and the rights of others;
- Display acts of tolerance in promoting human dignity that are characterized through respect, sensitivity and care exhibited in the interaction of staff and students regardless of race, gender, disability, physical characteristics, ethnic group, language, sexual orientation, age, national origin or religion.
- Maintain standards of integrity and responsibility.
- Every student shares the responsibility for maintaining a safe and productive environment at school.

As a student, you make an important contribution to your school when you:

- Respect the authority of teachers, principals and all school staff members;
- Comply with the standards of conduct of your school and the District;
- Follow the rules of the classroom and your school;
- Inform an adult authority of any situation that would pose a danger to yourself or others;
- Attend school everyday;
- Arrive at class on time and prepared to work. Bring necessary books and materials;
- Pay attention in class;
- Complete class work and homework on time; and
- Keep track of your own progress.

Student Rights

Students have a right to a safe learning environment. Both the U.S. Constitution and California state law protect this right. All students and staff of public elementary, middle and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful. If you feel your school is not providing a safe environment, please discuss this with your teacher or principal.

Student Rights Pursuant to E.C. Section 221.8

In addition to federal law, the California Education code similarly prohibits schools from discriminating against its students on the basis of sex. Education Code section 221.8 provides as follows:

The following list of rights, which are based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendments of 1972 (20 U.S.C.§ 1681 et seq.), may be used by the department for purposes of Section 221.6:
a. You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.

b. You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.

c. You have the right to inquire of the principal of your school as to the athletic opportunities offered by the school.

d. You have the right to apply for athletic scholarships.

e. You have the right to receive equitable treatment and benefits in the provision of all the following:
   - Equipment and supplies.
   - Scheduling of games and practices.
   - Transportation
   - Access to tutoring.
   - Coaching.
   - Practice and competitive facilities.
   - Medical and training facilities and services.
   - Publicity.

f. You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.

g. You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.

h. You have the right to file a confidential discrimination complaint with the United States Office for Civil Rights or the state Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.

i. You have the right to pursue civil remedies if you have been discriminated against.

j. You have the right to be protected against retaliation if you file a discrimination complaint.

Student Rights Under Title IX

Federal Title IX of the Education Amendments of 1972 (“Title IX”), implemented at 34 C.F.R. § 106.31, subd. (a), provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives federal financial assistance.

Relevant here, Title IX requires that school districts 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 one of the Banta Unified School District (“District”) Title IX Coordinators, and/or the Assistant Secretary for Civil Rights from the United States Department of Education.
Foster Youth

Since 2004, California legislation has enacted educational provisions that promote school stability and success for children and youth in foster care. As a guiding principle, all educational and school placement decisions for foster youth shall be made to ensure that each student:

- Has the opportunity to meet the same academic achievement standards to which all pupils are held;
- Is placed in the least restrictive educational programs;
- Has access to the academic resources, services, extracurricular and enrichment activities as all other pupils [E.C. 48850].

The following is a summary of California Education Code related to students in foster care:

1. **Right to remain in “school of origin” [E.C. 48853.5]**
   - Students have the right to stay in the same school after they move to a new foster care home. The “school of origin” can be:
     - The school attended when you first entered foster care,
     - The school most recently attended, or
     - Any school attended in the last 15 months that the student feels connected.
   - If transitioning from elementary school to middle school or from middle school to high school, students have the right to transition to the same school as their classmates. If there is any disagreement about which school the student will attend, they have the right to stay in their school of origin until the disagreement is resolved.

2. **Right to immediate enrollment in school [E.C. 48853.5]** Students have the right to immediately enroll in school and begin attending classes, even if they do not have the paperwork normally required for enrollment (such as birth certificate, transcript, or IEP) or did not check-out from their previous school. Education records must be sent within two business days to the new school after receiving a school records transfer request.

3. **Right to partial credits for high school students [E.C. 51225.2]**
   - If the student changes schools during the school year, they have a right to partial credits in all classes that they are passing.
   - The new school must accept the partial credits issued by the previous school.
   - After changing schools, students have the right to enroll in the same or similar classes at their last school.
   - Schools cannot require a student to retake a class or part of a class that they have already completed with a passing grade, if it would make them off-track for high school graduation.
   - Students have the right to take or retake any class that they need to go to a California State University or University of California.
   - Grades cannot be lowered because of absences related to a court hearing, placement change, or a court-related activity.
5. School discipline rights [E.C. 48853.5]

- The student’s attorney and social worker must be invited to a meeting before a suspension can be extended beyond 5 days.

- If the student is in special education, the student’s attorney and social worker must be invited to a manifestation determination meeting to decide whether the behavior was related to the student’s disability.

- If the student is facing a possible expulsion, the student’s attorney and social worker must be notified.

- At a formal hearing, the student has the right to be represented by an attorney before being expelled.

6. Right to school records [E.C. 49076]

- The student’s social worker/probation officer and education rights holder can access school records.

- The student’s Foster Family Agency, Short-Term Residential Treatment Program, or caregiver who has direct responsibility for the care of the student can access school records.

Homeless Education

Children and youth who are experiencing homelessness are entitled to equal access to the same free and appropriate public education provided to all children and youth. The District serves students identified as homeless under the federal McKinney-Vento Homeless Assistance Act. Students may be eligible for special assistance and services if they lack a fixed, regular, and adequate nighttime residence, such as staying in a hotel/motel or shelter; sharing a house or apartment with others due to loss of housing, economic hardship, or a similar reason; or living in a car, campground or recreational vehicle. This includes students who are unaccompanied youth not in the care or custody of a parent or guardian and runaways.

In order to remove barriers and reduce the hardships students who are experiencing homelessness face, school and district staff may provide or assist with the following:

- **Enrollment assistance**—assist with gathering and transferring records; make appropriate placements and mediate disputes regarding enrollment of homeless students.

- **Direct services**—provide backpacks, school supplies, and hygiene items

- **Case management**—serve as liaison with schools and other service providers; provide information on educational options and community resources, including shelters, housing programs, food closets, public assistance, health and mental health care, and other programs and services based on the unique needs of students and families.

- **Transportation**—homeless students whose nighttime residence is outside the attendance area of their school of origin may be provided with transportation to and from school. Such transportation may include bus passes or mileage reimbursement.
Additional State Laws Regarding Homeless Students

California State Law AB 1806 contains mandates with regards to partial credit, expulsions, and modified graduation requirements under certain circumstances for youth experiencing homelessness. This bill requires a school district to exempt a homeless student from coursework and other requirements that are in addition to statewide requirements when a student changes schools due to homelessness after their second year of high and cannot reasonably complete the District requirements by the end of their fourth year as determined by the district. A student who is eligible for the graduation exemption and their educational rightsholder must:

- California State Law SB 177 requires the immediate enrollment of homeless children and youth, deems homeless students to meet residency requirements for interscholastic sports immediately upon enrollment and requires public notice of the educational rights of homeless children and youth are distributed in schools.

- California State Law AB 1068 gives unaccompanied youth age 14 and over the right to access and consent to disclose their school records and extends these rights to caregivers who enroll students in school using California’s caregiver authorization affidavit. In addition, AB 1068 prevents schools from releasing directory information of students experiencing homelessness, unless a parent/guardian expressly consents.

- California State Law SB 445 permits students whose homeless status changes during the school year so that they are no longer homeless to remain at their school of origin for a specified time: high school students may continue in their school of origin through graduation and students in grades kindergarten and 1-8 may continue in their school of origin through the duration of the academic year.

- California State Law AB 309 pertains to the CalFresh Supplemental Nutrition Assistance Program (SNAP) and clarifies that there is no minimum age requirement for unaccompanied homeless youth to apply.

- California State Law AB 652 clarifies that a child/youth who is homeless or an unaccompanied minor, is not, in and of itself, a sufficient basis for reporting child abuse or neglect, as defined by the McKinney-Vento Act.

These laws and the District’s programs serving homeless children and youth focus on student support, safety, school stability, academic progress and graduation.

Homeless Enrollment Dispute Resolution Process

Complaint forms are available at the school, but the form need not be used to make a complaint. Homeless students are to be maintained in their school of origin whenever feasible, unless the parent prefers the student attend their school of residence.

A written explanation of the school’s decision regarding school selection or enrollment shall be provided by the school if a parent, guardian or unaccompanied youth disputes a school selection or enrollment decision, including the right to appeal.
Student in Crisis: What to Do?

Ask the difficult question. “Have you had thoughts about killing yourself?” Do not offer unrealistic reassurances. Paraphrase what you are hearing the student say. This will support your ability to monitor how accurately you are understanding what the student is saying.

For example, “I understand when you say that you aren’t sure if you want to live or die, but have you always wanted to die? Well, maybe there’s a chance you won’t feel that way forever. I can help.”

Providing information about a current or upcoming life transition can help lesson anxiety.

Remember, your job is not to act in the role of the mental health professional.

Connect the student with a counselor, administrator or mental health professional immediately. Maintain visual contact with student at all times.

Always provide a student with a 24-hour crisis number. Have them put the contact information into their phone if possible.

School and Community Resources: Counselors, School Psychologists, and Social Workers.

- Local Suicide Prevention Crisis Line (209) 468-8686
- National Suicide Prevention Lifeline 1 (800) 273-TALK(800-273-8255)
- The Trevor Project- https://www.thetrevorproject.org
- Sources of Strength— sourcesofstrength.org
- Know the Signs— www.suicideispreventable.org
- American Foundation for Suicide Prevention— afsp.org

Be aware of the identified individuals on your site who are working with you to provide more long-term professional support.

The wider your network of support, the more effective you will be in managing the crisis for the student, family and others.

Student in Crisis: Communication

Staff will connect and communicate with administration and school nurse on-site to determine level of risk.

Administration will contact district director of Student Services, law enforcement or protective services, inform the parent or guardian and identify staff member to monitor student.
Student in Crisis: What to Avoid When Helping

- The student could be in a state of chaos and confusion, so how you model your emotions is key.
- In an effort to provide support, be careful that you are not providing your opinions.
- Avoid being impatient, judgmental or shocked.
- Be careful not to minimize the student’s experience but do not overreact as it may cause the student to shut down.
- Base the foundation of your relationship on honesty and trust.
- Do not promise secrecy in an effort to glean information regarding the crisis.

Student Crisis: Warning Signs

Warning signs are observable behaviors that may signal the presence of suicidal thinking. They might be considered “cries for help” or “invitations to intervene.” We encourage our staff to follow your instincts, it is not overreacting. Please communicate with your counselor or mental health professional on site if you observe behaviors that concern you.

- Feelings of sadness, hopelessness, helplessness
- Changes in sleep patterns or eating habits
- Significant changes in behavior, appearance, thoughts, and/or feelings
- Change in school attendance/ tardies
- Social withdrawal and isolation
- Suicide threats (direct and indirect)
- Suicide notes and plans
- History of suicidal ideation/ behavior
- Self-injurious behavior
- Preoccupation with death
- Making final arrangements (e.g., giving away prized possessions, posting plans on social media, sending text messages to friends)
Non-Discrimination, Harassment, Intimidation and Bullying

District programs and activities shall be free from discrimination, including harassment, intimidation and bullying based on a student’s actual or perceived disability, sex, gender, gender identity, gender expression, nationality, immigration status, race, ethnicity, color, ancestry, religion, sexual orientation, age, marital or parental status, or association with a person or group with one or more of these actual or perceived characteristics.

The District’s policy on Non-Discrimination/Harassment/Intimidation/Bullying, Board Policy can be found on the district’s website. This policy applies to all acts related to school activity or school attendance occurring with a school under the jurisdiction of the District Superintendent.

When providing or arranging for the provision of non-academic and extracurricular services and activities, the District shall ensure that a student with a disability participates with nondisabled persons in such activities and services to the maximum extent appropriate to the needs of the student with a disability in question.

Pursuant to California Education Code section 221.5, a pupil shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with his or her gender identity, irrespective of the gender listed on the pupil’s records.

Any student may request the use of private or unisex restroom facilities for increased privacy. The District endeavors to protect the privacy of all students.

In the event of a complaint regarding gender equity or sexual harassment, or discrimination, including harassment, intimidation and/or bullying because of actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, immigration status, age, religion, physical or mental disability, sex, marital or parental or family status, sexual orientation, gender, gender identity, or association with a person or group with one or more of these actual or perceived characteristics, contact one of the following Title IX and Nondiscrimination Coordinators.

Sexual Harassment Policy

The Governing Board prohibits unlawful sexual harassment of or by any student by anyone in or from the District.

Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment. Any student who engages in the sexual harassment of anyone or in any form may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in sexual harassment may be subject to disciplinary action up to and including dismissal.

The Board expects students or staff to immediately report incidents of sexual harassment to the principal or designee or to another District administrator. Any student who feels that he/she is being discriminated against or harassed should immediately contact the principal or designee. Additionally, a written complaint can be filed in accordance with Board Policy.

Written complaint policies are available at the District Office and can be accessed on the District’s website under Policies, procedures and notices.
The District prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned. Prohibited sexual harassment includes, but is not limited to: unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual’s employment, academic status or progress.

2. Submission to or rejection of the conduct by an individual is used as the basis for academic or employment decisions affecting the individual.

3. The conduct has the purpose or effect of having a negative impact on the individual’s academic or work performance, or of creating an intimidating, hostile or offensive educational or work environment.

4. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs or activities at or through the school.

Other types of conduct which are prohibited in the District and which may constitute sexual harassment include:

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, stories, drawing, pictures or gestures.
5. Spreading sexual rumors.
6. Teasing or sexual remarks about students.
7. Touching an individual’s body or clothes in a sexual way.
8. Cornering or blocking of normal movements for sexual purposes.
9. Displaying sexually suggestive objects in the educational or work environment.

Any act of retaliation against an individual who reports a violation of the District’s sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

A copy of the District’s policy on harassment shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.
2. Be displayed in a prominent location in the main administrative building or other area of the campus or school site where notices regarding the institution’s rules, regulations, procedures and standards of conduct are posted.
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session.
4. Appear in any school or District publication that sets forth the school or District’s comprehensive rules, regulations, procedures and standards of conduct.
The principal or designee shall take appropriate actions to reinforce the District’s sexual harassment policy. These actions may include:
1. Removing vulgar or offending graffiti.
2. Providing staff in-service and student instruction or counseling.
3. Taking appropriate disciplinary action as needed.

Questions or complaints regarding sexual harassment can also be raised with or be directed to the District’s Title IX Coordinator.

**Sexual Harassment Under Title IX**

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

An employee of the school district conditioning the provision of an aid, benefit or service of the school district on an individual’s participating in unwelcome sexual conduct (quid pro quo);

1. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or

Alleged conduct that does not rise to the level of the sexual harassment under Title IX will be addressed in accordance with other District policies that prohibit sexual harassment and/or sex-based discrimination, or other forms of inappropriate conduct, as is deemed appropriate.

**Annual Notice of the Uniform Complaint Procedures (UCP)**

Standing, Statute of Limitations, and Deadlines

**Who Can Bring a Complaint?** Under the amended UCP regulations, complaints alleging discrimination, harassment, intimidation, or bullying cannot be filed by third parties. Instead, the complainant must be the direct recipient of the alleged harm, with two exceptions. First, if the complainant is a minor student, the student’s parent, guardian, or other authorized representative can file a complaint on the student’s behalf. Second, a third party may file a complaint that a class of individuals has been subjected to discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, § 4630, subd. (c).)

**Statute of Limitations:** Complaints alleging harassment, discrimination, intimidation, or bullying by or against a student on the basis of the complainant’s protected status must be filed within six months of the date the complainant knew or should have known of the alleged conduct. The LEA can extend this deadline for 90 calendar days if there is good cause to do so. (Cal. Code Regs., tit. 5, § 4630, subd. (b).)

UCP complaints containing all other types of allegations must be filed within one year of the date the complainant knew or should have known of the alleged conduct. (Cal. Code Regs., tit. 5, § 4630, subd. (a).)
**Filing and Response Deadlines:** An LEA must investigate and prepare a written report (now referred to as a LEA Investigative Report) within 60 calendar days, but this deadline may be extended by written agreement with the complainant. (Cal. Code Regs., tit. 5, § 4631.)

Complainant has 30 calendar days (previously 15 days) to appeal the LEA’s Investigative Report to the CDE. (Cal. Code Regs., tit. 5, § 4632.)

The CDE must review the appeal and issue a written decision within 60 calendar days, but this deadline may be extended by written agreement with the complainant/appellant. (Cal. Code Regs., tit. 5, § 4633.)

Within 30 calendar days of the date of the CDE’s written appeal decision, either party may request reconsideration. (Cal. Code Regs., tit. 5, § 4635, subd. (a).)

The CDE must act on the reconsideration request within 60 calendar days. (Cal. Code Regs., tit. 5, § 4635, subd. (c).)

Banta USD has the primary responsibility for compliance with federal and state laws and regulations for students, employees, parents/guardians, school and District advisory committee members, private school officials, and other interested parties. 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:

- After School Education and Safety
- Child Care and Development
- Compensatory Education
- Consolidated Application
- Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district and Children of Military Families, and Migratory and Newly Arrived Students Participating in a “Newcomer Program”
- Every Student Succeeds Act / No Child Left Behind
- Local Control Accountability Plans
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School Safety Plans
- School Site Council
Pupil Fees: A pupil fee includes, but is not limited to, all of the following:

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

2. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.

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.

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

Additional Information: We shall post a standardized notice of the educational rights of foster and homeless youth, as specified in Education Code Sections 48853, 48853.5, 48853.5, 49069.5, 51225.1, and 51225.2. In order to identify appropriate subjects of state preschool health and safety issues pursuant to HSC section 1596.7925, a notice shall be posted in each California state preschool program classroom in each school. This notice shall: (1) state the health and safety requirements under 5 CCR that apply to California state preschool programs pursuant to HSC section 1596.7925; and (2) state the location at which to obtain form to file a state preschool health and safety issues complaint pursuant to HSC section 1596.7925. These notices shall include complaint process information, as applicable. Complaints other than issues relating to pupil fees must be filed in writing with the following designated to receive complaints:

<table>
<thead>
<tr>
<th>Name or title:</th>
<th>Director of Student Services</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unit or office:</td>
<td>Human Resources</td>
</tr>
<tr>
<td>Address:</td>
<td>Human Resources Department, Banta Unified School District, 22375 El Rancho Road, Tracy, CA 95304</td>
</tr>
<tr>
<td>Phone:</td>
<td>(209) 229-4651</td>
</tr>
</tbody>
</table>

The above, responsible for compliance and investigations, is knowledgeable about the laws and programs assigned to investigate. The Director of Student Services will promptly notify the complainant and respondent, if applicable, if another administrator is assigned to the complaint.

A pupil fees complaint is filed with the Superintendent or his designee 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 30 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.

Notwithstanding the process for written complaints, any individual who believes that he/she or another student or group has been subjected to unlawful discrimination may orally report the alleged discrimination to the involved student’s teacher (or a teacher of a student in the alleged group), or to the principal, or to the principal’s designee of the school site where the alleged discrimination occurred. The principal or principal’s designee shall, in process of following up on the report, inform the individual making the report of the right to file a written complaint. If the individual making the oral report does not want to file a written complaint, does not want to be identified, or does not give names of the perpetrators, the school still may have a duty to respond in some way depending on the seriousness of the allegations and the risk of future harm to the student or others. However, the extent to which these concerns can be investigated and/or responded to may be limited given the lack of information made available to the District. The District’s response to the oral reporting of concerns of unlawful discrimination shall follow the process set forth in the local UCP.

A copy of our UCP complaint policies and procedures is available free of charge and is available on the District’s website. For more information regarding the District’s uniform complaint procedures or assistance with the complaint or investigation process, please contact the Director of Student Services.

**Title IX Coordinators Reporting Procedures**

Any student who feels that he or she or another student in the District is being unlawfully discriminated against, harassed, intimidated or bullied by any student, employee, or other person from or in the District should immediately notify school staff or an administrator such as the principal or a vice principal so that the concern can be investigated and addressed. A student or parent may also file a written complaint in accordance with the District’s Uniform Complaint Procedures. The District prohibits retaliatory behavior against any person filing a complaint or any participant or witness in the complaint process. Each complaint will be fully investigated in a way that respects the privacy of all
parties concerned, and appropriate action will be taken to remedy a finding of discrimination, harassment, intimidation or bullying. Copies of the District’s policies prohibiting discrimination, harassment (including sexual harassment), and intimidation and bullying, and copies of the Uniform Complaint Procedures are also contained on the District’s website.

In the event of a complaint regarding gender equity or sexual harassment, or discrimination, including harassment, intimidation and bullying because of actual or perceived disability, sex, gender, gender identity, gender expression, nationality, race, ethnicity, color, ancestry, immigration status, religion, sexual orientation, age, marital or parental status, or association with a person or group with one or more of these actual or perceived characteristics, contact one of the following:

Rechelle Pearlman  
Superintendent  
22375 EL Rancho Road  
Tracy, CA 95304  
(209)229-4651

NellLaine Kilgore  
Director of Student Services  
22375 El Rancho Road  
Tracy, CA 95304

Filing a Title IX Complaint with the District

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is also the alleged victim), in person, by mail, by telephone or by e-mail, using the contact information listed for the District’s Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such reports may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

Student complaints alleging a Title IX violation should be submitted in written form no later than six months from the date of the alleged incident, or six months from the date the complainant first obtained knowledge of the facts of the alleged incident. If the complainant is unable to prepare the complaint in writing, administrative staff shall help the complainant to do so. The time for filing may be extended up to 90 days by the Superintendent or the Superintendent’s designee, for good cause, upon written request by the complainant setting forth the reasons for the request for an extension of time to file a written complaint. To qualify as a Title IX complaint, the complainant/victim must also be participating in or attempting to participate in the recipient’s education program or activity. The length of time elapsed between an incident of alleged sexual harassment, and the filing of a formal complaint, may, in specific circumstances, prevent a recipient from collecting enough evidence to reach a determination, justifying a discretionary dismissal under Title IX.

The District will process all formal complaints in accordance with Title IX and District Board Policy (“BP”) and Administrative Regulation (“AR”)—Sexual Harassment, and other applicable policies. In certain matters, the involved parties may be offered the option to have their complaint informally resolved. Under Title IX, a formal complaint means a document filed by a victim, or signed by the Title IX Coordinator, that alleges sexual harassment against a respondent and requests that the school district investigate the allegation of sexual harassment. Complaints that do not rise to the level of a Title IX complaint will be processed in accordance with Uniform Complaint Procedures, or in a manner that is otherwise deemed appropriate.
All investigations will be conducted as confidentially as possible. Upon receipt of any formal complaint, the District will provide all known parties with adequate notice of the District’s complaint process and the underlying allegations. During the course of the investigation, the District will provide the complainant and respondent (or “the parties”) with an equal opportunity present witnesses and evidence. The District will not restrict the ability of the parties to discuss the allegations under investigation, and it will allow parties to utilize an advisor of their choice. Prior to the conclusion of the investigation, the complainant and respondent will have the opportunity to inspect and respond to evidence directly related to the allegations in the complaint that was gathered during the course of the investigation. Thereafter, and prior to any final decision being made, the parties will receive a copy of the investigation report that fairly summarizes relevant evidence, and they will have an opportunity to submit written, relevant questions to be asked of the other party.

Next, a determination regarding responsibility will be made and issued to both parties. Under Title IX and District policy, the responding party is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the complaint process. Any party not satisfied with the final determination will have the option to appeal the final determination.

Additionally, any complainant who is dissatisfied with the District’s determination may file an appeal in writing with the California Department of Education within 30 calendar days of receiving the District’s final written decision. Complaints made by or on behalf of students may also be filed with the U.S. Department of Education, Office of Civil Rights within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by the Office of Civil Rights for good cause shown under certain circumstances.

Special Education Program Complaints

Complaints regarding special education programs are no longer covered by the LEA’s Uniform Complaint Procedures. Please refer to the Notice of Procedural Safeguards, Special Education Rights of Parents and Children under the IDEA and the California Education Code, which is available from your child’s school or may be accessed here: https://www.cde.ca.gov/sp/se/qa/pseg.asp, for more information about filing a complaint. Complaints alleging that a student was discriminated against due to his or her disability still fall under the Uniform Complaint Procedures. [5 CCR 3200 – 3205]

Child Nutrition Program Complaints

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

Complaints regarding state preschool health and safety issues in LEAs exempt from licensing are now processed exclusively via the procedures set forth in the California Code of Regulations, title 5, sections 4690 through 4694, and are no longer processed through the LEA’s Uniform Complaint Procedures. Complaints must be filed with the preschool program administrator, or his/her designee, and may be filed anonymously. [E.C. 8235.5, 5 CCR 4690 – 4694]

Williams Settlement Complaint Procedure Complaint

A Williams Complaint, another type of UCP complaint, regards instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils, and teacher vacancy or misassignment and may be filed anonymously.

Williams Complaints are filed with the principal, or their designee, of the school in which the complaint arises. Schools have complaint forms available for these types of complaints, but will not reject a complaint if the form is not used as long as the complaint is submitted in writing. If a Williams Complaint requirement is allegedly not being met, a Williams Complaint form may be obtained at a school office or an agency/district office. Policies and forms are available at the school office and are available on the district’s website.

The following procedures shall be used to file Williams related complaints:

- Complaint forms can be turned in to the principal or designee who will make every reasonable attempt to investigate.
- Complaints beyond the site authority will be forwarded to the District within 10 days.
- Complaints may be filed anonymously. The form will have a box to mark if a response is requested. The complainant must be identified and provide a mailing address on the complaint form to receive a written response.
- Valid complaints shall be remedied within 30 days of receipt.

If a response was requested, it shall be provided by mail within 45 days of resolution to the address listed. The principal will also inform the Superintendent of the resolution within the same time frame.

If dissatisfied with the resolution, the complainant may file a request to describe the complaint to the governing board at a regularly scheduled meeting.

If the complaint involves a condition of a facility that poses an emergency or urgent threat, a complainant who is not satisfied with the resolution proffered by the principal or appropriate District official has the right to file an appeal to the Superintendent of Public Instruction.

The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records.
PART II

Enrollment and

Teaching and Learning
To Enroll

Pick up an enrollment packet, also known as a New Student Welcome Packet, from your
Review the enrollment process checklist and complete the enrollment section.
Submit completed enrollment section and documents to your school.
To meet your child’s needs and ensure their appropriate placement, complete the Supplemental Student
Information Form in the New Student Welcome Packet available at your home school or download a copy from
the home school web page or district’s website.

Early Childhood and Pre-Kindergarten Education

The Banta Unified School District’s Board of Education is committed to providing opportunities for
pre-kindergarten education. Several programs help children from 0 – 5 years old prepare for kindergarten. The
programs are funded through different sources and their requirements vary. (See Early Childhood and
Pre-Kindergarten Education Programs)

Pre K and K programs are based on a child’s age:
• Early Childhood and Pre-Kindergarten Education: 0-5 years

Transitional Kindergarten:
• 5 years old between September 2 and February 2
• Kindergarten: 5 years old on or before September 1

Grades TK-K

Each year, enrollment for Transitional Kindergarten and Kindergarten starts at the beginning of January. To enroll,
pick up a New Student Welcome Packet from your school. Please return your completed kindergarten enrollment
materials by the second Wednesday in February.

Enrollment Required Document Checklist

Several items are required to enroll your child in California public schools. Proof of citizenship is not required
for enrollment purposes. If you do not have an item or have any questions, please contact your school.

Completed enrollment forms will be accepted at your during regular school hours. When returning the
completed enrollment form, you must bring the following items with you as required by California Education
Code, Sections 48000-48070.6:
The following is required for enrollment in the Banta Unified School District.

- Age and legal name verification – ONE of the following:
  - Certified copy of a birth certificate or a statement by the local registrar or county recorder certifying the date of birth
  - Baptismal certificate or official hospital record of birth;
  - Passport
  - When none of the above is obtainable, an Affidavit for Proof of Age of Minor signed by the student’s parent/legal guardian may be accepted
- Immunization records
- Parent or Guardian Photo ID to verify the identity of the enrolling adult (Government-issued or non-government-issued ID are accepted; e.g., workplace ID badge, driver’s license, college ID, revolving credit card with photo, Costco membership card)
- Withdrawal grades/unofficial transcript (if applicable)

Current proof of residence within the district (Note: must be a street address; P.O. Box is not acceptable) consisting of any ONE of the following with the present address and the name of the parent or legal guardian listed:

- Property tax payment receipts
- Mortgage statement, rental property contract, or lease agreement
- Current utility service (e.g., PG&E, SMUD, water, garbage, sewer) contract, statement, or payment receipt
- Rental property payment receipt
- Parent or guardian’s recent pay stub
- Voter registration
- Correspondence from a government agency (e.g., documentation from the Department of Human Assistance, court documents, motor vehicle registration, driver’s license, etc.).
- Declaration of residency executed by the student’s parent/guardian
- If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the care-giving adult.

Exceptions:

Any homeless or foster youth must be enrolled regardless of proof of residency. Support for families and schools is available through the District Office (209)229-4651.

There are unique residency requirements for children whose parents are on active military duty and whose parents were residents of the state and departed the state against their will.
Residency Waivers for Enrollment of Homeless/ Unaccompanied Youth

If a family is homeless or the student is an unaccompanied homeless youth, proof of residency is not required for immediate enrollment. Homeless students shall be immediately enrolled.

**Immunizations**

Per the immunization law known as SB 277, effective January 1, 2016, exemptions based on personal beliefs will no longer be an option for the vaccines that are currently required for entry into childcare or school in California. Personal beliefs exemptions on file for a child already attending childcare or school will remain valid until the child reaches the next immunization checkpoint at kindergarten (including transitional kindergarten), or 7th grade.

A student may not be admitted to school unless he/she has been fully immunized against Diphtheria, Pertussis (whooping cough), Tetanus, Poliomyelitis, Measles, Mumps, Rubella, Hepatitis B and Varicella. Students must be immunized for Varicella (chicken pox) or provide proof from a doctor stating the child had the disease. Future immunizations may be mandated by the State of California. The required immunizations are available from the San Joaquin County Department of Public Health or a physician.

BUSD cooperates with the local health officer in the control and prevention of communicable diseases in school-age children. If you consent in writing, BUSD may permit any person licensed as a physician and surgeon, or any person licensed as a registered nurse to administer an immunizing agent to your student. You will be advised in writing before any immunization program is instituted. [E.C. 48211-48213].

Students who do not present evidence of inoculation (for any of the diseases listed in Health & Safety Code 120335) shall be excluded for up to five (5) days in order to obtain such immunization, and such exclusion shall not be deemed an absence in computing average daily attendance. [E.C. 48216(a)]

Your student must be immunized against certain diseases before being admitted to school, unless formally exempted for medical reasons.

Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016 are, exempt from the immunization requirement until they complete the “grade span” they were in as of January 1, 2016. Grade spans are: (1) birth through preschool, (2) Kindergarten through 6th grade, and 7th through 12th grade. Students entering BUSD schools for the first time after January 1, 2016 are no longer exempt from immunizations based on their religious or personal beliefs. Students who had a medical exemption issued before January 1, 2021 will be allowed continued enrollment until they enroll in the next grade span. [H.S.C. 120372(a)]

As of January 1, 2021, the District will only be allowed to accept medical exemptions submitted on the standardized, statewide certification form developed by the California Department of Public Health, which the student’s licensed physician or surgeon must complete and submit directly to the California Immunization Registry. [H.S.C. 120372(a)]

Documented proof of immunization is required upon admission. Consistent with applicable laws, unless a student provides or has on file with the school a recognized medical exemption, the District shall exclude a student who is not properly immunized and will notify the parent/guardian to supply evidence that the student is properly immunized or is exempt
For information that is more detailed regarding student immunizations, please refer to the website of the California Department of Public Health, Immunization Branch: www.shotsforschool.org/k-12/. For questions regarding school age immunizations requirements for your student, please contact your school nurse.

Dental Screening and Oral Health Information

Dental Screening and Oral Health Information
California law requires proof of a dental screening by May 31 of a student's first year of public school, whether it is kindergarten or first grade. Primary teeth, also known as milk or baby teeth, play a vital role in children for eating, speaking, and smiling. They also hold space in the jaws for permanent teeth which are growing under the gums.

Problems with primary teeth often cause pain and swelling which can cause distress to the child and lead to the inability to chew or speak properly.

Oral health is a valuable asset to a child’s overall health and to learning. Oral health includes not only the teeth and gums, but also the hard and soft palate, the mucosal lining of the mouth and throat, the tongue, the lips, the salivary glands, the chewing muscles and the jaw. By children receiving an early thorough oral examination, it can detect the early signs of nutritional deficiencies as well as a number of systemic disease.

The screening must be done by a licensed dentist or other licensed or registered dental health professional within 12 months of enrollment. If a dental check-up cannot be obtained, parents may be excused from this requirement by filling out a form stating that the oral health assessment could not be completed because of one or more of the following reasons:

• Completion of an assessment poses an undue financial burden on the parent or legal guardian.
• Lack of access by the parent or legal guardian to a licensed dentist or other licensed or registered dental health professional.
• The parent or legal guardian does not consent to an assessment.

The law, California Education Code Section 49452.8, went into effect in 2007. The goal of the law is to establish dental care for every child. The screenings will identify children who need further examination and dental treatment.

BUSD adheres to the same privacy requirements per the California Department of Education. For more information click on the link, www.cde.ca.gov/ds/ed/dataprivacy.asp.

Parents who have questions about the dental screenings can call the District’s School Nurse at (209)229-4651.

For additional support in accessing a dentist, call the toll-free telephone number to obtain eligibility requirements and request an application:

Medi-Cal: (800) 322-6384
Physical Exam—First Grade

State law requires that for each child enrolling in the first grade, the parent or guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file a waiver with the school district stating the reasons you are unable to obtain such services. You must understand that your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. You may find it convenient to have your child immunized at the same time that the physical examination is conducted. [E.C. 49450; Health and Safety Code 124085, 124100, 124105]

These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHDP). For more information, you may contact San Joaquin County CHDP.

Enrollment by a Caregiver

If your child lives in the home of a care-giving adult, as defined by law, your child may attend the school district in which that residence is located. Execution of a Caregiver’s Affidavit under penalty of perjury pursuant to the Family Code by the care-giving adult is required to determine that your child lives in the caregiver’s home. [E.C. 48204(a)(5)]

Enrollment in District in Which Parent or Guardian is Employed

Students (who live outside of the District’s boundaries) may have the option of attending school in the District if his/her parent/guardian is employed within the boundaries of the District for a minimum of 10 hours per week. A Verification of Employment Form must be submitted with the Interdistrict Transfer Permit.

InterDistrict Transfer Request Criteria and Procedures

The Board recognizes that the District may be capable of serving additional students. Therefore, the Superintendent or designee may approve interdistrict attendance agreements with other districts; however, the Board may approve requests for school attendance in the district for students living outside the District only for reasons specifically listed in Board Policy, Administrative Regulation, and on the permit itself.

- The governing Board reserves the right to revoke any interdistrict attendance permit at any time, consistent with Board Policy, Administrative Regulation and those terms contained in the permit itself.
- Transportation shall not be provided for students attending on an interdistrict attendance agreement.
- Interdistrict transfer requests are granted on a space available basis.
Criteria for InterDistrict Transfer Permit

- When a student is enrolled or accepted into a program not available in the district of residence
- To meet the student’s special emotional, physical, educational, health or safety needs as certified by a physician, school psychologist or other appropriate school, medical or law enforcement personnel;
- When school personnel have determined that the pupil has been the victim of bullying, as set forth in Education Code 46600 and 48900(r);
- When recommended by the School Attendance Review Board, county child welfare, probation or a social service agency in documented cases of serious home or community issues that make it inadvisable for the student to attend in the district of residence;
- When a student has brothers or sisters currently attend the same requested school;
- When parents/guardians provide sufficient written evidence that the family will be moving to a new district within 60 days and would like the student to start the year in the new district;
- To allow a student to remain in his/her current school within two years of graduation or promotion from that school;
- To meet the pupil’s desire to remain in their school of current attendance for the balance of the semester or school year despite his/her parent’s or guardian’s change of address;
- To address the childcare needs of the student in grades K-8, with a completed Childcare Verification Form
- To accommodate parent/guardian employment inside of the requested district [E.C. 48204] with a completed Employment Verification Form.

Teaching and Learning

The Every Student Succeeds Act (ESSA)

The Every Student Succeeds Act (ESSA) is a federal law passed in 2015 that governs public education policy in grades K-12 in all 50 states. ESSA went into effect starting with the 2017-18 school year and includes provisions that will help ensure success for all students, including:

- Promoting equity for disadvantaged students
- High academic standards that will prepare students for college and careers
- Annual statewide assessments that measure student progress
- Accountability to encourage improvement in our lowest-performing schools

Under the ESSA, states are not required to implement Section 1119 of the NCLB. Teachers may be assigned solely based on state certification and licensure criteria. Therefore, teachers are legally assigned so long as the assignment has been based upon the issuance of a California license or certificate, including the use of California Education Code options and permits that allow teachers to teach outside of their certification area.
Professional Qualifications of Teachers

The NCLB highly qualified teacher requirements were eliminated under ESSA and replaced with applicable State certification and licensure requirements. Teachers must meet applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act [20U.S.C. 1412(a)(14)(C)].

ESSA Section 1112(e) states that LEAs shall notify the parents of each student attending any school receiving Title I funds that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student’s classroom teachers, including at a minimum, the following: (1) Whether the student’s teacher (a) has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction; (b) is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived; and (c) is teaching in the field of discipline of the certification of the teacher and (2) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

Curriculum

State Standards

The CA Common Core State Standards address the content areas of English Language Arts (ELA) and mathematics, and the ELA standards include literacy standards for history/social studies, science, and technical subjects. These kindergarten through 8th grade standards provide a progression of knowledge and skills that prepare students to graduate from high school college-, career- and life-ready. The standards are research-based and internationally benchmarked. Information about all of BUSD’s adopted standards and frameworks can be found on the district’s website.

Communication on Student Achievement

The Board of Education believes good communication regarding academic progress between parents and teachers is important in the education process. All appropriate forms of communication should be used. The progress report should reflect student progress in classwork and proficiency levels. It should also indicate educational growth in relation to the student’s ability, citizenship and effort. In K-8 report cards are given to parents during parent teacher conferences or are sent home with the student. Any parent wanting special arrangements for receiving report cards may call the school. Parents will be notified when a student is in danger of not passing a course. [E.C. 49063 and 49067]

Email Communication with Teachers

Email communication is a very effective means for parents to communicate with their student’s teacher. Please know that teachers are not always able to respond immediately to emails they receive. However, they will respond within a reasonable amount of time.
Comprehensive Sexual Health Education

Every year BUSD offers a unit of Comprehensive Sexual Health and HIV Prevention education to students in grade 7. The District’s Comprehensive Sexual Health curriculum addresses the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. The district’s educational program also promotes students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family. Instruction is medically accurate, unbiased, age-appropriate, and Parents/guardians have the right to preview all materials presented in the classroom under state law and to request a copy of the California Healthy Youth Act. Parents of 7th graders who wish to preview Comprehensive Sexual Health materials should contact their child’s principal.

The curriculum is monitored by the District’s school nurse.

Comprehensive Sexual Health instruction encourages abstinence and acknowledges the family as an important contributor to the student’s education, including encouraging students to communicate with parents, guardians, or other trusted adults about human sexuality.

Comprehensive Sexual Health is taught by school district personnel or consultants. In middle school, the unit is taught in 7th grade science.

If you wish to opt your child out of all or part of the Comprehensive Sexual Health program, please notify your child’s teacher in writing. Please note that the request only covers the current school year. [E.C. 51930–51939]

Parents will be notified at least one week in advance of Comprehensive Sexual Health instruction in their child’s class. Under state law, a parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education through a passive consent (“opt-out”) process. A request for your child to be excused must be submitted to the school in writing prior to instruction. [E.C. 51938]

Digital Media Content

The District’s board policy emphasizes that supplemental curriculum may contain digital images, including films.

- The District emphasizes communication with parents regarding digital media shown in classrooms
- The Principal must preview any movie rated PG-13 that a teacher wishes to show to students in grades 4-8. The teacher must show a valid connection between the movie and the curriculum.
- The parent or guardian has the prerogative to request that an alternative instructional activity or alternative class be provided for his/her child
Prior to showing a movie approved by administration, teachers will send home a notice. A form to withhold parent permission will be included. Parents shall be informed in writing if controversial or sensitive media is used for student viewing, regardless of Motion Picture Association of America (MPAA) film rating. Parents who wish to withhold permission for students in grades 4-8 to see PG-13 movies for the entire school year should complete the “opt-out” form that comes home with students during the first weeks of school. Students may decline to view a film even without a signed form from a parent. A parent may schedule an appointment to preview a “PG-13” video to be shown in his/her child’s classroom by contacting the teacher or site administrator. Any students who do not view a movie will be entitled to an appropriate and comparable alternative assignment.

- No movies rated X, R or NC-17 by the motion picture industry are shown at any grade level.
- No movies rated PG-13 may be shown to students in grades K-3.

Homework Supports Classroom Learning

Homework benefits students by teaching them good study skills, discipline and responsibility. It also gives parents the opportunity to be involved in their child’s education. Homework should relate to classroom instruction, as well as reinforce and extend learning and promote immediate recall of basic skills. A minimum amount of homework is assigned at each grade level. Parents may request a meeting to review instructional materials and discuss course curriculum. [E.C. 49063(k) and 49091.14 and 20 U.S.C. 1232h(c) and (d)]

Home and Hospital Instruction

A student 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 or 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. Once the parent has notified the District in which the hospital is located of the student's presence in the qualifying hospital, the District has five working days to notify the parent if individualized instruction shall be made available. If the determination is positive, individualized instruction shall commence within five working days.

Individual instruction in a student’s home must commence no later than five working days after a school district determines that the student shall receive this instruction.

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

Absences from the student’s regular school program due to the student’s temporary disability are excused until the student is able to return to the regular school program. [E.C. 48206.3, 48207, 48207.3, 48207.5, 48208, 48240 (c) and 48980(b)]
STUDENT RECORDS

Student records are confidential and privacy will be maintained. Parents and guardians of students, adult students 18 or older, students 16 or over or who have completed the 10th grade and unaccompanied homeless youth age 14 or over have the right to review and inspect their school records during school hours within five days of a written request submitted to the principal. You may have copies made at a reasonable cost per page.

In order to release confidential student information, parents or guardians, or students in these specific groups must give written permission to authorize the release except in some instances such as when a student transfers to another school, the District receives a lawfully issued subpoena or a court order, or under the conditions specified in Education Code 49076. Those granted access are prohibited from releasing information to another person or agency without written permission.

Files may be reviewed to identify students eligible for public school choice or supplemental educational services.

Education Code and Board Policy/Administrative Regulation 5125 set forth the criteria under which school officials and employees may access, change or delete information in a file. [E.C. 49075, 49076]. You may have copies made and you have the right to file a written request with the superintendent or designee challenging the records. E.C. 49076] Student records include but are not limited to, report cards, transcripts, discipline history, commendations, attendance, assessment information, program participation (including Special Education and Section 504) and health information. The records are maintained at the school site where the student attends. The District maintains student records according to Title 5 of California Code of Regulations, section 432. “Mandatory permanent” records are archived, “mandatory interim” and “permitted” records, including special education student records and student discipline records will be destroyed according to District policy and law.

An Access log of who has viewed the records is kept at the same location as the records. [E.C. 49064] The log does not have to be signed by:
Parents/guardians; Adult students, students 16 or older or who have completed the tenth grade, unaccompanied homeless youth 14 or older; Parties obtaining district-approved directory information; Parties who provide written parental/guardian consent or the consent of an adult student 18 or over or an unaccompanied homeless youth age 14 or older. In this case, the consent notice shall be filed with the record; School officials or employees who have a legitimate educational interest.

Access to student records will be granted to school officials (employees or contractors) within Banta Unified who have a legitimate educational interest in order to fulfill his or her professional responsibility. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibilities. A school official may include but is not limited to a person employed by the District as an administrator, supervisor, teacher, instructor, support staff member (including health or medical staff and law enforcement unit personnel), a person serving on the governing board, or a person or company with whom the District has contracted to perform an institutional school district task (such as attorney, auditor, consultant, or therapist). A school official may also include
a company or other parties which performs an institutional service or function for which absent outsourcing, the District or school would otherwise use its own employees or technologies.

No information or documents regarding the citizenship or immigration status of students or their family members shall be collected, except as required by state or federal law or as required to administer a state or federally supported educational program. Student records shall not be disclosed to a person, agency, or organization for immigration enforcement purposes without parental consent, a court order, or judicial subpoena. No list, registry or database based on student’s national origin, ethnicity, religious belief, practice, or affiliation, shall be compiled nor shall student information be disclosed to federal government authorities for the purpose of compiling such a list, registry, or database for purposes of immigration enforcement. [E.C. 234.7; cf. 5145.13; Government Code 8310.3]

The District may gather and maintain information from the social media of any student, if it pertains directly to school safety or student safety. Students are afforded access to any information obtained from his/her social media activity and given the opportunity to correct or delete such information. Information gathered from social media and maintained in student records will be destroyed within one year after a student turns 18 or within one year after the student is no longer enrolled in the district, whichever comes first. [E.C. 49073.6]

The District may contract with a third party for the digital storage, management, and retrieval of student records, to gather information on a student from social media, and/or to authorize a third party provider of digital software to access, store, and use student records, provided that the contract meets the requirements of Education Code 49073.1 and other applicable state and federal laws.

**Release of Directory Information**

The Family Educational Rights and Privacy Act (“FERPA”), a federal law, and the California Education Code, require that the District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child’s education records. However, the District may disclose appropriately designated “directory information” without written consent, unless you have advised the District to the contrary in accordance with District procedures, including this notice. In the case of students who have been identified as a homeless child or youth, no directory information can be released without parent or guardian consent.

Directory information is information about a student that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information is defined in Administrative Regulation 5125.1 and may include: a student’s name, student’s telephone number, student’s email address, photograph, date and place of birth, grade level, dates of attendance, participation in District activities and sports, weight and height of members of athletic teams, and honors and awards received.

The primary purpose of directory information is to allow the District to include this type of information in certain school or District publications, which may include, but are not limited to: the annual yearbook, honor roll or other recognition lists, graduation programs, sports activity lists, or a playbill showing a student’s role in a drama production. Directory information may also be disclosed to outside organizations without a
parent’s or guardian’s prior written consent. In addition, federal law requires that districts receiving assistance under the Every Student Succeeds Act of 2015, provide military recruiters, media, locally elected officials and institutions of higher learning, upon request, with student’s names, addresses, and telephone listings unless parents or guardians have advised the district in writing that they do not want their child’s information disclosed without their prior written consent.

The Superintendent or designee may release student directory information to representatives of public or private schools or colleges, branches of the military, offices of public officials for purposes of certificates or awards of recognition and/or news media in accordance with Board policy and administrative regulation. [Education Code 49073]

This release is optional. If you do not want the District to release directory information from your child’s education records without your prior written consent or to use directory information on District digital communications tools, such as the District website, you must notify the District by returning a completed Opt-Out Form at the beginning of the school year.

- Name Address
- Telephone number Email address
- Date of birth
- Major field of study
- Participation record in officially recognized activities and sports
- Weight and height of athletic team members
- Dates of attendance
- Degrees and awards received
- Most recent previous school attended

The District may disclose your child’s student identification number, user identification, or other unique personal identifier used to communicate in electronic systems, provided it cannot be used to access education records without a personal identification number (PIN), password, or another factor that only the authorized user knows. Your child’s social security number will not be used for this purpose.

Directory information does not include your child’s citizenship status, immigration status, place of birth, or any other information indicating national origin. The District will not disclose such information without your consent or a court order.

**Challenging Student Records**

You may challenge the content of the student record if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer’s area of competence, a comment not based on personal observation of a named person with the time and date noted, or if the student record includes misleading information or violates a student’s privacy rights. The superintendent or designee will respond to the parent/guardian complaint within 30 days.
The superintendent or designee will determine whether to sustain or deny the allegations. If your challenge is sustained, the changes will be made. If not, you may appeal to the school board, which has final authority. If you still have a different opinion, it can be included in the student’s record. District policies and procedures relating to types of records, logs, kinds of information retained, persons responsible for maintaining records, directory information, persons and organizations permitted access to student information and procedures to challenge records, and policies regarding reviewing and expunging student records, are available through the principal or from our District Office at 209-229-4651.

Parents/guardians have a right to file a complaint with the United States Department of Health, Education, and Welfare, concerning any alleged failure by the District to comply with section 438 of the General Education Provisions Act. If you are not satisfied with how your case was handled by the District, you may file a challenge with the United States Department of Education. [E.C. 49063, 49060, 49070; Family Educational Rights and Privacy Act (FERPA); 34 C.F.R. Part 99]

When a student transfers into the school district, a copy of their school records will be requested from their previous District or private school. Parents will be notified of this request, and have the right to review, challenge and receive a copy of the student’s record if desired. [E.C. 49068; 5 C.C.R. 438] The District will forward student records, including academic records, suspension and/or expulsion disciplinary records, health records and special education records (if applicable) to other schools that have requested the records in which the student seeks or intends to enroll. [E.C. 49068; FERPA; 5 C.C.R. 438]

Resolution of Challenge/Appeals

After considering all relevant information, the Superintendent or designee shall sustain or deny the parent/guardian’s allegations. [E.C. 49070]

If the Superintendent or designee denies the allegations, the parent/guardian may, within 30 days, appeal the decision in writing to the Governing Board. [E.C. 49070]

Withholding Grades, Diploma or Transcripts

Any school district whose real or personal property has been willfully cut, defaced or otherwise injured, or whose property is loaned to a pupil and willfully not returned upon the request of an employee authorized to do so, may, after affording the pupil his or her due process rights, withhold official grades, diploma and transcripts of the pupil responsible for the damage, from the pupil and/or their parent or guardian, until the pupil or the parent or guardian has paid for the damages. [E.C. 48904]

If a previous school district has withheld the grades, diploma or transcripts of a pupil pursuant to Section 48904, the school district to which the pupil has transferred shall also withhold the grades, diploma or transcripts of the pupil as authorized by that section, until it receives notice from the district that initiated the decision to withhold, that the hold has been lifted. [E.C. 48904.3]
School Communications

Educational Use of the Internet

BUSD works to ensure there is adequate access to the Internet in every classroom in the District via wired and wireless networks. These networks provide limited access to the Internet and online resources that includes, but is not limited to, local, national and international sources of information.

Every BUSD user has the responsibility to respect and protect the rights of every other user in our physical community and on the Internet. Students are expected to act in a responsible, ethical and legal manner on the Internet. Student access to Internet services is provided under staff supervision. Students learn network etiquette and are expected to practice positive digital citizenship.

As a user of the Internet and computer systems, Students and their Parent/Guardian agree to follow the conditions in this handbook and Board Policy. They also agree to hold blameless and release from any liability the Banta Unified School District, the sponsoring school, its subcontractors and employees. Information on this will be sent home from the school.

Anyone using these systems is subject to having all activities, including e-mail, monitored by system or security personnel. BUSD has taken all responsible steps to ensure the Internet is used only for purposes consistent with the curriculum. The District or school cannot prevent the availability of material elsewhere on the Internet that may be deemed harmful or intended for adults. Nor can the District ensure that there will not be delays, mis-deliveries or service interruptions.

Information obtained via the District’s Internet is at the user’s risk. Every user is expected to use good judgment and follow the Internet acceptable use policies in making electronic contact with others. Should any user breach the guidelines, then that user may lose all privileges on the network and/or be subject to appropriate disciplinary or legal actions. Using the network is a privilege, not a right, and a student’s privilege may be revoked at any time for unacceptable conduct.

- Unacceptable conduct includes:
  - Using the network for any illegal activity.
  - Using the Internet for violation of copyright or other contracts.
  - Using the network for financial or commercial gain. Degrading or disrupting equipment or system performance.
  - Vandalizing the network or data of any other user. Stealing or damaging files or data of any other user. Stealing or damaging files or databases through tampering or hacking.
  - Gaining unauthorized access to resources or entities. Invading the privacy of individuals.
  - Revealing students’ address or phone numbers if under 18.
  - Using an account owned by another user without authorization.
  - Posting personal communications without the author’s consent.
  - Posting anonymous messages.
  - Placing unlawful information on a system.
  - Using abusive or otherwise objectionable language or images in either public or private messages.
  - Sending messages that contain viruses or malware.
• Accessing or transmitting (electronically) any material that may be deemed harmful.
• Bullying and cyberbullying.
• Installing software on any computer that is not properly licensed for use and authorized by Technology Services.
• Sharing your password, using someone else’s password or sharing someone’s password.
• Attaching a non-District computer or other device, including wireless devices to the network.
• Leaving a computer unattended with your password entered.
• Using a teacher’s or administrator’s computer or accounts.

Official District Social Media Comment Policy

We welcome the community’s contributions to our official social media pages (e.g. post comments). Each of our sites intends to inform and engage with our students and their families, staff, residents and other interested persons to provide current and useful information regarding district programs, activities and operations. Such information shall be appropriate for both internal and external audiences. The intent of this comment policy regarding participation on an official social media page is to maintain a positive and informative flow of communication while protecting the privacy and rights of our community. With these aims in mind, posting on an official Banta Unified School District (BUSD) page constitutes acceptance of the following terms of use and protocols:

Participants are encouraged to submit comments, questions and concerns; however, an BUSD official page is a moderated online discussion site that constitutes a limited forum, the contents of which are at the discretion and control of BUSD.

• BUSD will exercise its rights within the law to regulate speech within this limited forum on the official Facebook page;
• All posting of comments on this page are at the discretion of the official BUSD social media page administrators;
• BUSD’s official social media page administrators will review all postings to make sure they are appropriate, constructive and abide by BUSD’s Board Policy and Administrative Regulations regarding Internet access and practices;
• BUSD’s official social media page administrators will not restrict speech on the basis of a disagreement with the opinion expressed;
• Once posted, the BUSD’s official social media page administrators reserve the right to delete submissions that contain vulgar language, personal attacks of any kind, or offensive comments that target or disparage any ethnic, racial, gender or religious group;
BUSD does not allow postings of photographs or videos by anyone other than by official Facebook page administrators or other specifically authorized BUSD personnel.

Further, BUSD’s official social media page administrators also reserve the right to delete comments on the official social media page that:

- contain spam, advertising, solicitations or include links to other sites;
- are clearly off topic, and/or disruptive;
- cause or are reasonably likely to cause substantial disruption to the school and BUSD’s educational environment or operations;
- are obscene, vulgar or sexually explicit, including masked words (***) , acronyms and abbreviations;
- violate a person’s privacy;
- abuse, harass, stalk, threaten violate the legal rights of others;
- are libelous or slanderous;
- are likely to incite students and create a clear and present danger to the operation of the schools;
- interfere with the educational mission of a district school or BUSD;
- are endorsements of any product, cause, political party, or political candidate, which are all forbidden;
- are chain letters, pyramid schemes or fraudulent or deceptive messages;
- promote particular services, products, or political organizations or campaigns;
- infringe on copyrights or trademarks;
- contain links to inappropriate websites;
- advocate illegal activity; and/or
- violate any BUSD policies.

Please note that the comments expressed on an BUSD school or district official social media page do not reflect the opinions and position of the BUSD school district, BUSD or its employees. BUSD thanks you in advance for your contributions to its official social media page(s), and for the help in creating a safe and vibrant online community.

Cell Phones, Pagers, Electronic Signaling Devices

Schools may regulate the possession or use of any cell phone, pager or electronic signaling device while students are on campus, attending school-sponsored activities or under the supervision and control of school District employees. The District is not responsible for stolen personal electronic devices, including if such device is confiscated pursuant to District/school policies and procedures.
TRANSPORTATION

Bus Transportation Services

While school districts are not required to provide general transportation service, BUSD has elected to provide limited service over the years to students in eligible service areas. All students must register to ride before boarding the bus. Contact the school office about students who may qualify for transportation and how to register for services. Below is required information all parents and students should know regarding Transportation Safety as school buses are an integral part of learning for field trips and planned off-campus activities. [E.C. 39381.5]

Transportation Safety

Every bus driver is trained to provide instruction to all students in Prekindergarten, Kindergarten, and Grades 1 to 12, who are transported on a school bus or school student activity bus/van on school bus emergency procedures and passenger safety. Provided instruction includes:

- A list of school bus stops near each student’s home.
- General rules of conduct at school bus loading zones.
- Red light crossing instructions.
- School bus danger zone.
- Walking to and from school bus stops.

At least once in each school year, all students in Prekindergarten, Kindergarten, and Grades 1 to 8, inclusive, who receive home-to-school transportation shall receive safety instruction that includes, but is not limited to, proper loading and unloading procedures, including escorting by the driver, how to safely cross the street, highway, or private road, instruction on the use of passenger restraint systems, as described in paragraph, proper passenger conduct, bus evacuation, and location of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit. As part of the instruction, pupils shall evacuate the school bus through emergency exit doors.

Instruction on the use of passenger restraint systems, when a passenger restraint system is installed, shall include, but not be limited to, all of the following:

- Proper fastening and release of the passenger restraint system.
- Times at which the passenger restraint systems should be fastened and released.
- Acceptable placement of passenger restraint systems on students.
- Acceptable placement of the passenger restraint systems when not in use.

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

Systems of Support and Student Wellness
HEALTHY KIDS, HEALTHY FUTURE

All students will have an equitable opportunity to learn in a culturally responsive, physically, and emotionally healthy and safe environment.

Health and Wellness

We take a comprehensive approach to overall health recognizing that healthy bodies and healthy minds contribute to increased academic performance, improved attendance and positive behavior for healthy learning. In recognizing the link between student health and learning, the district promotes healthy eating and physical activity, as well as opportunities for students to further develop their social, emotional and psychological well-being. The following seven components contribute to the health and well-being of students.

- Health Education
- Physical Education
- Health Services
- Nutrition Services
- Mental Health and Social Services
- Healthy and Safe School Environment
- Health Promotion for Staff
- Family and Community Involvement

Covered California

By law, most people are now required to have health insurance or pay a penalty when they file their taxes. Through Covered California, a program from the state of California, qualified legal residents of California and their families can compare health insurance plans and enroll in the one that works best for their needs and budget. Financial assistance is available to qualifying individuals and families to help them pay for health insurance premiums.

This means the federal government may pay a portion of the health insurance premium. Individuals and families may also qualify for Medi-Cal benefits. The open-enrollment period to enroll in Covered California health insurance plans happens once a year. Once the open-enrollment period closes, you may enroll in a Covered California health plan only if you have a qualifying life event that makes you eligible to apply. Some examples of qualifying life events are: losing your health coverage, getting married, moving outside your plan’s coverage area, having a baby and turning 26.

Medication

In accordance with California Education Code Section 49423, and Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, students who have a medical disability for which a physician has prescribed medication to be taken during the school day, whether of limited or permanent duration, are entitled to seek assistance from the District in meeting their medication needs when the student is under the District’s care, custody or control, including while on field trips, sporting events and other off-campus district-sponsored activities.
Before medication assistance can be provided, even if the student has an Individualized Education Plan ("IEP") or a "504 Plan," a Medication Assistance Authorization form ("authorization") must be executed by at least one parent/legal guardian and the student’s duly authorized physician or surgeon. A new authorization is required at the beginning of each school year and any time there is a change in medication directives, such as change in medication, dosage, timing or frequency. The parent/legal guardian must immediately notify the District of any change in medication directives.

Until the District receives an updated authorization, signed by the parent/legal guardian and physician or surgeon, the District will continue the directives in the existing authorization unless (a) there is evidence the student’s health may be endangered by the continued use of the existing medication directive, or (b) the parent/legal guardian provides a written statement that medication assistance is to cease or be suspended until the new authorization can be provided.

All medication must be provided to the District by a parent/legal guardian, with the District storing the medication and dispensing it in compliance with the medication directive. All medication supplied to the District must be in its original labeled form (i.e., in the original prescription bottle, sealed package, etc.) as received from the physician, pharmacist or store. State law provides that students may carry and self-administer prescription auto-injectable epinephrine and inhaled asthma medication upon the school’s receipt of specified written confirmation and authorization from the student’s physician, surgeon and parent/guardian. [E.C.49423 and 49423.1] Thus, except for personal asthma inhalers and personal epi-pens, a student may not independently possess medication during the school day or while on District property. Due to health and safety concerns, including the potential theft of the medication or the potential for sharing/use of the medication by other students who may then suffer unexpected allergic or other negative reactions, there are no exceptions to this requirement. A student personally possessing medication, or providing medication to another student, may face disciplinary action.

Medical Disability means any mental or physical condition limiting a student’s ability to engage in major life activities, such as eating, breathing, hearing, speaking, learning, or performing self-care, or who otherwise is subject to a medical disability or condition for which medication has been prescribed by a physician.

Medication means any current (unexpired) prescribed medication, as well as over-the-counter remedies (such as aspirin, decongestant, eye drops) and nutritional/herbal supplements.

Assistance means the providing of the child with medication in accordance with a physician’s written instructions or directives, when the child presents himself/herself at the agreed time, or in response to urgent or emergency circumstances. Except as otherwise legally required, assistance may be provided by a District employee other than a nurse or licensed or trained medical care provider. Any emergency assistance provided to a student will be promptly brought to the attention of the parent/guardian. All additional reports of emergency assistance will be undertaken in keeping with governing laws and District policies and procedures. At the end of the current school year all medications must be picked up by the parent within five working days, or the medication will be destroyed per safety regulations.
Notice to School of Non-Episodic Condition

The parent or legal guardian of any public school pupil on a continuing medication regimen for a non-episodic condition, shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child’s physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. The Superintendent of each school district shall be responsible for informing parents of all pupils of the requirements of this section. [E.C. 49480-49480. Article 6]

Sun Protection

Students, when outdoors, can wear sun protective clothing, including but not limited to, hats. Students may also apply sunscreen during the day without a doctor’s note or prescription. [E.C. 35183.5]

Vision and Hearing Appraisal

Vision and hearing will be checked by a school nurse in grades transitional kindergarten, kindergarten, second, fifth and eighth. A school nurse or audiologist will screen eighth-grade hearing unless you present to the school a certificate from a physician or optometrist verifying prior testing or a letter stating it violates your faith in a recognized religious belief. [E.C. 49455, 49452]

FOOD AND NUTRITION SERVICES

Banta Unified participates in the National School Lunch and Breakfast Programs through Food Services. This department is committed to improving the nutritional health and academic success of students.

For the 2022 – 2023 school year, Food Services will offer meals at no cost for any students enrolled in the Banta Unified School District, when they are in attendance. This option is made possible through a waiver provided by the United States Department of Agriculture.

Breakfast and lunch are offered daily. Meals are analyzed to ensure that they meet the nutritional needs of students and the Dietary Guidelines for Americans www.choosemyplate.gov.

Food substitution accommodations will be considered for students with disabilities or medically documented food allergies. Families should obtain a Medical Statement—Food Substitution and/or Accommodations form from the school cafeteria or office. The form must be signed by a recognized medical authority. Return completed forms to the school cafeteria.

For additional information about meal applications, eligibility, breakfast/lunch menus and nutrition education, please contact Food Services through the district office (209)229-4651.
PREVENTION

Comprehensive Sexual Health and HIV/AIDS Prevention

Written and audiovisual educational material will be used in the California Comprehensive Sexual Health and HIV/AIDS Prevention curriculum. Upon request, these materials are available for inspection prior to the beginning of instruction.

You have a right to request, in writing, that your child not participate in the curriculum. You may also withdraw this request at any time. School districts must ensure that all pupils receive comprehensive sexual health instruction from adequately trained personnel in appropriate courses. In this District, highly qualified teachers provide such instruction.

If a guest speaker gives a presentation or presents at an assembly, parents will be given the dates and names of the guest speaker/organization at least 14 days prior to the dates of the presentation. This instruction will emphasize sexual abstinence and abstinence from intravenous drug use as the most effective means for HIV/AIDS prevention and avoiding the spread of sexually transmitted diseases. The instruction will also assist students in overcoming peer pressure and using effective decision-making skills to avoid high-risk activities.

Parents will be notified in writing and given the opportunity to review the material. Parents can request in writing that their child not participate in any or all of the above activities. The Education Codes can be found online at leginfo.legislature.ca.gov. [E.C. 51933, 51934, 51938]

Drug, Alcohol, Steroid and Tobacco Prevention Programs

The unlawful manufacture, distribution, dispensing, possession or use of illicit drugs, alcohol or any form of tobacco or nicotine product on District premises or as a part of any of its activities is wrong, harmful and strictly prohibited. The District defines “tobacco and nicotine products” as a lighted or unlighted cigarette, cigar, pipe or other smoking product or material, smokeless tobacco in any form and electronic cigarettes. “Electronic cigarettes” are defined as battery-operated or other electronic products designed to deliver nicotine, flavor and other chemicals by turning the substance into a vapor that is inhaled by the user, including, but not limited to electronic vaping devices, personal vaporizers, digital vapor devices, electronic nicotine delivery systems and hookah pens.

All students will abide by this prohibition as a condition of attendance. Any violations of District or school standards of conduct, rules and regulations or state or federal laws regarding illicit drugs, alcohol, tobacco and nicotine will be investigated. Violators will be subject to prosecution in accordance with local, state and federal law and District disciplinary action up to and including expulsion, and/or required to satisfactorily complete a drug abuse assistance program, tobacco cessation program or rehabilitation program selected by the District in conformance with law.

Students determined to have used or to be in possession of tobacco or nicotine products at school or school-related activities may be subject to discipline under District policy, Education Code 48900(h), and/or other applicable laws.
Students determined to have used or to be in possession of products at school or school-related activities that can be used to consume and/or use tobacco or nicotine products, including but not limited to “electronic cigarettes” as defined above, but which do not contain tobacco, nicotine, or any other controlled substance, may be subject to discipline under District policy, Education Code 48900(k), and/or other applicable laws. [E.C. 48901]

The District’s drug, alcohol and tobacco education and prevention programs are designed to address the legal, social and health consequences of drug, alcohol and tobacco use and to provide students with effective techniques for resisting peer pressure to use illicit drugs, alcohol or tobacco.

Information about any drug, alcohol and tobacco counseling, rehabilitation and re-entry programs available to students may be obtained by contacting their school. This information may include programs sponsored or maintained by various community groups or agencies. The District neither supports nor endorses any specific program, agency or firm. The information is provided only to assist parents and students who may desire information regarding the resources available to assist them.

**Suicide Prevention**

Suicide prevention is the collective effort of school and community resources working together to support our students. Saving lives often begins with asking a question. Banta Unified School District has school counselors, psychologists and mental health therapists available at our schools. They have been trained to assess suicidal ideation and respond appropriately to the level of threat identified. It is the top priority of Banta Unified School District to ensure the safety of the students in our district. The school nurse can also be contacted as a resource.

**Bullying Prevention**

BUSD has a policy against bullying in all forms. Student safety is a top priority for Banta Unified and the District does not allow any behaviors that infringe on the safety, emotional or physical well-being of any student. Banta Unified has developed strategies for bullying prevention and intervention to help keep students safe and ensure a healthy learning environment. The District has an extensive board policy on bullying that covers a variety of areas, including cyberbullying, bullying prevention, intervention, complaints and investigation, discipline and enforcement mechanisms.

**Bully Prevention in PBIS**

School-wide PBIS begins with the premise that all students should have access to supports to prevent the development and occurrence of problem behavior, including bullying behavior. To avoid stigmatizing any student, school-wide PBIS emphasizes what a student does and where it occurs. Instead of negatively labeling a student as a bully, victim, perpetrator, or aggressor, the emphasis is on labeling what the student does, for example, name-calling, teasing, intimidation, verbal aggression, and cyber-harassment. Bullying behavior is always described in the context or setting in which it occurs, for example, cyberspace, hallway, dance, field trip, bus, or other “setting.”
Social and Emotional Learning

Social and emotional learning (SEL) is the process through which children and adults understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions. SEL programming is based on the understanding that the best learning emerges in the context of supportive relationships that make learning challenging, engaging, and meaningful.

Social and emotional skills are critical to being a good student, citizen, and worker. Many risky behaviors (e.g., drug use, violence, bullying, and dropping out) can be prevented or reduced when multiyear, integrated efforts are used to develop students’ social and emotional skills. This is best done through effective classroom instruction, student engagement in positive activities in and out of the classroom, and broad parent and community involvement in program planning, implementation, and evaluation.

Banta Unified has recognizes the 5 core SEL competencies from the Collaborative for Academic and Social Emotional Learning (CASEL).

- **Self-awareness**: Know your strengths and limitations, with a well-grounded sense of confidence, optimism, and a “growth mindset.” (Self-awareness, Self-reliance, Self-discipline)
- **Self-management**: Effectively manage stress, control impulses, and motivate yourself to set and achieve goals. (Self-awareness, Self-reliance, Self-discipline)
- **Social awareness**: Understand the perspectives of others and empathize with them, including those from diverse backgrounds and cultures. (Community engagement, Communication & Collaboration)
- **Relationship skills**: Communicate clearly, listen well, cooperate with others, resist inappropriate social pressure, negotiate conflict constructively, and seek and offer help when needed. (Integrity, Technical Literacy, Communication & Collaboration, Community Engagement)
- **Responsible decision-making**: Make constructive choices about personal behavior and social interactions based on ethical standards, safety, and social norms. (Creative problem-solving, Communication & Collaboration, Integrity)

Student Behavior Support

Positive Behavior Interventions and Supports (PBIS)

Positive Behavior Interventions and Supports is an integral part of BUSD’s commitment to student learning and behavioral health. PBIS is a proactive approach to establishing the behavioral supports and social culture needed for all students on a school site to achieve social, emotional and academic success. PBIS is a framework implemented by explicitly teaching expected behaviors and engaging students in the school community, acknowledging appropriate behaviors, re-teaching and applying restorative practices as needed.

PBIS is a data-driven, team-based system that enhances the capacity of schools, families, and communities to respond to the unique needs of each student. This Multi-Tiered System of Supports (MTSS) focuses on creating and sustaining universal/school-wide (all students), targeted (small group), and intensive (individual) systems of support that improve the academic and social/emotional outcomes for all children and youth by making targeted behaviors less effective, efficient, and relevant, and desired behavior more functional.
Attendance is Key to Academic Success

In elementary, middle and high school, your child’s academic success can be put in jeopardy if too many school days are missed. If your child must miss school due to an illness or other critical reasons, first contact the front office and then work with his/her teacher to make-up the lost time in class. Ask for homework assignments and do extra review.

In addition to the academic component, student absences directly affect the District’s finances. The majority of state funding is based on each day a student attends school. The state only pays the District for those days the student is physically in class. It does not pay for excused (or unexcused) absences, even if the parents provide a note from a doctor.

Teachers build your child’s education one day at a time, so every day is essential. If your child must miss school due to an illness or other critical reasons, work with office staff to ensure that absences are recorded correctly and also his/her teacher to make-up the lost time in class. Ask for homework assignments and do extra review.

Facts About Attendance

Facts from the California Department of Education’s 2000 “School Attendance Improvement Handbook”.

- Absenteeism in the first month of school can predict poor attendance throughout the school year. Half the students who miss 2-4 days in September go on to miss nearly a month of school.
- Absenteeism and its ill effects start early. One in 10 kindergarten and first grade students are chronically absent. Poor attendance can influence whether children read proficiently by the end of third grade or be held back.
- By 6th grade, chronic absence becomes a leading indicator that a student will drop out of high school.
- Research shows that missing 10 percent of the school, or about 18 days in most school districts, negatively affects a student’s academic performance. That’s just two days a month and that’s known as chronic absence.
- The academic impact of missing that much school is the same whether the absences are excused or unexcused. When students improve their attendance rates, they improve their academic prospects and chances for graduating.

General Absences

According to Education Code 48205(a) a pupil shall be excused from school when the absence is:

- Due to illness or medical appointment during school hours of a child of whom the student is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor. Due to quarantine under the direction of a county or city health officer.
- For the purposes of having medical, dental, optometric or chiropractic services rendered.
For the purposes of attending the funeral services of a member of the student’s immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.

For justifiable personal reasons, including, but not limited to: an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, for attendance at an employment conference or educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil’s absence has been requested in writing by the parent or guardian and approved by the principal or a designed representative pursuant to uniform standards established by the governing board.

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 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 on this basis shall be granted for a period of time to be determined at the discretion of the Superintendent or designee.

For the purpose of attending the pupil’s naturalization ceremony to become a United States citizen (AB 1593). A student in foster care will be excused due to placement changes, court appearances, or related court ordered activities.

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

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

“Immediate” family as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to “employee: shall be deemed to be references to pupil.” [E.C. 46014, 48205]

A pupil shall be excused for participation in religious instruction or exercises upon written notice. Such absences may not exceed four days per month. Any excused student must nevertheless attend school at the minimum school day required for his or her grade.

**School Attendance Review Board (SARB)**

SARB reviews student attendance and disruptive behavior. Students may be referred to SARB for habitual truancy or irregular attendance. SARB may involve the District Attorney, County Probation Department and County Health and Human Services in a student’s case.
Progressive Discipline and Disciplinary Practices

A student may be disciplined, suspended, or expelled for acts enumerated in Disciplinary Practices and Progressive Discipline that are related to school activity or school attendance occurring at any district school or within any other school district, including, but not limited to, any of the following:

- While on school grounds.
- While going to or coming from school.
- During the lunch period
- During, while going to, or coming from a school

For conduct which occurs after school hours and off District property, but which is reasonably likely to cause or causes a substantial disruption of a school activity or attendance.

Alternatives, Interventions and Progressive Discipline

BUSD has a defined and progressive set of interventions, remediations and consequences that staff follow when a student misbehaves. The superintendent or principal may use his or her discretion to provide alternatives to suspension or expulsion to address student misconduct. [E.C. 48900(v), 48900.5]

- Parent Contact- verbal or written communication with the parent or guardian
- Counseling- individual or group meetings of the student, which consist of teachers, counselors, administrators, parents, and the student to address the behavior issue and develop a plan of action to correct the student’s behavior.
- Personal Responsibility- students participate in directed activities such as written apologies, restitution, school/ community service, conflict resolution skills.
- Detention -Students participate in behavior modification for a period of 30 minutes to 1 hour during non-instructional time.
- Community Service- Student may be assigned work performed in the community or on school grounds in the areas of outdoor beautification, community or campus betterment, and teacher, peer, or youth assistance programs.
- Parent Conference- a formal meeting between the parents or guardians and school personnel to discuss the student’s needs.
- In-School Suspension -assignment of student to separate supervised activity during the school day with the intent of correcting inappropriate activity.

Grounds for Suspension or Expulsion

A student shall not be disciplined, suspended or recommended for expulsion unless the Superintendent, a designee or the principal of the school in which the student is enrolled determines the student has violated one or more parts of an act as defined by any of the following subdivisions identified in Ed Code 48900 inclusive of:
• Acts of Violence [E.C. 48900(a)]
• Weapons and Dangerous Objects [E.C. 48900(b)]
• Drugs and Alcohol [E.C. 48900(c)]
• Sale of “Look-Alike” Controlled Substance or Alcohol [E.C. 48900(d)]
• Robbery or Extortion [E.C. 48900(e)]
• Damage to Property [E.C. 48900(f)]
• Theft or Stealing [E.C. 48900(g)]
• Tobacco [E.C. 48900(h)]
• Profanity, Obscene Acts, Vulgarity [E.C. 48900(i)]
• Drug Paraphernalia [E.C. 48900(j)]
• Willful Defiance or Disruption of School Activities [E.C. 48900(k)(1)]
• Possession of Stolen Property [E.C. 48900(l)]
• Imitation Firearm [E.C. 48900(m)]
• Sexual Assault or Sexual Battery [E.C. 48900(n)]
• Harassment of a Student Witness [E.C. 48900(o)]
• Prescription Drug Soma [E.C. 48900(p)]
• Hazing [E.C. 48900(q)]
• Bullying and Bullying by Electronic Act [E.C. 48900(r)]

* Please see the Table of Education Codes Related to Discipline for more detail.

Students who commit these offenses may be suspended from school and/or to the Superintendent’s designee with the recommendation for reassignment to an alternative program or expulsion and transfer to an alternative program. Major acts of misconduct must be reported to the school administrator immediately after the incident and may result in the immediate removal of a student from the school following suspension due process procedures.

Suspension is the removal of a student from the classroom for disciplinary reasons for a defined period of time by a teacher or school administrator. A principal or designee may suspend a student for up to five days. A teacher may suspend a student for the remainder of the class in which the misbehavior occurred and for the next day’s class. A suspension may be extended under certain conditions. There are two kinds of suspension—on-campus suspension and home suspension. Students placed on home suspension are not permitted on or near the school campus, nor are they allowed to participate in any school activities during suspension. They may, however, be required to complete assignments and tests which will be made available to them through an intermediary.

Expulsion, as ordered by the Board of Education, is the removal of a student from all schools in the Banta Unified School District for violating the California Education Code. The expulsion is for a defined period of time, but an application for re-admission must be considered within a specified time period. State law provides for due process and rights to appeal any order of expulsion.

If a student’s behavior is a threat to the safety, health or emotional well-being of others, and previous methods of prevention and intervention have not been successful, that student may be suspended in accordance with state law and district policy.

Suspension may be imposed upon a first offense if the Superintendent, principal or designee determines the student violated Education Code 48900(a)-(e) or if the student’s presence causes a danger to persons. [E.C. 48900.5]
For all other acts and conduct for which a student is subject to discipline under Education Code 48900 through 48900.7 and which are not specifically listed or addressed under Education Code 48915(a) or 48915(c), a student may be recommended for expulsion where other means of correction are not feasible or have repeatedly failed to bring about proper conduct, or where due to the nature of the student’s conduct violation, the presence of the student causes a continuing danger to the physical safety of the student or others. [E.C. 48915(b) and (e)]

The Role of Parents and Guardians

School rules are designed to teach children to be responsible, respectful, and safe. Parents and guardians have a key role in maintaining welcoming, safe campus environments that are conducive to learning.

Parents and guardians are urged to review district and school standards of conduct and rules with their children at the start of each school year, with special emphasis during critical transitional years when children move from elementary to middle school, and from middle to high school. Reinforcing positive behavior and acknowledging children for demonstrating appropriate conduct is important. If parents or guardians spot a behavior problem, they should contact school staff, who will partner with them to find solutions.

Parent/student handbooks are available online.

The Banta Unified School District is committed to strong partnerships between home and school to establish and enforce appropriate standards of conduct for students. In the event of student misconduct, teachers, school or district personnel will contact parents first, unless the infraction is so serious that police notification is mandated.
Prohibition on Possession and Use of Tobacco and Nicotine Products

District policy and the Education Code prohibit the possession, use, manufacture, distribution, or dispensing of tobacco and nicotine products at school or during school related activities. The District defines “tobacco and nicotine products” as a lighted or unlighted cigarette, cigar, pipe or other smoking product or material, smokeless tobacco in any form, and electronic cigarettes.

“Electronic cigarettes” are defined as battery-operated or other electronic products designed to deliver nicotine, flavor, and other chemicals by turning the substance into a vapor that is inhaled by the user, including, but not limited to electronic vaping devices, personal vaporizers, digital vapor devices, electronic nicotine delivery systems, and hookah pens.

Students determined to have used or to be in possession of tobacco or nicotine products at school or school related activities may be subject to discipline under District policy, Education Code 48900(h), and/or other applicable laws.

Release of a Student to a Peace Officer

If a peace officer removes a student from school, the principal or designee shall take immediate steps to notify a parent or guardian, except when a student has been taken into custody as a victim of suspected child abuse or in such cases, the peace office will notify the parent or guardian. (E.C. 48906; Penal Code 11165.6)

Search and Seizure Policy

The Search and Seizure Policy governs the District’s authority to search individual students and their property and the student’s responsibility to submit to searches. Under Board Policy 5145.12, school officials may conduct a search when there is a reasonable suspicion the search will uncover evidence that the student is violating the law or the rules of the school or District.

General inspections of school properties, such as lockers and desks, may be conducted on a regular, announced basis. Any items in a locker shall be considered the property of the student to whom the locker was assigned.

The school principal or designee may search the person of a student, the student’s locker, backpack, purse or other belongings if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property or contraband. [U.S. Supreme Court Case: New Jersey v. T.L.O. (1985) 469 U.S. 325; B.P. 5145.12]

The District may use specially trained, non-aggressive dogs to detect the presence of substances prohibited by law or District policy. Dogs may be used in the inspection of lockers, vehicles, or personal property, but may not be used to search a person.

The following are Intervention and Consequence disciplinary matrices of our progressive discipline related to violations of Ed Code 48900.
### ED CODE 48900(a)(1)

#### CAUSING PHYSICAL INJURY

Caused, attempted to cause, or threatened to cause physical injury to another person.

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<td>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</td>
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- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

### Other Potential Actions

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Notify law enforcement
- 1–3 day suspension
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

### Other Potential Actions

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Notify law enforcement
- 2–4 day suspension
- Extreme Fights–Contact the Superintendent
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

### Other Potential Actions

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school Psychologist
- Contact Foster Youth Services
- Site MTSS process
- Notify law enforcement
- 3–5 day suspension
- Possible consideration for a Recommendation of Expulsion
### Acts of Violence

Willfully used force or violence upon the person of another, except in self-defense.

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**Other Potential Actions**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Notify law enforcement
- 1–3 day suspension
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Notify law enforcement
- 2-4 day suspension
- Extreme Fights– Contact the Superintendent
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school Psychologist
- Contact Foster Youth Services
- Site MTSS process
- Notify law enforcement
- 3-5 day suspension
- Possible consideration for a Recommendation of Expulsion
Weapons and Dangerous Objects

Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, 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 in by the principal or the designee of the principal.

Ed. Code 48915(g) – As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

Ed. Code 48915(h) – As used in this section, the term "explosive" means "destructive device" as described in Section 921 of Title 18 of the United States Code. *If student possessed, sold, or otherwise furnished a firearm, please refer to CA Ed. Code 48915(c)(1)
*If student brandished a knife at another person, please refer to CA Ed. Code 48915(c)(2)
*If Student possessed an explosive, please refer to CA Ed. Code 48915(c)(5) and (h).

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<td>• Possible consideration for a Recommendation of Expulsion</td>
<td>• Possible consideration for a Recommendation of Expulsion</td>
</tr>
</tbody>
</table>
**ED CODE 48900(d)**

**Unlawful Possession of Controlled Substance**

Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

*If Student was unlawfully selling a controlled substance, please refer to CA Ed. Code 48915(c)(3).*

Ed. Code 48915(c)(3) – The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds… unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

<table>
<thead>
<tr>
<th>First Intervention/Consequence</th>
<th>Second Intervention/Consequence</th>
<th>Third, Subsequent Intervention Consequence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mandatory Actions</strong></td>
<td><strong>Mandatory Actions</strong></td>
<td><strong>Mandatory Actions</strong></td>
</tr>
<tr>
<td>• Ensure due process</td>
<td>• Ensure due process</td>
<td>• Ensure due process</td>
</tr>
<tr>
<td>• Conference with student</td>
<td>• Conference with student</td>
<td>• Conference with student</td>
</tr>
<tr>
<td>• Collect statements from other witnesses</td>
<td>• Collect statements from other witnesses</td>
<td>• Collect statements from other witnesses</td>
</tr>
<tr>
<td>• Notify law enforcement within 1 school day (EC 48902)</td>
<td>• Notify law enforcement within 1 school day (EC 48902)</td>
<td>• Notify law enforcement within 1 school day (EC 48902)</td>
</tr>
<tr>
<td>• Give substance to appropriate law enforcement authority</td>
<td>• Give substance to appropriate law enforcement authority</td>
<td>• Give substance to appropriate law enforcement authority</td>
</tr>
<tr>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
</tr>
<tr>
<td>• Contact family/guardian</td>
<td>• Contact family/guardian</td>
<td>• Contact family/guardian</td>
</tr>
<tr>
<td>• Document incident in Power School</td>
<td>• Document incident in Power School</td>
<td>• Document incident in Power School</td>
</tr>
<tr>
<td>• Hold re-entry conference if suspended</td>
<td>• Hold re-entry conference if suspended</td>
<td>• Hold re-entry conference if suspended</td>
</tr>
<tr>
<td>1–3 day suspension (Marijuana and alcohol)</td>
<td>2–4 day suspension (Marijuana and alcohol)</td>
<td>3-5 day suspension (Marijuana and alcohol)</td>
</tr>
<tr>
<td>Other Substances – contact the Superintendent</td>
<td>Other Substances – contact the Superintendent</td>
<td>Other Substances – contact the Superintendent</td>
</tr>
</tbody>
</table>

**Selling Drugs**
- 5 Day Suspension if Student is selling or sold a controlled substance
- Recommendation for expulsion if Student is selling or sold a controlled substance

**Other Potential Actions**
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extended up to 5

**Other Potential Actions**
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- 1-5 day suspension
- Possible consideration for a Recommendation of Expulsion

**Other Potential Actions**
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to outside agencies
- Possible consideration for a Recommendation of Expulsion
Sale of “Look a Like” controlled Substance or Alcohol

Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

*Reminder: If Student is unlawfully selling a controlled substance, it may also be a violation of 48915(c). If so, please refer to CA Ed. Code 48915(c)(3).

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<td><strong>Mandatory Actions</strong></td>
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<td>• Ensure due process</td>
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<tr>
<td>• Conference with student</td>
<td>• Conference with student</td>
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<tr>
<td>• Collect statements from other witnesses</td>
<td>• Collect statements from other witnesses</td>
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<tr>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/ practice identified behavior skills, facilitate student re-entry</td>
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<tr>
<td>• Review past alternative means of correction (Ed. Code 48900.5)</td>
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<td>• Review past alternative means of correction (Ed. Code 48900.5)</td>
</tr>
<tr>
<td>• Contact family/guardian</td>
<td>• Contact family/guardian</td>
<td>• Contact family/guardian</td>
</tr>
<tr>
<td>• Review student’s past similar behaviors and document current incident in Power School</td>
<td>• Review student’s past similar behaviors and document current incident in Power School</td>
<td>• Review student’s past similar behaviors and document current incident in Power School</td>
</tr>
<tr>
<td>• Hold re-entry conference if suspended</td>
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<table>
<thead>
<tr>
<th>Other Potential Actions</th>
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</tr>
</thead>
<tbody>
<tr>
<td>• Consider alternatives to suspension</td>
<td>• Consider alternatives to suspension</td>
<td>• Consider alternatives to suspension</td>
</tr>
<tr>
<td>• Restorative Practices/Interventions</td>
<td>• Restorative Practices/Interventions</td>
<td>• Restorative Practices/Interventions</td>
</tr>
<tr>
<td>• Student Study Team (SST)</td>
<td>• Student Study Team (SST)</td>
<td>• Student Study Team (SST)</td>
</tr>
<tr>
<td>• Referral to school counselor</td>
<td>• Referral to school counselor</td>
<td>• Referral to school counselor</td>
</tr>
<tr>
<td>• Contact Foster Youth Services</td>
<td>• Contact Foster Youth Services</td>
<td>• Contact Foster Youth Services</td>
</tr>
<tr>
<td>• Site MTSS process</td>
<td>• Site MTSS process</td>
<td>• Site MTSS process</td>
</tr>
<tr>
<td>• Referral to Student Support Centers for outside services/supports</td>
<td>• Referral to Student Support Centers for outside services/supports</td>
<td>• Referral to Student Support Centers for outside services/supports</td>
</tr>
<tr>
<td>• 1–3 day suspension.</td>
<td>• 1–3 day suspension.</td>
<td>• 1–3 day suspension.</td>
</tr>
<tr>
<td>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days</td>
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</table>
**ED CODE 48900(e)**

**Robbery or Extortion**
Committed or attempted to commit robbery or extortion.

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<td>• Ensure due process</td>
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<tr>
<td>• Conference with student</td>
<td>• Conference with student</td>
<td>• Conference with student</td>
</tr>
<tr>
<td>• Collect statements from other witnesses</td>
<td>• Collect statements from other witnesses</td>
<td>• Collect statements from other witnesses</td>
</tr>
<tr>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
<td>• Notify law enforcement</td>
<td>• Notify law enforcement</td>
</tr>
<tr>
<td>• Contact family/guardian</td>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
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<tr>
<td>• Review student’s past similar behaviors and document current incident in Power School</td>
<td>• Notify law enforcement</td>
<td>• Notify law enforcement</td>
</tr>
<tr>
<td>• Hold re-entry conference if suspended</td>
<td>• Restorative Practices/Interventions</td>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
</tr>
<tr>
<td><strong>Other Potential Actions</strong></td>
<td><strong>Other Potential Actions</strong></td>
<td><strong>Other Potential Actions</strong></td>
</tr>
<tr>
<td>• Notify law enforcement</td>
<td>• Consider alternatives to suspension</td>
<td>• Consider alternatives to suspension</td>
</tr>
<tr>
<td>• Consider alternatives to suspension</td>
<td>• Restorative Practices/Interventions</td>
<td>• Restorative Practices/Interventions</td>
</tr>
<tr>
<td>• Restorative Practices/Interventions</td>
<td>• Student Study Team (SST)</td>
<td>• Student Study Team (SST)</td>
</tr>
<tr>
<td>• Student Study Team (SST)</td>
<td>• Referral to school counselor</td>
<td>• Referral to school counselor</td>
</tr>
<tr>
<td>• Referral to school counselor</td>
<td>• Contact Foster Youth Services</td>
<td>• Contact Foster Youth Services</td>
</tr>
<tr>
<td>• Contact Foster Youth Services</td>
<td>• Site MTSS process</td>
<td>• Site MTSS process</td>
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<tr>
<td>• Site MTSS process</td>
<td>• Referral to Student Support Centers for outside services/supports</td>
<td>• Referral to Student Support Centers for outside services/supports</td>
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<tr>
<td>• Referral to Student Support Centers for outside services/supports</td>
<td>• Notify law enforcement</td>
<td>• Notify law enforcement</td>
</tr>
<tr>
<td>• Notify law enforcement</td>
<td>• 2–4 day suspension</td>
<td>• 3–5 day suspension</td>
</tr>
<tr>
<td>• 1–3 day suspension</td>
<td>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</td>
<td>• Possible consideration for a recommendation of Expulsion</td>
</tr>
</tbody>
</table>

Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.
**ED CODE 48900(f)**

Damage to property
Caused or attempted to cause damage to school or private property.

<table>
<thead>
<tr>
<th>First Intervention/Consequence</th>
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<th>Third, Subsequent Intervention Consequence</th>
</tr>
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<tbody>
<tr>
<td><strong>Mandatory Actions</strong></td>
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<tr>
<td>• Ensure due process</td>
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<tr>
<td>• Conference with student</td>
<td>• Conference with student</td>
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<td>• Collect statements from other witnesses</td>
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<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
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<tr>
<td>• Contact family/guardian</td>
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<tr>
<td>• Review student’s past similar behaviors and document current incident in Power School</td>
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<tr>
<td>• Hold re-entry conference if suspended</td>
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<table>
<thead>
<tr>
<th>Other Potential Actions</th>
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</thead>
<tbody>
<tr>
<td>• Consider alternatives to suspension</td>
<td>• Consider alternatives to suspension</td>
<td>• Consider alternatives to suspension</td>
</tr>
<tr>
<td>• Notify Law Enforcement</td>
<td>• Restorative Practices/Interventions</td>
<td>• Restorative Practices/Interventions</td>
</tr>
<tr>
<td>• Restorative Practices/Interventions</td>
<td>• Student Study Team (SST)</td>
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</tr>
<tr>
<td>• Student Study Team (SST)</td>
<td>• Referral to school counselor</td>
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<tr>
<td>• Referral to school counselor</td>
<td>• Contact Foster Youth Services</td>
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<td>• Contact Foster Youth Services</td>
<td>• Site MTSS process</td>
<td>• Site MTSS process</td>
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<tr>
<td>• Site MTSS process</td>
<td>• Referral to Student Support Centers for outside services/supports</td>
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<tr>
<td>• Referral to Student Support Centers for outside services/supports</td>
<td>• 2–4 day suspension</td>
<td>• 3–5 day suspension</td>
</tr>
<tr>
<td>• Notify law enforcement</td>
<td>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</td>
<td>• Possible consideration for a recommendation of Expulsion</td>
</tr>
<tr>
<td>• 1–3 day suspension</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
## ED CODE 48900(g)

### Theft or Stealing

Stole or attempted to steal school property or private property.

<table>
<thead>
<tr>
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<tr>
<td><strong>Mandatory Actions</strong></td>
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<tr>
<td>• Ensure due process</td>
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</tr>
<tr>
<td>• Conference with student</td>
<td>• Conference with student</td>
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<tr>
<td>• Collect statements from other witnesses</td>
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<tr>
<td>• Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry</td>
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<tr>
<td>• Review past alternative means of correction (Ed. Code 48900.5)</td>
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</tr>
<tr>
<td>• Contact family/guardian</td>
<td>• Contact family/guardian</td>
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<tr>
<td>• Review student’s past similar behaviors and document current incident in Power School</td>
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<tr>
<td>• Hold re-entry conference if suspended</td>
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<tr>
<td><strong>Other Potential Actions</strong></td>
<td><strong>Other Potential Actions</strong></td>
<td><strong>Other Potential Actions</strong></td>
</tr>
<tr>
<td>• Consider alternatives to suspension</td>
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<tr>
<td>• Restorative Practices/Interventions</td>
<td>• Restorative Practices/Interventions</td>
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<td>• Student Study Team (SST)</td>
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<td>• Referral to school counselor</td>
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<tr>
<td>• Contact Foster Youth Services</td>
<td>• Contact Foster Youth Services</td>
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<tr>
<td>• Site MTSS process</td>
<td>• Site MTSS process</td>
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<tr>
<td>• Referral to Student Support Centers for outside services/supports</td>
<td>• Referral to Student Support Centers for outside services/supports</td>
<td>• Referral to Student Support Centers for outside services/supports</td>
</tr>
<tr>
<td>• Notify law enforcement</td>
<td>• 2–4 day suspension</td>
<td>• 3–5 day suspension</td>
</tr>
<tr>
<td>• Suspension only permitted on “first offense” if student’s presence causes a danger to persons. In such instances, 1–3 day suspension.</td>
<td>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</td>
<td>• Possible consideration for a recommendation of Expulsion</td>
</tr>
<tr>
<td>• “First offense” refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.</td>
<td></td>
<td></td>
</tr>
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<td>• Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ED CODE 48900(h)

Tobacco or Nicotine Products

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. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

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<td>• Collect statements from other witnesses</td>
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<td>• Hold re-entry conference if suspended</td>
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</tbody>
</table>

**Other Potential Actions**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Suspension only permitted on “first offense” if student’s presence causes a danger to persons. In such instances, 1–3 day suspension.
- “First offense” refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/ or 48915, although formal exclusionary disciplinary action may not have been taken against the student.
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.
ED CODE 48900(i)

Obscene Acts

Committed an obscene act or engaged in habitual profanity or vulgarity.

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Drug Paraphernalia

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**Other Potential Actions**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- 2–4 day suspension
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

**Other Potential Actions**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- 3–5 day suspension
- Possible consideration for a recommendation of Expulsion
**ED CODE 48900(k)**

### Disruption of School Activities

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.

**Note:**
- School districts cannot suspend students in kindergarten through grade 8 for disruption or willful defiance;
- School districts cannot recommend any student for expulsion for disruption or willful defiance, regardless of grade level;
- For students in grades 9 to 12, school districts cannot suspend them for disruption or willful defiance if it is their first offense; and
- Teachers are permitted to suspend any student, regardless of grade, from their classroom for disruption or willful defiance, whether it’s a student’s first offense or not.

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### Other Potential Actions

- Consider alternatives to suspension
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- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- Notify law enforcement
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- Notify law enforcement
- 1–3 day suspension (9th thru 12th grades)
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- Notify law enforcement
- 2–5 day suspension (9th thru 12th grades)
**ED CODE 48900(l)**

**Possession of Stolen Property**

Knowingly received stolen school property or private property.

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| • Referral to school counselor |
| • Contact Foster Youth Services |
| • Site MTSS process |
| • Referral to Student Support Centers for outside services/supports |
| • Notify law enforcement |
| • 1–4 day suspension (9th thru 12th grades) |
| • Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days. |

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| • Referral to Student Support Centers for outside services/supports |
| • Notify law enforcement |
| • 3–5 day suspension (9th thru 12th grades) |
| • Possible consideration for a recommendation of expulsion |
**Imitation Firearm**

Posessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

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**Other Potential Actions**

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- Contact Foster Youth Services
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**Other Potential Actions**

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- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- Notify law enforcement
- 2–4 day suspension (9th thru 12th grades)
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

**Other Potential Actions**

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- Referral to Student Support Centers for outside services/supports
- Notify law enforcement
- 3–5 day suspension (9th thru 12th grades)
- Possible consideration for a recommendation of expulsion
ED CODE 48900(n)

Sexual Assault or Sexual Battery

**Committed or attempted to commit a sexual assault** as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

If student committed or attempted to commit a sexual assault, please refer to CA Ed. Code 48915(c)(4).

Ed. Code 48915(c)(4) – The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds... committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

### First Intervention/Consequence

**Mandatory Actions**
- Notify law enforcement (refer to AR 5144.3 and 5145.11)
- In consultation with site principal and Director of Student Services — File CPS Report
- Contact Superintendent
- 5 day suspension and recommendation for expulsion
- Refer to California Education Code 48915(c)(4).

### Second Intervention/Consequence

**Mandatory Actions**
- Notify law enforcement (refer to AR 5144.3 and 5145.11)
- In consultation with site principal and Director of Student Services — File CPS Report
- Contact Superintendent
- 5 day suspension and recommendation for expulsion
- Refer to California Education Code 48915(c)(4).

### Third, Subsequent Intervention Consequence

**Mandatory Actions**
- Notify law enforcement (refer to AR 5144.3 and 5145.11)
- In consultation with site principal and Director of Student Services — File CPS Report
- Contact Superintendent
- 5 day suspension and Rec. for expulsion
- Refer to California Education Code 48915(c)(4).
Harassment of a Student Witness

Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

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**Other Potential Actions**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Notify law enforcement

Suspension only permitted on “first offense” if student’s presence causes a danger to persons. In such instances, 1–3 day suspension.

“First offense” refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/ or 48915, although formal exclusionary disciplinary action may not have been taken against the student.

Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.
**ED CODE 48900(p)**

**Prescription Drug Soma**

Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

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<tr>
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<tr>
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<td><strong>Other Potential Actions</strong></td>
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Hazing

Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school sanctioned events.

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<tbody>
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<td>Conference with student</td>
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**Other Potential Actions**

**First Intervention/Consequence**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Site MTSS process
- Notify law enforcement
- Suspension only permitted on “first offense” if student’s presence causes a danger to persons. In such instances, 1–3 day suspension.
- “First offense” refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

**Second Intervention/Consequence**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support
- Centers for outside services/supports
- Notify law enforcement
- 2 – 4 day suspension
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

**Third, Subsequent Intervention Consequence**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- Notify law enforcement
- 3-5 day suspension
- Possible consideration for a recommendation of expulsion
**Bullying**

Engaged in the act of **bullying**.

“Electronic act” means 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.

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**Other Potential Actions**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Site MTSS process
- Notify law enforcement
- Suspension only permitted on “first offense” if student’s presence causes a danger to persons. In such instances, 1–3 day suspension.
- “First offense” refers to the first documented offense of a student in the current school year that qualifies as a violation of Education Code 48900 and/or 48915, although formal exclusionary disciplinary action may not have been taken against the student.
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

- Possible consideration for a recommendation of expulsion
Engaged in an act of bullying.

For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

(D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

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

(i) A message, text, sound, video or image.

(ii) A post on a social network Internet Web site including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed that the pupil was or is the pupil who was impersonated.

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

(IV) (iii) An act of cyber sexual bullying.

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

(VI) (II) For purposes of this clause "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school sanctioned activities.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
Aid or Abetted to Inflict Physical Injury

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

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**Other Potential Actions**

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- Student Study Team (SST)
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- Notify law enforcement
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- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Site MTSS process
- Notify law enforcement
- Referral to Student Support
- Centers for outside services/supports
- 2–4 day suspension
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- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- Notify law enforcement
- 3-5 day suspension
- Possible consideration for a recommendation of expulsion
Sexual Harassment

Additional grounds for suspension or expulsion: sexual harassment.

This section does not apply to students in kindergarten through grade 3.

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Additional grounds for suspension or expulsion: sexual harassment.

This section does not apply to students in kindergarten through grade 3.

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**Other Potential Actions**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Site MTSS process
- Notify law enforcement
- Suspension only permitted on “first offense” if student’s presence causes a danger to persons. In such instances, 1–3 day suspension.
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- Possible consideration for a recommendation of expulsion

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**Mandatory Actions**

- Ensure due process
- Conference with student
- Collect statements from other witnesses
- Provide corrective feedback: de-escalate student, attempt to identify root or ancillary causes for behavior, re-teach/practice identified behavior skills, facilitate student re-entry
- Review past alternative means of correction (Ed. Code 48900.5)
- Contact family/guardian
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**Other Potential Actions**

- Consider alternatives to suspension
- Restorative Practices/Interventions
- Student Study Team (SST)
- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- Notify law enforcement
- 2–4 day suspension (4th thru 12th grades)
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.
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Harassment, Threats or Intimidation

Additional grounds for suspension or expulsion: harassment, threats or intimidation

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.

This section does not apply to students in kindergarten through grade 3.

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- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.
**ED CODE 48900.7**

**Terroristic Threats**

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 terrorist threats against school officials or school property, or both.

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

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- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support
- Centers for outside services/supports
- 2 – 4 day suspension (4th thru 12th grades)
- Depending on the severity of the incident, as well as pertinent extenuating circumstances regarding the student(s) involved, days of suspension may extend up to 5 days.

- Referral to school counselor
- Contact Foster Youth Services
- Site MTSS process
- Referral to Student Support Centers for outside services/supports
- 3-5 day suspension (4th thru 12th grades)
- Possible consideration for a recommendation of expulsion
48915. (a) (1) Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

A. Causing serious physical injury to another person, except in self-defense.

B. Possession of any knife or other dangerous object of no reasonable use to the pupil.

C. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for either of the following:
   (i) The first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
   (ii) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.

D. Robbery or extortion.

E. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(2) If the principal or the superintendent of schools makes a determination as described in paragraph (1), he or she is encouraged to do so as quickly as possible to ensure that the pupil does not lose instructional time.

(a) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil committed an act listed in paragraph (1) of subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of Section 48900. A decision to expel a pupil for any of those acts shall be based on a finding of one or both of the following:
   (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
   (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

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

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

   (2) Brandishing a knife at another person.

   (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
(4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (m) of Section 48900; or (5) Possession of an explosive.

d) The governing board of a school district shall order a pupil expelled upon finding that the pupil committed an act listed in subdivision (c), and shall refer that pupil to a program of study that meets all of the following conditions:

(1) Is appropriately prepared to accommodate pupils who exhibit discipline problems.

(2) Is not provided at a comprehensive middle, junior, or senior high school, or at any elementary school.

(3) Is not housed at the school site attended by the pupil at the time of suspension.

e) Upon recommendation by the principal or the superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board of a school district may order a pupil expelled upon finding that the pupil, at school or at a school activity off of School grounds violated subdivision (f), (g), (h), (i), (k), (l), or (m) of Section 48900, or Section 48900.2, 48900.3, or 48900.4, and either of the following:

(1) That other means of correction is not feasible or have repeatedly failed to bring about proper conduct.

(2) That due to the nature of the violation, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

f) The governing board of a school district shall refer a pupil who has been expelled pursuant to subdivision (b) or (e) to a program of study that meets all of the conditions specified in subdivision (d). Notwithstanding this subdivision, with respect to a pupil expelled pursuant to subdivision (e) if the county superintendent of schools certifies that an alternative program of study is not available at a site away from a comprehensive middle, junior, or senior high school, or another elementary school. The pupil may be referred to a program of study that is provided at a comprehensive middle, junior, or senior high school, or at an elementary school.

g) As used in this section “knife” means any dirk, dagger, or other weapons with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade.

h) As used in this section, the term “explosive” means destructive device as described in Section 921 of Title 18 of the United States Code. (Amended by Stats. 2012, Ch. 431, Sec 3. (AB 2537) Effective January 1, 2013.)
PART IV
Our Assessment, School Accountability and Program Evaluation
Measuring Impact and Reflection

Looking back, so that the view looking forward is even clearer. - Unknown

California Dashboard

The California School Dashboard is a state run website that features easy-to-read reports on multiple measures of school and district success, including test scores, graduation rates, English learner progress, college/career readiness, suspension rates, and chronic absenteeism rates. The Dashboard is part of California’s school accountability system based on 2013’s Local Control Funding Formula, and is designed to provide parents and educators with meaningful information so they can participate in decisions to improve student learning.

School Accountability Report cards (SARC)

California public and nonpublic, nonsectarian schools annually provide information to the community to allow public comparison of schools for student achievement, environment, resources and demographics. The SARCs are posted for parents to learn more about the schools in our community. The current School Accountability Report Card (SARC) is available online at the Banta Unified School District website. Each school’s SARC summarizes the school’s mission, goals, accomplishments, and highlights the school’s unique programs. In addition, state law requires that the SARC contain all of the following: demographic data, school safety and climate for learning information, academic data, school completion rates, class sizes, teacher and staff information, curriculum and instruction descriptions, postsecondary preparation information, fiscal and expenditure data.

Federal law, the Every Student Succeeds Act, requires that SARCs contain reports concerning the “adequate yearly progress” of students in achieving state academic achievement standards; graduation rates at the secondary level; and the extent to which teachers hold full credentials.

A hard copy of these reports can be requested by visiting your child’s school office. Any questions regarding the SARCs can be answered by your child’s principal.

Assessment and Testing

California students take several mandated statewide tests. These tests provide parents, teachers and educators with information about how well students are learning core academic skills and becoming college ready. Teachers use this information, along with formative, progress monitoring assessments, to help them prepare instruction based on the needs of each student. Results are also used for local, state, and federal accountability purposes.

CAST (California Science Tests)

The computer-based California Science Test (CAST) measures students’ understanding of the California Next Generation Science Standards (NGSS). The test is administered in grades 5 and 8 and once in high school.
CAA (California Alternate Assessments)

The computer-based California Alternate Assessment (CAA) in ELA and math are administered to students with severe cognitive disabilities in grades 3-8 and 11. Test items are aligned with state standards and are based on the Core Content Connectors. The CAA for Science is administered in grades 5 and 8 and once in high school.

Pursuant to California Education Code 60615, parents may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments.

ELPAC (English Language Proficiency Assessments for California)

The ELPAC is aligned with the 2012 California English Language Development Standards. It is comprised of two separate English Language Proficiency (ELP) assessments: one for the initial identification of students as English learners (ELs), and a second for the annual summative assessment to identify students’ English Language Proficiency level and to measure their progress in learning English. Within 30 days of enrollment in a California school, a student who speaks a primary language other than English, and has not taken the ELPAC before, and has not been classified before as an English learner will be given the Initial ELPAC Assessment, based on answers provided on the Home Language Survey.

The Initial Assessment is used to identify students as either an English learner who needs support to learn English, or as proficient in English. The ELPAC is comprised of four domains: Listening, Speaking, Reading, and Writing. Parents and guardians cannot opt their child out of the ELPAC. State and federal law require that all students whose primary language is a language other than English be assessed for ELP. Students with the most significant cognitive disabilities may be assessed using the Alternate ELPAC, provided that it has been specified in the student’s IEP. The Alternate ELPAC assessments provide greater flexibility and increased access in assessing English Language Proficiency.

PFT (Physical Fitness Test)

This test is used to assess the physical fitness of students in grades 5, 7 and 9. It consists of tests in six fitness areas: Aerobic Capacity, Body Composition, Abdominal Strength & Endurance, Trunk Extensor Strength & Flexibility, Upper Body Strength & Endurance and Overall Flexibility. Students are scored as “within the Healthy Fitness Zone”, or “Needs Improvement-Some Risk”, or “Needs Improvement-Health Risk”. To pass the PFT, students must have 5 of 6 fitness standards “within” the Healthy Fitness Zone.
PART V
Family & Community Engagement in Student Learning and Volunteering
Helping Students and Families Grow

All students will benefit from programs and services designed to inform and involve family and community partners.

Family Engagement

The Board of Education recognizes that parents and guardians are their child’s most influential teachers. Continuous family engagement in a child’s education contributes greatly to achievement and a positive school environment. To maximize the potential of family engagement on campus, each school:

• Develops programs and activities that enable parents/guardians to actively participate in their child’s education.
• Helps parents/guardians develop skills and home environments that support their child’s growth as responsible members of society.
• Initiates consistent and effective two-way communication between the home and school.

Provides training to teachers, administrators and other school staff that fosters effective and culturally sensitive communication with the home. [E.C. 11500-11506, L.C. 230.8]

Tips for Helping Your Child Succeed

The District encourages families to ask about their child’s progress throughout the school year. Parents and guardians can ask for progress reports on how well their child is doing in school rather than waiting for one each quarter. Please contact your child’s teacher or principal to get information about your student’s academic performance.

There are several actions families can do to help children succeed in school:

• Spend time at school. Interact with teachers and administrators.
• Make sure your child arrives at school on time. Volunteer in the classroom or at school events.
• Attend student performances and school meetings and participate in site and advisory councils.
• Read to your student or encourage them to read independently.
• Insist that your students treat teachers, administrators, staff and other adults with respect.
• Talk to your student about obeying school rules. Ask your child about their school day.
• Ask them to tell you one thing they learned in school that day.
• Limit screen time for your child.
• Contact your child’s teacher when you have a question, concern or complaint.
• Check your child’s backpack on a regular basis. Carefully review your child’s homework, report cards, school newsletters and other information from the school.
• Discuss upcoming tests with your child. Encourage them to do their best in school. Reinforce the importance of homework. Talk to them about turning assignments in on-time.
Good communication is essential to a student’s success. Families and students are encouraged to ask questions and discuss concerns promptly. We welcome engagement at all levels of our schools and District.

Power School helps parents/guardians stay informed and connected by providing day-to-day insight into their child’s academic experience. Parents will need to register for a Power School account using an activation code and instructions available at each school or by calling the Office of Family and Community Engagement. Instructions on how to register and update information in the system are included on the activation code handout. If you lose your activation code or need another one, please contact your child’s school.

Meetings with Teachers or Other School Staff

Generally, the principal, teachers, counselor and other school staff are available before and after school to provide special assistance, answer questions and help resolve concerns. It is recommended that you make appointments with school staff, when possible, especially for issues that cannot be resolved quickly. If you have questions or difficulties communicating with school staff, contact the school site’s principal or administrative team.

Resolving Concerns

Sometimes miscommunication or incomplete information can cause concern. Clarifying the situation with the people immediately involved creates opportunities to develop successful solutions. A team approach to resolution helps everyone.

- Meet informally with the person (s) involved. Calmly state the facts you are aware of and what you think the problem is.
- If the concern is not resolved, discuss the issue with the school principal.
- If the concern is not resolved at this level, request assistance from the appropriate or district department related to the issue, and we will work with you and the school administration to resolve concerns.
Earned Income Tax Credit Information Act Communication

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

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

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

For additional information, refer to the IRS EITC web page at: http://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit. If you have questions regarding this subject, please contact the IRS by phone at 1-800-829-3676 or through its website at www.irs.gov. You can also contact the Franchise tax Board by phone at 1-800-852-5711 or through its website at www.ftb.ca.gov.

Child Custody

Banta Unified School District follows child custody decisions made by courts. Principals and district Administrators cannot modify a judge’s ruling regarding custody of a child. If a child custody arrangement has changed, a parent or guardian must provide the school with complete legal documents.
How to Volunteer

Applicants interested in volunteering should contact the school directly to obtain information regarding volunteer opportunities available. All volunteers must be cleared by the District prior to participating in school activities.

Volunteer Background Check

BUSD requires that all volunteer candidates who work with students be run through the Raptor system as part of a criminal background check. Even volunteers that work under the direct supervision of a District employee need to be checked.

In some instances, volunteers may be asked to be fingerprinted. The fingerprint check is done by the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI). Both agencies provide the District with a record of prior convictions or pending arrests or citations. The District reviews this report with specific interest in the history of offenses, pattern of offenses, time of offenses and for drug crimes, sexual crimes or serious or violent felonies. After receiving and reviewing the fingerprint reports, volunteer candidates may be authorized as volunteers, based upon the discretion of the District, and must be cleared or authorized as volunteers, prior to contact with students. This is the same background check that district employees must pass prior to being hired.

Child Protection Responsibility

Volunteers are not considered “mandated reporters” under California Law, but volunteers should be aware of child abuse reporting requirements for school employees.

- School Personnel must report:
  - Cases of suspected infliction of physical or mental suffering on minor,
  - Cases of suspected physical injuries to minors by other than accidental means
  - Cases of suspected sexual molestation

School personnel are defined as teacher, administrative officer, supervisor of child welfare and attendance or certificated pupil personnel employee of any public school. All school personnel are mandated reporters for suspected child maltreatment. If you become aware of suspected child maltreatment, report your observations to your supervising teacher or site administrator.
You Can Help with Traffic

By following the school’s directions, parents and guardians can help provide a smooth flow of traffic at our schools during the morning drop-off and afternoon pickup times. Please use appropriate pickup and drop-off areas, follow the directions of school staff and follow traffic laws around school.

Vehicles that are double-parked, stopped in crosswalks or parked in restricted zones – such as those for loading and unloading school buses – create unsafe conditions for students, parents and motorists. These conditions make it difficult for children and other motorists to see each other, which can lead to accidents and injuries. It is better to wait a few seconds for a more secure drop off or pickup location than to stop where children need to dart across busy streets, or hold up traffic while picking up or dropping off students in the street.

The traffic situations you experience at your child’s school are also part of the day-to-day problem our school bus drivers deal with every day while charged with the safe travel of their riders. Please do not block the path of a school bus with your vehicle or drive alongside the bus trying to get the driver’s attention.

Gun Storage Safety Reminder

Evidence strongly suggests that secure firearm storage is an essential component to any effective strategy to keep schools and students safe. It has been determined that an estimated 4.6 million American children live in households with at least one loaded, unlocked firearm and that ever year nearly 350 children under the age of 18 unintentionally shoot themselves or someone else. Tragically, approximately 590 children die by gun suicide each year, most often using guns belonging to a family member. In incidents of gun violence on school grounds, 79 percent of active shooters are current students or recent graduates, and 78 percent of shooters under the age of 18 obtained their guns from their own home, a relative’s home, or from friends. Research shows that secure firearm storage practices are associated with up to an 85 percent reduction in the risk of self-inflicted and unintentional firearm injuries among children and teens.

In response to the alarming facts surrounding firearms and their access by children and our students, the State Superintendent of Public Instruction has made an urgent request of school districts to inform their school communities about the laws regarding the safe storage of firearms and has made resources available regarding gun safety on the California Department of Education’s Violence Prevention web page.
Americans with Disabilities Act

The Banta Unified School District is committed to achieving full compliance with the Americans with Disabilities Act (ADA) and does not:

1. Deny the benefits of District programs, services and/or activities to qualified individuals with a disability on the basis of a disability.

2. Discriminate on the basis of disability in access to or provision of programs, services, activities of the District and/or application for employment or employment to qualified individuals with disabilities.

3. Provide separate, unequal or different programs, services or activities, unless the separate or different programs are necessary to ensure that the benefits and services are equally effective.

The District operates its programs so that, when viewed in their entirety, they are readily accessible to or usable by individuals with disabilities. We welcome those with disabilities to participate fully in the programs, services and activities offered to students, parents, guardians and members of the public. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in any program, service or activity offered to you, contact the District Office at (209)229-4651 at least 48 hours before the scheduled event so that we may make every reasonable effort to accommodate you. If you have an observation of a possible barrier to access or a complaint about access, please contact the District Office to notify us. [Government Code Section 54953.2; Americans with Disabilities Act of 1990, Section 202 (42 U.S.C. Section 12132), (42 U.S.C. Section 12132, Section 35.106)]