

Dear Parent/Guardian:

State law requires the county office of education (“county office”) to provide annual notice to parents/guardians of certain rights and responsibilities. Parents/guardians are required to acknowledge receipt of this notice by signing and returning the receipt and acknowledgment (Part I of Form A) to your school or county office program.

CURRICULUM AND INSTRUCTION

Instructional Materials:

All primary and supplemental instructional materials and assessments, including textbooks, teacher manuals, films, audio and video recordings, and software, will be compiled and stored by the classroom instructor and made available promptly for inspection by a parent/guardian in a reasonable time frame or in accordance with county office policies or procedures.

Education Code §§ 49091.10(a); 51101(a)(8).

Observation:

Upon written request, a parent/guardian has the right to observe instruction and other school activities that involve their child or for the purpose of selecting a school in accordance with board policies on interdistrict and intradistrict transfers. Any observation will be done in accordance with policies established to ensure the safety of pupils and school personnel and to prevent undue interference with instruction or harassment of school personnel. Education Code §§ 49091.10(b); 51101(a)(1).

Beliefs:

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

Curriculum:

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

Animal Dissection:

A pupil, who has a moral objection to dissecting or otherwise harming or destroying animals as part of an instructional program, has a right to request an alternative educational project. Education Code §§ 32255-32255.6, 48980(a).

Sexual Health and HIV Prevention Education:

The Healthy Youth Act (“Act”) authorizes a county office to provide comprehensive sexual health education and HIV prevention education to all pupils in grades 7 to 12. Education Code §§ 51933 et seq., 48980(a).

- Written and audio-visual educational materials used in comprehensive sexual health education and HIV prevention education will be made available for your inspection. Education Code § 51938.
- You will be notified whether the comprehensive sexual health education or HIV prevention education will be taught by county office personnel or by outside consultants. Education Code § 51938.
- You may request a copy of the Act from the county office. Education Code § 51938.
- You may request in writing that your child be excused from comprehensive sexual health education and HIV prevention education. (Fill out Part II of Form A to make a request.) Education Code § 51938.

Tests, Questionnaires, Surveys, Examinations on Personal Beliefs or Practices:

No pupil will be given any test, questionnaire, survey, or examination containing questions about a pupil’s, or their parents’/guardians’ beliefs or practices relating to sex, family life, morality, or religion, unless their parent/guardian provides prior written permission. Parents/guardians of all pupils in grades 7 to 12, will be given the opportunity to review any test, questionnaire, or survey about a pupil’s attitude concerning or practices relating to sex before it is administered and will be given the opportunity to request in writing that their pupil not participate. Education Code §§ 51513, 51938, 51939.

Minimum Days and Staff Development:

Attached to this notice is the calendar for the school year which includes the current schedule of any minimum days or pupil-free staff development days. Parents/guardians will be notified during the school year of any additional minimum days and pupil-free staff development days not later than one month before the scheduled minimum or pupil-free day. Education Code § 48980(c).

PUPIL BEHAVIOR AND DISCIPLINE**Sexual Harassment:**

The county office prohibits sexual harassment of or by any pupil or by anyone employed by or otherwise working or volunteering for the county office. 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. Any person who feels that they are being discriminated against or harassed should immediately contact their principal or designee so that they can address the situation. A written complaint may be filed in accordance with the county office's Uniform Complaint Procedures. Written complaint procedures are available at all school sites. A copy of the school district or county office's written policy on sexual harassment, as it pertains to pupils, is attached to this notice. Education Code §§ 48980(f), 212.5, 231.5; 5 C.C.R. § 4917.

Evaluations:

A pupil may not be tested for behavioral, mental, or emotional evaluation without the informed written consent of their parent/guardian. Education Code § 49091.12(c).

Unexcused Absence:

Parents/guardians will be notified in a timely manner if their child is absent from school without permission. Education Code § 51101(a)(4).

Truancy:

Upon your child's initial classification as a truant, you will be notified of the following:

- a. That your child is truant.
- b. That you are obligated to compel the attendance of your child at school.
- c. That you may be guilty of a criminal infraction and subject to prosecution if you fail to meet this obligation.
- d. That alternative educational programs are available.
- e. That you have the right to meet with appropriate school personnel to discuss solutions to your child's truancy.
- f. That your child may be subject to arrest or temporary custody.
- g. That your child (if 13 to 17 years of age) may be subject to suspension, restriction, or delay of their driving privilege.
- h. That it may be recommended that you accompany your child to school and attend classes with them for one day.

Education Code § 48260.5.

Chronic Truancy:

The parent/guardian of any pupil in grades 1 through 8 who is found to be a "chronic truant" may be found guilty of a misdemeanor. Education Code § 48263.6; Penal Code § 270.1.

Pupil Discipline Rules:

A copy of the school's pupil discipline rules may be obtained by contacting the principal or designee. The parent/guardian of a pupil who has been suspended by a teacher may be required to attend a portion of a school day in the class of their child or ward. Education Code §§ 35291, 48980(a), 48900.1.

PUPIL HEALTH, SAFETY AND MEDICAL TREATMENT**Fingerprint Policy:**

Information concerning the county office's pupil fingerprint policy, if any, is provided at the time of enrollment. Education Code §§ 32390, 48980(e).

Confidential Medical Services:

Pupils enrolled in grades 7 through 12 may be excused from school-by-school authorities for the purpose of obtaining confidential medical services without the consent of the pupil's parent. Education Code § 46010.1.

Pupil Immunization:

No student shall be admitted to school until the student is immunized as required by law. The county office may permit a licensed physician and surgeon, or other health care practitioner who is acting under the direction of a supervision physician or surgeon, to administer an immunizing agent to a student whose parent or guardian has consented in writing to the administration of such immunization agent. When there is good cause to believe that a student has been exposed to a communicable disease and their documentary proof of immunization status does not show proof of immunization against that disease, the student may be temporally excluded from school until the local health officer is satisfied the student is no longer at risk of developing or transmitting the disease.

If a parent or guardian files with the governing authority a written statement by a licensed physician to the effect that the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, indicating the specific nature and probable duration of the medical condition or circumstances, including, but not limited to, family medical history, for which the physician does not recommend immunization, that child shall be exempt from the immunization requirements. Any child with a medical exemption authorized prior to January 1, 2020, shall be allowed continued enrollment until they enroll in the next grade span. "Grade span" means (1) from birth through preschool; (2) transitional kindergarten through 6th grade; and (3) grades 7 through 12. After July 1, 2021, a student may not be unconditionally admitted or readmitted, or admitted/advance to the seventh grade, unless they have been immunized or files a medical exemption that is compliant with a required statewide form.

Effective January 1, 2016, the California Legislature eliminated the exemption from specified immunization requirements based upon personal beliefs. A student who, prior to January 1, 2016, submitted a letter or affidavit on file with their school stating beliefs opposed to immunization shall be allowed enrollment until the student enrolls in the next grade span. "Grade span" means (1) from birth through preschool; (2) transitional kindergarten through 6th grade; and (3) grades 7 through 12.

Health and Safety Code §§ 120335, 120370; Education Code §§ 48216, 48980(a), 49403.

Physical Examinations:

A child may be excluded from physical examination whenever a parent/guardian files a written statement with the school that they will not consent to a physical examination of their child. Whenever there is good reason to believe the child is suffering from a recognized contagious or infectious disease, the child will be excluded from school attendance. (School children are examined for vision, hearing, and curvature of the spine at selected grade levels.) Education Code §§ 48980(a), 49450 – 49455.

State law requires that for each child enrolled in the first grade, the parent/guardian must present within 90 days after entrance, a certificate, signed by a physician, verifying that the child has received appropriate health screening and evaluation including a physical examination within the last 18 months. A parent/guardian may file with the school a written objection or waiver stating the reasons why they were unable to obtain such services. Free health screenings are available for low-income children for up to 18 months prior to entry into 1st grade. Parents/guardians are encouraged to obtain required health screenings simultaneously with required immunizations. Health and Safety Code §§ 124085, 124105.

Psychological Testing:

A parent/guardian has the right to receive information about psychological testing the school does involving their child and to deny permission to give the test. Education Code § 51101(a)(13).

Pupil Medication:

Any pupil who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instruction from the physician or surgeon or physician assistant, as specified by law, detailing the name of the medication, method, amount, and time schedules by which the medication is to be taken, and a written statement from the pupil's parent, foster parent, or guardian indicating their desire to have the school assist in administering the physician and surgeon, or physician assistant's instructions. Any student who wishes to carry and self-administer prescription auto-injectable epinephrine and/or self-administered inhaled asthma medication must submit both a written statement of instruction from their physician or surgeon or physician assistant, as specified by law, that includes a confirmation that the student is able to self-administer such medication, and a written statement from the pupil's parent, foster parent, or guardian consenting to the self-administration, as well as applicable releases. Any pupil who uses auto-injectable epinephrine or inhaled asthma medication in a manner other than as prescribed is subject to discipline. Education Code §§ 48980(a), 49423, 49423.1.

Continuing Medication:

A parent/guardian of a pupil on a continuing medication regimen for a non-episodic condition shall inform the school of the medication being taken, the current dosage, and the name of the supervising physician. With a parent/guardian consent, the school nurse or other designated employee may communicate with the physician with regards to 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 over dosage. Education Code § 49480.

Pupil Insurance:

The county office may provide or make available medical or hospital services, or both, for injuries to pupils arising from school programs or activities. No pupil will be compelled to accept such services. You may obtain further information regarding availability of pupil accident insurance by contacting the school principal. Education Code §§ 48980(a), 49472.

Emergency Medical Care:

All pupils must have an emergency information card filled out and signed by the parent/guardian at the beginning of the school year. If your child is ill or injured during regular school hours and requires reasonable medical treatment, and if you cannot be reached, the county office or the principal cannot be held liable for reasonable treatment of your ill or injured child without your prior consent, unless you have previously filed a written objection to any medical treatment other than first aid. Education Code §§ 49407; 49408.

Pupil Safety:

A parent/guardian has the right to have a safe and supportive learning environment for their child. Education Code § 51101(a)(7).

Unsafe School Choice Option:

Students who attend a persistently dangerous school and students who are victims of a violent criminal offense, while in or on the grounds of a public school must be allowed to attend a safe public school. 5 C.C.R. §§ 11992, 11993; 20 U.S.C. § 7912.

Tobacco-Free Campus:

Use of tobacco products at any time by students, staff, parents, or visitors, is strictly prohibited in county office or district-owned or leased buildings, on county office, school, or district property, and in county office, school, or district vehicles. This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off county office or district property. Prohibited products include any product containing tobacco or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic cigarettes that can deliver nicotine and non-nicotine vaporized solutions. Health and Safety Code § 104420.

Sun Protective Clothing/Sunscreen:

Any pupil may use articles of sun protective clothing, including hats, for outdoor use during the school day, subject to county office dress code policies. Any pupil may use sunscreen during the school day without a physician's note or prescription, but school personnel are not required to assist pupils in applying sunscreen. Education Code § 35183.5.

Oral Health Assessment:

Any pupil, while enrolled in kindergarten in a public school or while enrolled in first grade if the pupil was not previously enrolled in kindergarten, unless excused, must present proof no later than May 31 of the school year of having received an oral assessment by a licensed dentist or other licensed or registered dental health professional. The assessment must be performed no earlier than 12 months prior to initial enrollment of the pupil. Education Code § 49452.8.

Type 1 Diabetes Information:

Information regarding Type 1 Diabetes is available on the California Department of Education's website at: <https://www.cde.ca.gov/ls/he/hn/type1diabetes.asp> Education Code § 49452.6.

PUPIL PERFORMANCE AND EVALUATION

School Accountability Report Card:

A copy of the county office's accountability report card may be obtained from the school upon request. Education Code § 35256.

Parent Meeting with Teacher and Principal:

Upon reasonable notice, a parent/guardian has the right to meet with their child's teacher(s) and principal. Education Code § 51101(a)(2).

Parent Notification:

A parent/guardian has the right to be notified concerning their child's classroom and standardized test performances, when their child has been identified as at risk of retention, and to be informed about school rules, including disciplinary rules and procedures,

attendance policies, retention and promotion policies, dress codes, school visiting procedures and the person to contact should problems arise with their child. Education Code §§ 48070.5, 51101(a)(5), (9), (12), (16).

Academic Expectations:

A parent/guardian has the right to be informed of the academic expectations of their child. Education Code § 51101(a)(11).

College Admission Requirements and Career Technical Information:

School offering any of grades 9-12 shall provide the following brief explanation of college admission requirements, a brief description of career technical education, and information about how pupils may meet with school counselors to help them select courses to meet college admission requirements and/or enroll in career technical education courses.

1. College Admission Requirements (A-G Requirements) for California State University (CSU) and University of California (UC)

Additional information about admission requirements for the CSU system can be found at <https://www.calstate.edu/apply>

Additional information about admission requirements for the UC system can be found at

<https://admission.universityofcalifornia.edu/>. Additional information about course offerings can be found in the high school student handbook.

- a. History or Social Science – 2 years
- b. English – 4 years
- c. Math – 3 years (UC recommends 4 years)
- d. Laboratory Science – 2 years (UC recommends 3 years)
- e. Language Other Than English – 2 years (UC recommends 3 years)
- f. Visual and Performing Arts – 1 year
- g. College Preparatory Elective – 1 year

2. Career Technical Education (CTE):

Career technical education is a program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. Additional information regarding career technical education can be found at <http://www.cde.ca.gov/ci/ct/>.

3. Counseling Services

High school counselors are available to meet with parents and students to assist in selecting courses that meet college admission requirements, enroll in CTE, or both. If you would like to schedule an appointment with a counselor, contact the counseling department. Education Code §§ 48980(k), 51229.

Advanced Placement Examination:

Pupils enrolled in at least one Advanced Placement class and who qualify as economically disadvantaged, may apply for assistance to cover the cost of advanced placement examination fees. Pupils should contact a counselor or other administrator at their school for eligibility information. Education Code §§ 48980(j), 52240 et seq.

Participation in State Assessments and Option to Request Exemption:

Pupils in applicable grade levels will participate in the California Assessment of Student Performance and Progress (CAASPP) except as exempted by law. Each year, a parent may submit a written request to excuse their child from any or all parts of the CAASPP assessments for that school year. Education Code §§ 60640, 60615, 5 C.C.R. § 852.

PUPIL RECORDS

Pupil Records Access:

Parents/guardians have the right to access school records of their child, and to question, and receive a response from the school regarding items on their child's record that a parent/guardian feels is inaccurate, misleading, or is an invasion of their child's privacy. Education Code §§ 51101(a)(10), (15), 49063(f); 49069.7.

Notification of Privacy Rights of Pupils:

Federal and state laws grant certain privacy rights and pupil records access rights to students and to their parents/guardians. Full access to all personally identifiable written records, maintained by the school or county office must be granted to: (1)

Parents/guardians of a student age 17 or younger; and (2) Students age 18 or older, or students who are attending an institution of postsecondary instruction ("adult student"). In addition, parents/guardians of a student age 18 or older who is dependent for tax purposes, students age 16 or older or who have completed the 10th grade, and students age 14 or older who are both a "homeless child or youth" and an "unaccompanied youth" as defined in the McKinney-Vento Homeless Assistance Act ("eligible student"), must be permitted access to those particular pupil records relevant to the legitimate educational interest of the requester.

Parents/guardians, or an adult or eligible student, may review individual records by making a request to the principal. The principal will provide explanations and interpretations if requested.

In addition, a parent/guardian, adult, or eligible student may receive a copy of any information in the pupil's records at a reasonable cost per page. County office policies and procedures relating to types of records, kinds of information retained, persons responsible for maintaining pupil records, directory information, access by other persons, review, and to the challenge to content of records are available through the principal of their child's school or their designee. Parents/guardians may contact their child's school to review the log listing those who have requested or received information from their child's pupil records. Access to a pupil's records will only be granted to those with a legitimate educational interest.

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

If you believe the school or county office is not in compliance with federal regulations regarding privacy, you may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education at 400 Maryland Avenue, SW, Washington, DC 20202-5920.

The school also makes certain student directory information available in accordance with state and federal laws. This means that each student's name, birth date, address, telephone number, email address, major field of study, participation in officially recognized activities and sports, weight, and height of members of athletic teams, dates of attendance, degrees and awards achieved, and the most recent previous public or private school attended by the student, may be released to certain specified agencies. Appropriate directory information may not be provided to any private, profit-making entity other than employers, prospective employers or to representatives of the news media. Names and addresses of seniors or terminating students may be given to public or private schools and colleges. Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and the district will not release such information without parental consent or a court order.

Upon written request from the parent/guardian of a student age 17 or younger, the school will withhold directory information about the student. (Fill out Part III of Form A to make a request.) If the student is 18 or older or enrolled in an institution of post-secondary instruction and makes a written request, the student's request to deny access to directory information will be honored. Requests should be submitted within 30 calendar days of receipt of this notification.

Directory information will not be released regarding a student identified as a "homeless child or youth" as defined in the McKinney-Vento Homeless Assistance Act, unless a parent or student accorded parental rights has provided prior written consent that the directory information may be released. Education Code §§ 49060-49078, 51101; FERPA 20 U.S.C. § 1232g; 34 C.F.R. § 99.37.

Disclosure of Student Information Pursuant to Court Order or Subpoena:

Information concerning a student must be furnished in compliance with a court order or lawfully issued subpoena. Reasonable effort shall be made to notify the parent/guardian in advance of disclosing student information pursuant to a lawfully issued subpoena, and in the case of compliance with a court order, if lawfully possible within the requirements of the order. Education Code § 49077.

Access by Military Recruiters:

Military recruiters will have access to all secondary pupils' names, addresses and phone listings unless a parent/guardian requests that such information not be released without the prior written consent of the parent/guardian. 10 U.S.C. § 503; 20 U.S.C. § 7908.

ATTENDANCE, TEMPORARY INSTRUCTION AND ENROLLMENT

Excused Absences:

No pupil will have their grade reduced or suffer a loss of academic credit on account of an excused absence when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. An excused

absence is defined in Education Code section 48205 as an absence:

1. Due to the pupil's illness.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometrical, or chiropractic service rendered.
4. For the purpose of attending the funeral services of a member of the pupil's immediate family as defined in the Education Code, 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 services are conducted outside California.
5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats which shall not exceed four (4) hours per semester, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
8. For the purpose of serving as a member of a precinct board for an election pursuant to § 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. For the purpose of participating in a cultural ceremony or event, as defined in the Education Code.
12. For the purpose of a middle school or high school pupil engaging in a civic or political event, including but not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls, provided that the pupil notifies the school ahead of the absence.
 - (i) A pupil who is absent for this reason is required to be excused for only one school day absence per school year.
 - (ii) A pupil who is absent for this reason may be permitted additional excused absences in the discretion of a school administrator.
13. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

A pupil with an excused absence shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence. Education Code §§ 48980(a), (i), 48205; Elections Code § 12302.

Absence for Religious Exercises/Instruction:

With parent/guardian written consent, a student may be excused from school in order to participate in religious exercises or instruction consistent with the limitations specified in Education Code section 46014 provided the School Board has adopted a resolution permitting such absence and has adopted regulations governing such absences and the reporting thereof. Education Code §§ 46014, 48980(a).

Attendance Options:

California law gives parents/guardians the right to receive notification of all existing statutory attendance options and local attendance options available in the school, including options for meeting residency requirements for school attendance, programmatic options offered within local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis.

Parents/guardians may contact their student's school or district of residence for more information about the available statutory and local attendance options, including information regarding application procedures for alternative attendance areas or programs and application form(s) for requesting a change of attendance, and for information regarding the appeals process, if any, when a change of attendance is denied. Education Code § 48980(g).

Individual Instruction:

Except for pupils receiving individual instruction provided pursuant to a county office-sponsored program, a pupil with a temporary disability which makes attendance in the regular day classes or alternative education program in which the pupil is enrolled

impossible or inadvisable shall receive either individual instruction at home provided by the school in which the pupil is deemed to reside, or individual instruction in a hospital or other residential health facility, excluding state hospitals, provided by the school in which the hospital or other residential health facility is located. Education Code §§ 48206.3; 48980(b).

Residence When Hospitalized:

Notwithstanding compulsory education requirements, a pupil with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent/guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. It shall be the primary responsibility of the parent/guardian of a pupil with temporary disability to notify the school district in which the pupil is deemed to reside of the pupil's presence in a qualifying hospital. Education Code §§ 48207, 48208, 48980(a).

Residence Based on Parent/Guardian Employment:

A pupil complies with the residency requirements for school attendance in a school district, if the pupil's parent or guardian resides outside the boundaries of that school district but is employed and lives with the pupil at the place of their employment within the boundaries of the school district for a minimum of 3 days during the school week. Education Code § 48204(a)(7).

A pupil may also be deemed a pupil having complied with the residency requirements for school attendance in a school district if at least one parent/guardian is physically employed within the boundaries of that district for a minimum of 10 hours during the school week. Education Code § 48204(b).

Students of Active Military Parent/Guardian:

A child shall be deemed to meet residency requirements for school attendance in a school district, if the child is a student whose parent/guardian is transferred, or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order, and the student's parent/guardian has provided proof of residence in the school district within 10 days after the published arrival date provided on official documentation. Education Code § 48204.3

Pupil of California Resident Parents Departed State Against their Will:

A pupil complies with the residency requirements for school attendance in a school district if their parent(s)/guardian(s) were residents of the state but departed against their will, and the pupil seeks admission to a school of a school district, if certain requirements are met. Education Code § 48204.4.

Attendance Where Caregiver Resides:

If your child lives in the home of a caregiving adult, as defined by law, your child may attend the school district in which that residence is located. Execution of an affidavit, under penalty of perjury, by the caregiving adult is required to determine that your child lives in the caregiver's home. Education Code § 48204(a); Family Code §§ 6550, 6552.

Intradistrict Enrollment:

Residents of a school district may apply to enroll their child in other schools within the district to attend on a space available basis. Intradistrict enrollment is not applicable to districts with only one school or with schools that do not serve any of the same grade levels. Education Code § 35160.5(b).

Interdistrict Attendance:

A pupil may attend a school in a district other than the pupil's district of residence pursuant to an interdistrict agreement. Each school district has adopted policies regarding interdistrict attendance. You may contact your student's school for an application and further information. Education Code §§ 46600 et seq.

Specific School Request:

Parents/guardians have the right to request a specific school and to receive a response. Such a request does not obligate the school to grant the request. Education Code § 51101(a)(6).

Notice of Alternative Schools:

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

- a. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- b. Recognize that the best learning takes place when the student learns because of their desire to learn.

- c. Maintain a learning situation maximizing student self-motivation and encouraging the student in their own time to follow their own interests. These interests may result wholly or in part from a presentation by their teachers of choices of learning projects.
- d. Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- e. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent/guardian, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. Contact the school for more information. Education Code §§ 58500; 58501.

MISCELLANEOUS

Parent Involvement:

A parent/guardian has the right to participate as a member of a school site council, a parental advisory committee, or a site-based management leadership team in accordance with the rules governing parent membership of those organizations. A copy of the county office's policy regarding Parent Involvement is attached to this notice. Education Code § 51101(a)(14).

Volunteering Time and Resources:

Parents/guardians may volunteer their time and resources for the improvement of school facilities and programs under the supervision of school employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher. Although volunteer parents may assist with instruction, primary instructional responsibility shall remain with the teacher. Education Code § 51101(a)(3).

Open Campus:

A school that has decided to permit pupils enrolled in a high school to leave the school grounds during the lunch period is not liable for the conduct or safety of any pupil during such times as the pupil has left the school grounds during the lunch period. Education Code § 44808.5.

Nondiscrimination:

The county office has a policy of nondiscrimination on the basis of a person's race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics, in any of its policies, practices or procedures programs or activities. The county office's nondiscrimination policy complies with the requirements of Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 the Rehabilitation Act of 1973 ("Section 504"), the Individuals With Disabilities Education Improvement Act of 2004 and other related state and federal laws. Pupils or parents or any other individual having questions or concerns regarding these nondiscrimination and harassment policies or who may wish to file a complaint, should contact the school or the county office. Education Code § 220; 5 C.C.R. §§ 4900 et seq.

Pupils with Exceptional Needs/Section 504:

Yuba County school districts are included in the Yuba County Special Education Local Plan Area ("SELPA"). Pupils with exceptional needs, as defined by Education Code § 56026, have a right to a free and appropriate public education. If you suspect that your child has exceptional needs due to a disability, you may request an assessment for eligibility for special education services by contacting your school principal or the Yuba County Office of Education at (530) 749-4900.

Some pupils with special needs who do not qualify for special education may qualify for assistance under Section 504 of the Rehabilitation Act if they have a physical or mental impairment which substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. The school districts and county office have policies and procedures to identify and evaluate any student who may need assistance in their educational program or to provide access into district programs. Pupils or parents or others who have questions or concerns regarding the Section 504 policy may contact their school, school district, or the county office.

Minimum Age for Admission to Kindergarten:

Schools shall admit a pupil into kindergarten at the beginning of the school year, or at a later time in the same school year, if the

pupil will be 5 years of age on or before September 1 of the school year. Education Code § 48000(a).

Nutrition Program, Free or Reduced-Price Meals:

Free or reduced price meals are available for needy pupils. Contact your student's school for eligibility information. Education Code §§ 48980(b); 49510 et seq.

Pregnant and Parenting Pupils:

Pregnant and parenting pupils as defined in Education Code section 46015, have rights and options available to them, including, but not limited to, the provision of parental leave and reasonable lactation accommodations on campus. Education Code §§ 222, 222.5, 46015, 48980(a).

Personal Property:

Schools and the county office are not responsible for personal property. Pupils are discouraged from bringing non-instructional items to school. Education Code § 35213.

Parent Responsibility:

Parents/guardians are liable for all damages caused by the willful misconduct of their minor children which results in the death or injury to other students, school personnel, school volunteer or school property. Education Code § 48904; Civil Code § 1714.1.

Asbestos Management Plan:

The county office has a current asbestos management plan for each school site available for inspection at the county offices during normal business hours. 40 C.F.R. § 763.93; Education Code § 49410 et seq.

Use of Pesticide Products:

Please find attached to this notice a list of pesticide products expected to be applied at school sites this year. Recipients of this notice may register with their school site if they wish to receive notification of individual pesticide applications at the school site. Education Code §§ 17612, 48980.3.

Uniform Complaint Procedures:

The county office has adopted Uniform Complaint Procedures (UCP) for the filing, investigation and resolution of complaints subject to the UCP process, including those alleging unlawful discrimination, harassment, intimidation, and bullying, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on their association with a person or group with one or more of these actual or perceived characteristics; failure to comply with specified state and/or federal laws governing educational programs, including, adult education programs, consolidated categorical aide programs, migrant education, vocational education, physical education instructional minutes (grades 1-6), child care and development programs, child nutrition programs, special education programs, course periods without educational content (grades 9-12), education of pupils in foster care and pupils who are homeless, compensatory education, and accommodations for lactating students, and pregnant and parenting students; school safety plans; failure to comply with Local Control and Accountability Plan requirements; and for unlawfully charging pupil fees. A copy of the county office's Uniform Complaint Procedures is enclosed with this Notice. 5 C.C.R. § 4600 et seq.; Education Code § 49013, 48853.5

Williams Uniform Complaint Procedure:

The county office has adopted policies and procedures regarding complaints for deficiencies related to textbooks and instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of students or staff, and teacher vacancy and misassignment. For more information regarding Williams Uniform Complaint Procedures and/or to obtain a complaint form or assistance with the process, please contact the school or the county office. 5 C.C.R. § 4680 et seq.; Education Code § 35186.

Pupil Protections Relating to Immigration and Citizenship Status:

All students have a right to a free public education, regardless of immigration status or religious beliefs. The California Attorney General's website provides resources for immigrant students and family members online at: <https://oag.ca.gov/immigrant> Education Code § 234.7.

Professional Qualifications of Teachers:

At the beginning of each school year, parents/guardians may request information regarding the professional qualifications of their child's classroom teachers including, at a minimum:

- Whether the teacher has met state qualification and licensing criteria for the grade level(s) and subject area(s) in which the

teacher provides instruction.

- Whether the teacher is teaching under an emergency or other provisional status through which state qualification or licensing criteria have been waived.
- Whether the teacher is teaching in the field of discipline of the certification of the teacher.
- Whether their child is provided services by paraprofessionals, and if so, their qualifications.

20 U.S.C. § 6312; 34 C.F.R. § 200.61.

Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA):

PPRA affords parents/guardians of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED):
 1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student's parent; or
 8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of:
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
- Inspect, upon request and before administration or use:
 1. Protected information surveys of students and surveys created by a third party;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. Board policies regarding these rights may be obtained from the school or county office.

Parents/guardians who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-5920
20 U.S.C. § 1232h.

STUDENT ACCEPTABLE USE OF TECHNOLOGY POLICY (YCOE SP 6163.4)

Introduction: The Yuba County Office of Education (YCOE) provides technological resources for student use to support the

instructional program and to promote educational excellence. These resources include equipment, software, software as services, electronic networks, website content, and licenses. Students are expected to use these technological resources in a responsible, safe, and age-appropriate manner.

Conditions of Acceptable Use Policies:

This *Acceptable Use Agreement* (AUA) presents the obligations and responsibilities of students while using YCOE technological resources. Access to YCOE technological resources may be terminated, denied, suspended, or revoked at any time as a result of violations of this AUA. Parents/guardians are expected to review this AUA with their children. The signature(s) at the end of this document indicate acceptance of the terms of student use. Signature(s) are required prior to student access to YCOE technological resources (PART IV).

Access and Security:

Some uses of the YCOE technology resources may require an account with a username and password. Any student identified as a security risk will be denied access to these resources. Sharing of username and password information with others or accessing another user's files without his/her knowledge or permission or under the direction of a teacher/supervisor will result in access being revoked or suspended. In addition, inappropriate use of these technology resources may result in disciplinary action (including the possibility of suspension or expulsion), and/or referral to legal authorities.

Internet Safety:

In compliance with the Children's Internet Protection Act (CIPA), YCOE uses a technology protection measure that filters and blocks access to unacceptable web content. However, there is still the risk that a student may be exposed to unacceptable, harmful, or inappropriate content. If a student accidentally connects to such material, he/she should immediately contact his/her teacher/supervisor.

Cyber Safety:

Students should be aware of online safety rules including protecting themselves and others from online predators. Students should not give their personal or identifiable information about themselves or others. Students need to be aware that there are online predators disguising themselves to gather personal and identifiable information to do harm to the individual user or others. Cyberbullying will not be tolerated and may result in disciplinary/legal actions.

Acceptable Use:

Acceptable use means that a student uses these resources in an appropriate manner, abiding by the rules and regulations described in this agreement and avoiding all unacceptable uses of these electronic resources as described below.

Unacceptable Use and Potential Consequences:

Unacceptable use of YCOE technological resources is outlined in the following section (Student Obligations and Responsibilities). Student use of YCOE technological resources may be terminated, denied, suspended, or revoked at any time. Disciplinary and/or legal action may be pursued in the event of violation of any conditions of applicable law, Board policy, administrative regulation, or the Student Acceptable Use Policy.

Smartphones (EC §48901.5 and §48901.7):

YCOE may adopt a policy to regulate, limit or prohibit the possession or use of smartphones and any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging, and signaling equipment, by pupils of YCOE schools while the pupils are on campus, while attending school-sponsored activities, or while under the supervision of school district employees. A pupil may use a smartphone under the following circumstances: (1) In the case of an emergency, or in response to a perceived threat of danger. (2) When a teacher or administrator of the county office of education, or charter school grants permission to a pupil to possess or use a smartphone, subject to any reasonable limitation imposed by that teacher or administrator. (3) When a licensed physician and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the pupil. (4) When the possession or use of a smartphone is required in a pupil's individualized education program.

Smartphones and other Electronic Gear:

Smartphones and other electronic devices must not disrupt the education goals of YCOE. Use of these devices during scheduled class time is strictly prohibited. YCOE acknowledges the need for students and families to communicate with smartphones. Smartphone and other electronic device use during breaks and lunch time is at the discretion of the classroom teacher and must align with established class rules and procedures.

YCOE assumes no liability for smartphone or other electronic devices that may be confiscated (due to violation of YCOE policies) or

lost or stolen from the classroom.

Student Obligations and Responsibilities:

Students are authorized to use the technological resources of YCOE in accordance with the obligations and responsibilities specified below.

- Students shall not disclose, use, distribute, publish, e-mail, hyperlink, or make available for downloading personal identifying information about themselves or anyone else when using the Internet, e-mail, chat rooms, or other forms of direct electronic communication unless authorized, in writing, by the program administrator for purposes consistent with the educational program. Personal identifying information includes, but is not limited to digital images, full names, personal account access information, home addresses, phone numbers, Social Security numbers, and any other individually identifiable information.
- Students shall not use YCOE technological resources for commercial or other for-profit activities, political or religious purposes, or personal use unrelated to an educational purpose.
- Students shall not use technological resources to encourage the use of drugs, alcohol, or tobacco, to promote or participate in unethical practices such as cheating and plagiarism, or to conduct any activity prohibited by law, Board policy, or administrative regulation.
- Students are prohibited from accessing, downloading, posting, transmitting, publishing, or displaying harmful matter or any content that is inappropriate, threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of any member of a group protected by state or federal law.
- Students shall not use technological resources to engage in Cyberbullying. Cyberbullying refers to any severe or pervasive act or conduct inflicted by means of an electronic act for the purpose of harassing, intimidating, or threatening any individual, including students, staff, or administrators, at any time. This includes using YCOE technological resources to access e-mail messages, texts, sounds, images, or posts on a social networking website for such purposes. Cyberbullying is further defined in YCOE Administrative Regulation 6163, available from school administration.
- Students shall not connect to social networking websites unless authorized, in writing, by the program administrator for purposes consistent with the educational program. Any authorized participation by students in social networking websites must be in compliance with the obligations and responsibilities of this AUA.
- Students shall not download, post, transmit, or publish any copyrighted material, including multimedia and software except as permitted by copyright law or with appropriate permission or license.
- Students shall not knowingly access and without permission read, delete, copy, or modify other users' e-mail messages or files; interfere with other users' ability to send or receive e-mail messages; or forge or fraudulently use other users' e-mail or files.
- Students shall not commit acts of vandalism, including but not limited to, hacking, intentionally uploading, downloading, transferring, or creating computer viruses and/or any malicious or unauthorized use of YCOE technological resources. Also included are any actions that attempt to harm or destroy equipment or materials or manipulate the data, in any form, of any other user. Public offenses related to computer crime are further defined in Penal Code section 502.
- Students shall not purposefully disable or circumvent any technology protection measure installed on YCOE technological resources.

Definitions Of Terms:

Technological resources of the Yuba County Office of Education (YCOE) include but are not limited to the following:

Equipment: All desktop, laptop, tablet, and portable computers; telephones and cellular phones; personal digital assistants (PDAs); and peripheral devices, including printers, scanners, and external or removable storage devices

Software: Operating systems; off-the-shelf applications; operating system and browser extensions; and the CD-ROMs, DVDs and electronic downloads containing applications and installers

Software as a Service (SaaS): Application software that is Internet-based and is not installed on local workstations, such as Google Apps for Education and Microsoft Office 365

Wired and Wireless Electronic Networks: Equipment, cabling, software, and data circuitry that provides wired or wireless connections among YCOE facilities, commercial Internet access (including services granted by the K12 High Speed Network), and interconnection of YCOE servers and workstations.

Websites and content: All web sites hosted on equipment owned or leased by YCOE and all websites bearing the Yuba County Board

of Education copyright, including the underlying text, pictures, data, and presentation of information that comprises static and dynamic web page content.

Licenses: All documentation, activation keys and codes, and rights to use and/or redistribute that are purchased by or granted to YCOE for the purpose of using copyrighted software

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

Electronic act means the transmission of a communication, including but not limited to, a message, text, sound, image, or post on a social networking website, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager. [California Education Code section 48900(r)]

Privacy and Monitoring Policy:

Students must be aware that information accessed, created, sent, received, or stored on any YCOE technological resource is not private and may be read or monitored by staff.

iPad Acceptable Use Policy

Yuba County Office of Education (YCOE) retains sole right of possession of the iPad and related equipment. The iPad will be issued to staff or students according to the guidelines set forth in this document. The classroom teacher, school administration, or technology department retains the right to collect and/or inspect the iPad at any time and to alter, add or delete installed software or hardware. Usage is a privilege and not a right.

Customization of Equipment

The student is permitted to alter or add files to customize the assigned iPad to their own working styles (i.e., System Preferences). The student is not permitted to install software on the assigned iPad.

Damage or Loss of Equipment

Students are required to report any damage or loss to the classroom teacher, who will determine necessary action. All iPads are covered by a manufacturer's extended warranty as well as an additional insurance policy. The warranty covers manufacturer's defects.

Standards for Personal iPad Care:

Student Responsibilities:

- Keep the iPad with you or within your sight at all times
- Do not let anyone use the iPad other than your teacher or parents
- Adhere to Yuba County Office of Education's Acceptable Use Policy (AUP) at all times
- Report any problems, damage, or theft immediately to your teacher

General Care:

- Do not do anything to the iPad that will permanently alter it in any way
- Do not remove any serial numbers or identification placed on the iPad
- Keep the equipment clean. For example, do not eat or drink while using the iPad

Carrying the iPad:

- Transport the iPad in the iPad case provided by YCOE

Screen Care:

- Clean the screen with a soft, dry anti-static cloth or with a screen cleaner designed specifically for LCD type screens only. Do not use any household cleaners or products.

Personal Health & Safety:

- Avoid extended use of the iPad while resting directly on your lap. The bottom of the iPad can generate significant heat
- Take frequent breaks when using the iPad for long periods of time. Look away from the iPad approximately every fifteen minutes
- Do not provide your personal information to anyone over the Internet
- Do not share your passwords with anyone.
- Keep the iPad in a secure location when/if it is not at school

Restricted Use:

Student placed on restrictive use must only use iPad on the school's campus during days of regular instruction. Student must retrieve an iPad provided in core classroom prior to the start of regular instruction and return it at the end of each instructional day. Students who violate one or more of the conditions below may, at the Principal's or County Offices' discretion, be placed on Restricted Use (minimum 1 month) until the student's Principal/Teacher determines student has satisfied the conditions for non-restrictive use as specified by the Principal/Teacher. Reasons for placing a student on Restrictive Use include the following:

- Excessive damage

- Excessive loss
- Non-acceptance of user agreements
- Excessive interruptions in service due to repair of local modifications
- Violation of Superintendent Policies and/or Administrative Regulations (iPad is considered an instructional material and subject to damaged or Lost Instructional materials found in Superintendent Policy 6161.2)
- Violation of YCOE Acceptable Use Agreement
- Inappropriate, defamatory, inaccurate, abusive, obscene, profane, or illegal material found on iPad
- Violating Standards for Personal iPad Care
- Repeated failure to bring to class daily/failure to bring charged
- Lack of minimum attendance requirement (95%)
- Excessive class tardiness



Yuba County Office of Education
Annual Notice to Parent or Guardian Regarding Your Rights – 2023-2024

Dear Parent or Guardian:

Our focus is to ensure that we are meeting your child's educational needs. As required by law, I wish to notify you, as parents and/or guardians of students enrolled in our schools, of your rights and responsibilities. Please take a moment of your time to carefully review the Annual Notification located online at <https://www.yubacoe.org>. If you would like a paper copy of the Annual Notice, please contact your child's school site administrator. After your review, please sign and return to your child's school, the parent/guardian acknowledgement below, indicating that you have reviewed these materials.

If you have any questions regarding this information, please feel free to contact the Yuba County Office of Education, 749-4871, or your child's school site administrator.

Sincerely,

Leslie Cena

Leslie Cena, Assistant Superintendent, Educational Services
Yuba County Office of Education

2023/2024 Parent/Guardian Acknowledgement – Part I:

Education Code Section 48982 requires parents or guardians to sign and return this acknowledgement.

By signing below, I am neither giving nor withholding consent for my child/children to participate in any program. I am merely indicating that I have reviewed the Annual Notice with information regarding my rights relating to activities which might affect my child.

Printed Name of Student

Parent/Guardian Signature

Date

Request to Be Excused from Comprehensive Sexual Health Education and HIV Prevention Education – Part II (grades 7-12):
COMPLETION OPTIONAL

If you wish for this pupil to be excused from comprehensive sexual health education and HIV prevention education, please sign below.

Printed Name of Student

Parent/Guardian Signature

Date

Request to Deny Access to Directory Information – Part III:
COMPLETION OPTIONAL

If you do not wish directory information to be released regarding this pupil, please sign below. Note that this will prohibit the district from providing the pupil's name and other "directory" information to the news media, interested schools, parent-teacher association, interested employers, and similar parties.

Printed Name of Student

Parent/Guardian Signature

Date

Yuba County Office of Education
Acceptable Use Agreement (Student Use of YCOE Technological Resources) – 2023-2024

Parent/Guardian Agreement – Part IV:

(Students under the age of 18 must have a parent or guardian read and sign this Acceptable Use Agreement.)

As a parent or guardian of the student named below, I have read the Acceptable Use Agreement (AUA) contained in the Annual Notification located online at <https://www.yubacoe.org> and I understand that the use of the YCOE Technological Resources is provided for educational purposes only. I understand that it is impossible for the YCOE to block access to all controversial content, and I will not hold the YCOE, district, or school/program responsible for content acquired or accessed using YCOE Technological Resources. I hereby give my permission for my child or dependent to use YCOE Technological Resources.

I release YCOE, its affiliates and its employees from any claims or damages of any nature arising from my child's or dependent's access or use of YCOE Technological Resources. I also agree not to hold the YCOE responsible for content improperly acquired, or for violations of copyright restrictions, user's mistakes or negligence, or any costs incurred by users.

This agreement shall be governed by and construed under the laws of the United States and the State of California.

Parent/Legal Guardian Signature

Print Parent/Legal Guardian Name

Date

Print Student Name

Student Agreement:

I acknowledge that I understand and agree to follow the Obligations and Responsibilities presented in this Acceptable Use Agreement (AUA). I understand that any violations could result in the immediate loss of my use of the YCOE Technological Resources and may result in further disciplinary and/or legal action, including but not limited to suspension, or referral to legal authorities.

Student Signature

Print Student Name

Date

Age

Disclaimer: YCOE does not guarantee the quality, condition, or functioning of technological resources provided to students for academic use. YCOE is not responsible for damages suffered while using the provided technological resources. These damages include: the loss of data, non-deliveries, or service interruptions caused by the YCOE network and/or technological resources. YCOE is not responsible for the accuracy or quality of any information obtained through the use of its technological resources. Also, YCOE takes precautions to ensure students cannot access or receive inappropriate and/or obscene content via technological resources, however, cannot guarantee that all such content will be blocked.

For detailed information regarding student use of YCOE technological resources, see
Administrative Regulation 6163, available from school administration.

Series 5000 – Students

SP 5145.7

| TITLE: Sexual Harassment | |
|---|---|
| Approved by: <u>On File</u> <i>Francisco Reveles, Ed.D., Superintendent of Schools</i> | Series: Students Version: 2 Effective Date: July 1, 2021 Previous Policy Date: Unknown Revised By: Committee Policy Number: SP 5145.7 |

The County Office of Education (COE) is committed to maintaining a safe school environment that is free from harassment and discrimination. Sexual harassment targeted at any student in a COE educational program, school, or school-sponsored or school-related activity is prohibited. Retaliatory behavior or action against any person who reports, files a complaint, or testifies about sexual harassment or who otherwise supports a complainant in alleging sexual harassment is also prohibited.

Students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, are strongly encouraged to immediately contact their teacher, the principal or program administrator, the COE's Title IX Coordinator, or any other available school employee.

Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator so that steps may be taken to investigate and address the allegation in accordance with law and related COE regulations.

Once notified of a complaint or allegation of sexual harassment, the Title IX Coordinator shall ensure that it is addressed through the COE's Title IX complaint procedures or uniform complaint procedures (UCP), as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of the Title IX procedure concurrently meets the requirements of UCP.

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

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion pursuant to Education Code 48900.2, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

1040 Duties and responsibilities; county boards of education

1042 County boards; authority

35160 Authority of county boards

35160.1 Authority of county boards; legislative intent

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48915 Grounds for expulsion

48980 Notice at beginning of term

48985 Notices, report, statements and records in primary language

CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.82 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2000, 9th Cir.) 208 F.3d 736

Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Q&A on Campus Sexual Misconduct, September 2017

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

(1/19 8/20) 1/21

Series 5000 – Students

AR 5145.7

TITLE: Sexual Harassment

Approved by: Francisco Reveles
Francisco Reveles, Ed.D., Superintendent of Schools

Series: **Students**
Version: **2**
Effective Date: **3/1/2023**
Previous Policy Date: **Unknown**
Revised By: **Committee**
Policy Number: **AR 5145.7**

Definitions

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

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

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

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

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

- education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

Examples of Sexual Harassment

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

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

Title IX Coordinator/Compliance Officer

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

Yuba County Office of Education
Mary Hang, Executive Director of Human Resources, Title IX Coordinator/Compliance Officer/Reasonable Accommodations
935 14th Street, Marysville, CA 95901
530-749-4870
mary.hang@yubacoe.k12.ca.us

Notifications

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

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

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the county office's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6; 34 CFR 106.8)
5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
6. Appear in any school or county office publication that sets forth the school's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
7. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to students or parents/guardians (34 CFR 106.8)

The Superintendent or designee shall also post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code

221.8, in a prominent location on the county office's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.6)

Reporting Complaints

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

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

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

Complaint Procedures

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

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

| Federal | Description |
|------------------|---|
| 20 USC 1092 | Definition of sexual assault |
| 20 USC 1221 | Application of laws |
| 20 USC 1232g | Family Educational Rights and Privacy Act (FERPA) of 1974 |
| 20 USC 1681-1688 | Title IX of the Education Amendments of 1972; discrimination based on sex |

| | |
|---|---|
| 34 CFR 106.1-106.71 | Nondiscrimination on the basis of sex in education programs |
| 34 CFR 106.1-106.82 | Nondiscrimination on the basis of sex in education programs |
| 34 CFR 99.1-99.67 | Family Educational Rights and Privacy |
| 34 USC 12291 | Definition of dating violence, domestic violence, and stalking |
| 42 USC 1983 | Civil action for deprivation of rights |
| 42 USC 2000d-2000d-7 | Title VI, Civil Rights Act of 1964 |
| 42 USC 2000e-2000e-17 | Title VII, Civil Rights Act of 1964, as amended |
| Management Resources | Description |
| Court Decision | Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736 |
| Court Decision | Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473 |
| Court Decision | Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274 |
| Court Decision | Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130 |
| Court Decision | Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567 |
| Court Decision | Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447 |
| Court Decision | Davis v. Monroe County Board of Education, (1999) 526 U.S. 629 |
| CSBA Publication | Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011 |
| CSBA Publication | Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014 |
| U.S. DOE, Office for Civil Rights Publication | Sexual Harassment: It's Not Academic, September 2008 |
| U.S. DOE, Office for Civil Rights Publication | Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001 |
| U.S. DOE, Office for Civil Rights Publication | Q&A on Campus Sexual Misconduct, September 2017 |
| U.S. DOE, Office for Civil Rights Publication | Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016 |
| Website | U.S. Department of Education, Office for Civil Rights |
| Website | CSBA |
| Website | California Department of Education |
| State | Description |
| 2000e-2000e-17 | Title VII, Civil Rights Act of 1964 as amended |
| 5 CCR 4600-4670 | Uniform complaint procedures |
| 5 CCR 4900-4965 | Nondiscrimination in elementary and secondary education programs |
| Civ. Code 1714.1 | Liability of parent or guardian for act of willful misconduct by a minor |

| | |
|-------------------------|---|
| Civ. Code 51.9 | Liability for sexual harassment; business, service and professional relationships |
| Ed. Code 200-262.4 | Educational equity; prohibition of discrimination on the basis of sex |
| Ed. Code 35160 | Authority of governing boards |
| Ed. Code 48900 | Grounds for suspension or expulsion; definition of bullying |
| Ed. Code 48900 | Grounds for suspension and expulsion |
| Ed. Code 48900.2 | Additional grounds for suspension or expulsion; sexual harassment |
| Ed. Code 48904 | Liability of parent/guardian for willful student misconduct |
| Ed. Code 48980 | Parent/Guardian notifications |
| Gov. Code 12950.1 | Sexual harassment training |
| Cross References | |
| Code | Description |
| 0410 | Nondiscrimination In County Office Programs And Activities |
| 1113 | County Office Of Education And School Web Sites |
| 1113 | County Office Of Education And School Web Sites |
| 1113-E(1) | County Office Of Education And School Web Sites |
| 1312.3 | Uniform Complaint Procedures |
| 1312.3-E(1) | Uniform Complaint Procedures |
| 1312.3-E(2) | Uniform Complaint Procedures |
| 1312.3-E(3) | Uniform Complaint Procedures |
| 5131.2 | Bullying |
| 5131.2 | Bullying |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.3 | Nondiscrimination/Harassment |
| 5145.71 | Title IX Sexual Harassment Complaint Procedures |
| 5145.71-E(1) | Title IX Sexual Harassment Complaint Procedures |
| 5145.71-E(2) | Title IX Sexual Harassment Complaint Procedures |

| JULY 2023 | | | | | 20 | AUGUST | | | | | 20 | SEPTEMBER | | | | | 20 | OCTOBER | | | | | 22 |
|-----------|----|------|----|----|----|----------|-----|------|----|----|----|--------------|----|------|----|----|----|-----------|-----|------|----|----|----|
| M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | |
| 3 | 4 | 5 | 6 | 7 | | | 1 | 2 | 3 | 4 | | | | | | 1 | | 2 | 3 | *4* | 5 | 6 | |
| 10 | 11 | 12 | 13 | 14 | | 7 | (8) | (9) | 10 | 11 | | 4 | 5 | *6* | 7 | 8 | | 9 | 10 | *11* | 12 | 13 | |
| 17 | 18 | 19 | 20 | 21 | | 14 | 15 | *16* | 17 | 18 | | 11 | 12 | *13* | 14 | 15 | | 16 | 17 | *18* | 19 | 20 | |
| 24 | 25 | 26 | 27 | 28 | | 21 | 22 | *23* | 24 | 25 | | 18 | 19 | *20* | 21 | 22 | | 23 | 24 | *25* | 26 | 27 | |
| 31 | | | | | | 28 | 29 | *30* | 31 | | | 25 | 26 | *27* | 28 | 29 | | 30 | 31 | | | | |
| NOVEMBER | | | | | 16 | DECEMBER | | | | | 11 | JANUARY 2024 | | | | | 20 | FEBRUARY | | | | | 19 |
| M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | |
| | | *1* | 2 | 3 | | | | | | 1 | | 1 | 2 | *3* | 4 | 5 | | | | | 1 | 2 | |
| 6 | 7 | *8* | 9 | 10 | | 4 | 5 | *6* | 7 | 8 | | 8 | 9 | *10* | 11 | 12 | | 5 | 6 | *7* | 8 | 9 | |
| 13 | 14 | *15* | 16 | 17 | | 11 | 12 | *13* | 14 | 15 | | 15 | 16 | *17* | 18 | 19 | | 12 | 13 | 14 | 15 | 16 | |
| 20 | 21 | 22 | 23 | 24 | | 18 | 19 | 20 | 21 | 22 | | 22 | 23 | *24* | 25 | 26 | | 19 | 20 | *21* | 22 | 23 | |
| 27 | 28 | *29* | 30 | | | 25 | 26 | 27 | 28 | 29 | | 29 | 30 | *31* | | | | 26 | 27 | *28* | 29 | | |
| MARCH | | | | | 20 | APRIL | | | | | 17 | MAY | | | | | 22 | JUNE 2024 | | | | | 18 |
| M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | |
| | | | | 1 | | 1 | 2 | 3 | 4 | 5 | | | | *1* | 2 | 3 | | *3* | (4) | 5 | 6 | 7 | |
| 4 | 5 | *6* | 7 | 8 | | 8 | 9 | *10* | 11 | 12 | | 6 | 7 | *8* | 9 | 10 | | 10 | 11 | 12 | 13 | 14 | |
| 11 | 12 | *13* | 14 | 15 | | 15 | 16 | *17* | 18 | 19 | | 13 | 14 | *15* | 16 | 17 | | 17 | 18 | 19 | 20 | 21 | |
| 18 | 19 | *20* | 21 | 22 | | 22 | 23 | *24* | 25 | 26 | | 20 | 21 | *22* | 23 | 24 | | 24 | 25 | 26 | 27 | 28 | |
| 25 | 26 | *27* | 28 | 29 | | 29 | 30 | | | | | 27 | 28 | *29* | 30 | 31 | | | | | | | |

HOLIDAYS/SCHOOL NOT IN SESSION

| | |
|-------------------------|------------------------|
| July 4 | Independence Day |
| September 4 | Labor Day |
| November 10 | Veterans Day |
| November 20 - 24 | Thanksgiving Recess |
| December 18 - January 2 | Winter Recess |
| January 15 | Martin Luther King Day |
| February 12 - 19 | February Recess |
| March 29 - April 5 | Spring Recess |
| May 27 | Memorial Day |
| June 19 | Juneteenth |

KEY DATES

| | |
|---|---|
| Staff Contract Days (Students Not in Attendance) | () August 8, August 9, June 2 |
| First & Last Day of School | <input type="checkbox"/> August 10, June 3 |
| Minimum Days | * * Aug. 16,23,30 Sept. 6,13,20,27 Oct. 4,11,18,25 Nov. 1,8,15,29 Dec. 6,13 Jan. 3,10,17,24,31 Feb. 7,21,28 Mar. 6,13,20,27 April 10,17,24 May 1,8,15,22,29 June 3 |
| Extended Year Session | July 3-August 4, 2023 February 13-16, 2024 June 5-28, 2024 |

| JULY 2023 | | | | | AUGUST | | | | | 16 | SEPTEMBER | | | | | 20 | OCTOBER | | | | | 22 | |
|-----------|----|------|----|----|--------|----------|------|----|----|----|-----------|--------------|------|----|----|-----|---------|-----------|----|----|--|----|----|
| M | T | W | Th | F | M | T | W | Th | F | | M | T | W | Th | F | M | T | W | Th | F | | | |
| 3 | 4 | 5 | 6 | 7 | | 1 | 2 | 3 | 4 | | | | | | 1 | 2 | 3 | *4* | 5 | 6 | | | |
| 10 | 11 | 12 | 13 | 14 | 7 | (8) | (9) | 10 | 11 | | 4 | 5 | *6* | 7 | 8 | 9 | 10 | *11* | 12 | 13 | | | |
| 17 | 18 | 19 | 20 | 21 | 14 | 15 | *16* | 17 | 18 | | 11 | 12 | *13* | 14 | 15 | 16 | 17 | *18* | 19 | 20 | | | |
| 24 | 25 | 26 | 27 | 28 | 21 | 22 | *23* | 24 | 25 | | 18 | 19 | *20* | 21 | 22 | 23 | 24 | *25* | 26 | 27 | | | |
| 31 | | | | | 28 | 29 | *30* | 31 | | | 25 | 26 | *27* | 28 | 29 | 30 | 31 | | | | | | |
| NOVEMBER | | | | | 16 | DECEMBER | | | | | 11 | JANUARY 2024 | | | | | 20 | FEBRUARY | | | | | 15 |
| M | T | W | Th | F | M | T | W | Th | F | | M | T | W | Th | F | M | T | W | Th | F | | | |
| | | *1* | 2 | 3 | | | | | 1 | | 1 | 2 | *3* | 4 | 5 | | | | 1 | 2 | | | |
| 6 | 7 | *8* | 9 | 10 | 4 | 5 | *6* | 7 | 8 | | 8 | 9 | *10* | 11 | 12 | 5 | 6 | *7* | 8 | 9 | | | |
| 13 | 14 | *15* | 16 | 17 | 11 | 12 | *13* | 14 | 15 | | 15 | 16 | *17* | 18 | 19 | 12 | 13 | 14 | 15 | 16 | | | |
| 20 | 21 | 22 | 23 | 24 | 18 | 19 | 20 | 21 | 22 | | 22 | 23 | *24* | 25 | 26 | 19 | 20 | *21* | 22 | 23 | | | |
| 27 | 28 | *29* | 30 | | 25 | 26 | 27 | 28 | 29 | | 29 | 30 | *31* | | | 26 | 27 | *28* | 29 | | | | |
| MARCH | | | | | 20 | APRIL | | | | | 17 | MAY | | | | | 22 | JUNE 2024 | | | | | 1 |
| M | T | W | Th | F | M | T | W | Th | F | | M | T | W | Th | F | M | T | W | Th | F | | | |
| | | | | 1 | 1 | 2 | 3 | 4 | 5 | | | | *1* | 2 | 3 | *3* | 4 | 5 | 6 | 7 | | | |
| 4 | 5 | *6* | 7 | 8 | 8 | 9 | *10* | 11 | 12 | | 6 | 7 | *8* | 9 | 10 | 10 | 11 | 12 | 13 | 14 | | | |
| 11 | 12 | *13* | 14 | 15 | 15 | 16 | *17* | 18 | 19 | | 13 | 14 | *15* | 16 | 17 | 17 | 18 | 19 | 20 | 21 | | | |
| 18 | 19 | *20* | 21 | 22 | 22 | 23 | *24* | 25 | 26 | | 20 | 21 | *22* | 23 | 24 | 24 | 25 | 26 | 27 | 28 | | | |
| 25 | 26 | *27* | 28 | 29 | 29 | 30 | | | | | 27 | 28 | *29* | 30 | 31 | | | | | | | | |

| HOLIDAYS/SCHOOL NOT IN SESSION | |
|--------------------------------|------------------------|
| July 4 | Independence Day |
| September 4 | Labor Day |
| November 10 | Veterans Day |
| November 20 - 24 | Thanksgiving Recess |
| December 18 - January 2 | Winter Recess |
| January 15 | Martin Luther King Day |
| February 12 - 19 | February Recess |
| March 29 - April 5 | Spring Recess |
| May 27 | Memorial Day |
| June 19 | Juneteenth |

| KEY DATES | |
|---|---|
| Staff Contract Days (Students Not in Attendance) | () August 8, August 9 |
| First & Last Day of School | <input type="checkbox"/> August 10, June 3 |
| Minimum Days | * * Aug. 16,23,30 Sept. 6,13,20,27 Oct. 4,11,18,25 Nov. 1,8,15,29 Dec. 6,13 Jan. 3,10,17,24,31 Feb. 7,21,28 Mar. 6,13,20,27 April 10,17,24 May 1,8,15,22,29 June 3 |

| JULY 2023 | | | | | AUGUST | | | | | 14 | SEPTEMBER | | | | | 20 | OCTOBER | | | | | 17 | |
|-----------|----|----|----|----|--------|----------|-----|------|------|----|-----------|--------------|----|----|----|----|---------|-----------|----|----|-----|-----|----|
| M | T | W | Th | F | M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | | |
| 3 | 4 | 5 | 6 | 7 | | 1 | 2 | 3 | 4 | | | | | | 1 | | 2 | 3 | 4 | 5 | 6 | | |
| 10 | 11 | 12 | 13 | 14 | (7) | (8) | (9) | (10) | (11) | | 4 | 5 | 6 | 7 | 8 | | 9 | 10 | 11 | 12 | 13 | | |
| 17 | 18 | 19 | 20 | 21 | 14 | 15 | 16 | 17 | 18 | | 11 | 12 | 13 | 14 | 15 | | 16 | 17 | 18 | 19 | 20 | | |
| 24 | 25 | 26 | 27 | 28 | 21 | 22 | 23 | 24 | 25 | | 18 | 19 | 20 | 21 | 22 | | 23 | 24 | 25 | 26 | 27 | | |
| 31 | | | | | 28 | 29 | 30 | 31 | | | 25 | 26 | 27 | 28 | 29 | | 30 | 31 | | | | | |
| NOVEMBER | | | | | 16 | DECEMBER | | | | | 11 | JANUARY 2024 | | | | | 20 | FEBRUARY | | | | | 15 |
| M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | |
| | | 1 | 2 | 3 | | | | | | 1 | | 1 | 2 | 3 | 4 | 5 | | | | | 1 | 2 | |
| 6 | 7 | 8 | 9 | 10 | | 4 | 5 | 6 | 7 | 8 | | 8 | 9 | 10 | 11 | 12 | | 5 | 6 | 7 | 8 | 9 | |
| 13 | 14 | 15 | 16 | 17 | | 11 | 12 | 13 | 14 | 15 | | 15 | 16 | 17 | 18 | 19 | | 12 | 13 | 14 | 15 | 16 | |
| 20 | 21 | 22 | 23 | 24 | | 18 | 19 | 20 | 21 | 22 | | 22 | 23 | 24 | 25 | 26 | | 19 | 20 | 21 | 22 | 23 | |
| 27 | 28 | 29 | 30 | | | 25 | 26 | 27 | 28 | 29 | | 29 | 30 | 31 | | | | 26 | 27 | 28 | 29 | | |
| MARCH | | | | | 20 | APRIL | | | | | 17 | MAY | | | | | 22 | JUNE 2024 | | | | | 3 |
| M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | | M | T | W | Th | F | |
| | | | | 1 | | 1 | 2 | 3 | 4 | 5 | | | | 1 | 2 | 3 | | 3 | 4 | 5 | (6) | (7) | |
| 4 | 5 | 6 | 7 | 8 | | 8 | 9 | 10 | 11 | 12 | | 6 | 7 | 8 | 9 | 10 | | 10 | 11 | 12 | 13 | 14 | |
| 11 | 12 | 13 | 14 | 15 | | 15 | 16 | 17 | 18 | 19 | | 13 | 14 | 15 | 16 | 17 | | 17 | 18 | 19 | 20 | 21 | |
| 18 | 19 | 20 | 21 | 22 | | 22 | 23 | 24 | 25 | 26 | | 20 | 21 | 22 | 23 | 24 | | 24 | 25 | 26 | 27 | 28 | |
| 25 | 26 | 27 | 28 | 29 | | 29 | 30 | | | | | 27 | 28 | 29 | 30 | 31 | | | | | | | |

| HOLIDAYS/SCHOOL NOT IN SESSION | |
|--------------------------------|---------------------------------|
| July 4 | Independence Day |
| September 4 | Labor Day |
| October 9-13 | October Recess |
| November 10 | Veterans Day |
| November 20 - 24 | Thanksgiving Recess |
| December 18 - January 2 | Winter Recess |
| January 15 | Martin Luther King Day |
| February 12 - 19 | February Recess/President's Day |
| March 29 - April 5 | Spring Recess |
| May 27 | Memorial Day |
| July 19 | Juneteenth |

| KEY DATES | |
|---|---|
| Staff Contract Days (Students Not in Attendance) | () Staff Work Day: August 7, 8, 9, 10, 11 & June 6,7 |
| First & Last Day of School | <input type="checkbox"/> August 14, June 5 |

| JULY 2023 | | | | | AUGUST | | | | | 16 | SEPTEMBER | | | | | 20 | OCTOBER | | | | | 22 | |
|-----------|----|------|----|----|--------|----------|------|----|------|----|-----------|--------------|------|----|----|-----|---------|-----------|----|----|--|----|----|
| M | T | W | Th | F | M | T | W | Th | F | | M | T | W | Th | F | M | T | W | Th | F | | | |
| 3 | 4 | 5 | 6 | 7 | | 1 | 2 | 3 | 4 | | | | | | 1 | 2 | 3 | *4* | 5 | 6 | | | |
| 10 | 11 | 12 | 13 | 14 | 7 | (8) | (9) | 10 | 11 | | 4 | 5 | *6* | 7 | 8 | 9 | 10 | 11 | 12 | 13 | | | |
| 17 | 18 | 19 | 20 | 21 | 14 | 15 | *16* | 17 | 18 | | 11 | 12 | 13 | 14 | 15 | 16 | 17 | *18* | 19 | 20 | | | |
| 24 | 25 | 26 | 27 | 28 | 21 | 22 | 23 | 24 | 25 | | 18 | 19 | *20* | 21 | 22 | 23 | 24 | 25 | 26 | 27 | | | |
| 31 | | | | | 28 | 29 | 30 | 31 | | | 25 | 26 | 27 | 28 | 29 | 30 | 31 | | | | | | |
| NOVEMBER | | | | | 16 | DECEMBER | | | | | 11 | JANUARY 2024 | | | | | 20 | FEBRUARY | | | | | 15 |
| M | T | W | Th | F | M | T | W | Th | F | | M | T | W | Th | F | M | T | W | Th | F | | | |
| | | *1* | 2 | 3 | | | | | 1 | | 1 | 2 | 3 | 4 | 5 | | | | 1 | 2 | | | |
| 6 | 7 | 8 | 9 | 10 | 4 | 5 | *6* | 7 | 8 | | 8 | 9 | *10* | 11 | 12 | 5 | 6 | *7* | 8 | 9 | | | |
| 13 | 14 | 15 | 16 | 17 | 11 | 12 | 13 | 14 | *15* | | 15 | 16 | 17 | 18 | 19 | 12 | 13 | 14 | 15 | 16 | | | |
| 20 | 21 | 22 | 23 | 24 | 18 | 19 | 20 | 21 | 22 | | 22 | 23 | *24* | 25 | 26 | 19 | 20 | *21* | 22 | 23 | | | |
| 27 | 28 | 29 | 30 | | 25 | 26 | 27 | 28 | 29 | | 29 | 30 | 31 | | | 26 | 27 | 28 | 29 | | | | |
| MARCH | | | | | 20 | APRIL | | | | | 17 | MAY | | | | | 22 | JUNE 2024 | | | | | 1 |
| M | T | W | Th | F | M | T | W | Th | F | | M | T | W | Th | F | M | T | W | Th | F | | | |
| | | | | 1 | 1 | 2 | 3 | 4 | 5 | | | | *1* | 2 | 3 | *3* | (4) | 5 | 6 | 7 | | | |
| 4 | 5 | *6* | 7 | 8 | 8 | 9 | 10 | 11 | 12 | | 6 | 7 | 8 | 9 | 10 | 10 | 11 | 12 | 13 | 14 | | | |
| 11 | 12 | 13 | 14 | 15 | 15 | 16 | *17* | 18 | 19 | | 13 | 14 | *15* | 16 | 17 | 17 | 18 | 19 | 20 | 21 | | | |
| 18 | 19 | *20* | 21 | 22 | 22 | 23 | 24 | 25 | 26 | | 20 | 21 | 22 | 23 | 24 | 24 | 25 | 26 | 27 | 28 | | | |
| 25 | 26 | 27 | 28 | 29 | 29 | 30 | | | | | 27 | 28 | 29 | 30 | 31 | 1 | 2 | | | | | | |

| HOLIDAYS/SCHOOL NOT IN SESSION | |
|--------------------------------|------------------------|
| September 4 | Labor Day |
| November 10 | Veterans Day |
| November 20 - 24 | Thanksgiving Recess |
| December 18 - January 2 | Winter Recess |
| January 15 | Martin Luther King Day |
| February 12 - 19 | February Recess |
| March 29 - April 5 | Spring Recess |
| May 27 | Memorial Day |
| June 19 | Juneteenth |
| | |

| KEY DATES | |
|---|--|
| Staff Contract Days (Students Not in Attendance) | () August 8, August 9 |
| First & Last Day of School | ☐ August 10, June 3 |
| Minimum Days | * * Aug. 16 Sept. 6, 20 Oct. 4, 18 Nov. 1 Dec. 6, 15 Jan. 10, 24 Feb. 7, 21 March 6, 20 April 17 May 1, 15 June 3 |
| Extended Year Session | June 4 - teacher work day (ESY) June 5 - July 2 |

School District Integrated Pest Management Plan

When completed, this template meets the Healthy Schools Act requirement for an integrated pest management (IPM) plan.
An IPM plan is required if a school district uses pesticides¹

Contacts

YCOE

| | | |
|--------------------------|---------------------------------------|---------------------------------|
| School District Name | 935 14th Street, Marysville, CA 95901 | |
| | Address | |
| Barry Collins | 530-701-2430 | barry.collins@yubacoe.k12.ca.us |
| District IPM Coordinator | IPM Coordinator's Phone Number | Email Address |

IPM statement

It is the goal of YCOE to implement IPM by focusing on long-term prevention or suppression of pests through accurate pest identification, by frequent monitoring for pest presence, by applying appropriate action levels, and by making the habitat less conducive to pests using sanitation and mechanical and physical controls. Pesticides that are effective will be used in a manner that minimizes risks to people, property, and the environment, and only after other options have been shown ineffective.

Our pest management objectives are to: *(Example: Focus on long-term pest prevention)*

We are Committed to Long-Term Preventative Measures with a goal of reducing or eliminating the need for pesticide applications and the use of Non-Toxic options wherever practical

IPM team

In addition to the IPM Coordinator, other individuals who are involved in purchasing, making IPM decisions, applying pesticides, and complying with the Healthy Schools Act requirements, include:

| Name and/or Title | Role in IPM program |
|-------------------|------------------------------------|
| Barry Collins | Coordinator-Maint & Ops Supervisor |
| George Sadler | Assistant Maint & Ops |

Pest management contracting

- ☒ Pest management services are contracted to a licensed pest control business.
Pest Control Business name(s): Clark Pest Control
- ☒ Prior to entering into a contract, the school district has confirmed that the pest control business understands the training requirement and other requirements of the Healthy Schools Act.

Pest identification, monitoring and inspection

Pest identification is done by: Clark Pest Control / Maintenance & Custodial staff
(Example: College/University staff, Pest Control Business, etc.)

Monitoring and inspecting for pests and conditions that lead to pest problems are done regularly by
Maintenance & Custodial Staff and results are communicated to the IPM Coordinator.
(Example: District staff title, e.g. Maintenance staff)

Specific information about monitoring and inspecting for pests, such as locations, times, or techniques include:
(Example: Sticky monitoring boards are placed in the kitchen and are checked weekly by custodial staff.)

Monitoring for pests is part of staff daily work flow. Detailed and focused inspections occur on a monthly (food service areas) and quarterly (exterior) basis but may be intensified during periods of greater activity

Pests and non-chemical management practices

This school district has identified the following pests and routinely uses the following non-chemical practices to prevent pests from reaching the action level:

| Pest | Remove food | Fix leaks | Seal cracks | Install barriers | Physical removal | Traps | Manage Irrigation | Other |
|---------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--|
| Ants | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Roaches | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Wasps | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Rodents | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| Weeds | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Application of Herbicide will occur during School Non-Attendance periods |
| | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

Chemical pest management practices

If non-chemical methods are ineffective, the school district will consider pesticides only after careful monitoring indicates that they are needed according to pre-established action levels and will use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property and the environment.

This school district expects the following pesticides (pesticide products and active ingredients) to be applied during the year. (This list includes pesticides that will be applied by school district staff or licensed pest control businesses.):

Healthy Schools Act

- ☒ This school district complies with the notification, posting, recordkeeping, and all other requirements of the Healthy Schools Act. (Education Code Sections 17608 - 17613, 48980.3; Food & Agricultural Code Sections 13180 - 13188)

Training

Every year school district employees who make pesticide applications receive the following training prior to pesticide use:

- ☐ Pesticide specific safety training (Title 3 California Code of Regulations 6724)
- ☐ School IPM training course approved by the Department of Pesticide Regulation (Education Code Section 16714; Food & Agricultural Code Section 13186.5).

Submittal of pesticide use reports

- ☐ Reports of all pesticides applied by school district staff during the calendar year, except pesticides exempt¹ from HSA recordkeeping, are submitted to the Department of Pesticide Regulation at least annually, by January 30 of the following year, using the form provided at www.cdpr.ca.gov/schoolipm. (Education Code Section 16711)

Notification

This school district has made this IPM plan publicly available by the following methods (check at least one):

- ☐ This IPM plan can be found online at the following web address: _____
- ☐ This IPM plan is sent out to all parents, guardians and staff annually.

Review

- ☐ This IPM plan will be reviewed (and revised, if needed) at least annually to ensure that the information provided is still true and correct.

Date of next review: _____

I acknowledge that I have reviewed this school district's IPM Plan and it is true and correct.

Signature: Barry Callie

Date: 3/07/2023

¹ These pesticides are exempt from Healthy Schools Act requirements, except the training requirement: 1) products used in self-contained baits or traps, 2) gels or pastes used as crack and crevice treatments, 3) antimicrobials, and 4) pesticides exempt from U.S. EPA registration. (Education Code Section 17610.5)

Routine Pest Management

Essentria IC3 - Envincio, LLC (Rosemary Oil 10%)
Optigard Ant Gel Bait - Syngenta Corp (Thiamethoxam 0.01%) EPA 100-1260
Suspend SC - Bayer Environmental (Deltamethrin 4.75%) EPA 432-763
Advion Cockroach Gel - Dupont (Indoxacarb 0.6%) EPA 352-652
Essentria Wasp & Hornet - Central Garden (Peppermint Oil 1.5%)
Glue Boards - non-toxic

Landscape Management

Spectracide Weed & Grass Killer - Chemsico (Diquat dibromide 0.12%, Fluazifop-pbutyl 0.06%, Dicamba, dimethylamine salt 0.04%) EPA 9688-293-8845

Animal Damage Management

(underground use only)

Aluminum Phosphide

Strychnine 0.5%

Zinc Phosphide 2%

Yuba County Office of Education

List of Materials

All materials listed are approved for use by both the United States Environmental Protection Agency and the California Department of Pesticide Regulations can be used on the site in accordance with the Label and SDS Sheet located in the Clark Pest Control Binder.

No pesticide will be stored on site. All surplus pesticide are removed and disposed off site in accordance with Clark Pest Control. The above list will be updated as new materials are approved for use on the site.

Any Changes to the List of Materials must have prior facility management approval.

When the EPA# listed has two alpha characters behind it please note that is used by the State of California for Pesticide reporting and tracking.

Additionally documents may be found at the following site.

Attention: Electronic forms of labels/SDS listed may also be found at:

www.clarkpest.com

***- Commercial Pest Control
- Approved Materials***

Facility Rep

Date



Clark Pest Control

March 7, 2023

Date

1 Material: Advion Ant Gel

EPA#: 100-1498-AA

Act.Ingr. : Indoxacarb

2 Material: Advion Cockroach Gel Bait

EPA#: 100-1484-AA

Act.Ingr. : Indoxacarb

3 Material: Essentria IC3

EPA#: Exempt

Act.Ingr. : Rosemary Oil, Geraniol, Peppermint Oil

Series 1000 – Community Relations

SP 1250

| TITLE: Visitors | |
|---|--|
| Approved by: <u>On File</u> <i>Francisco Reveles, Ed.D., Superintendent of Schools</i> | Series: Community Relations Version: 2 Effective Date: July 1, 2021 Previous Policy Date: Unknown Revised By: Leslie Cena Policy Number: SP 1250 |

The County Office of Education (COE) believes that it is important for parents/guardians to take an active interest in the issues affecting schools and students. Therefore, the COE encourages interested parents/guardians to visit the school sites.

The County Office of Education school administrators, teachers, and staff seek to provide for the successful, emotional, and social development of all students. To ensure the safety of students and staff and minimize interruption of the instructional program, the Superintendent or designee shall establish procedures which facilitate visits during regular school days.

Visits during school hours must be arranged with the principal or designee to establish an appropriate time. A YCOE representative will be present in classrooms during the duration of the visitation. The behavior of each visitor/observer during a school site observation must be supportive of the school and classroom environments without disruption to the instructional activities (e.g., no smartphones, side conversations, questions).

When a visit involves a conference with a teacher or the principal, an appointment should be scheduled during noninstructional time.

Any person who is not a student or staff member shall register immediately upon entering any school building or grounds when school is in session.

The principal or designee may provide a visible means of identification for all individuals who are not students or staff members while on school premises.

No electronic listening or recording device may be used by any person in a classroom without the teacher's and principal's permission. (Education Code 51512)

The COE encourages all individuals to assist in maintaining a safe and secure school environment by behaving in an orderly manner while on school grounds and by utilizing the COE's complaint processes if they have concerns with any program or employee. Parents/guardians who desire to visit any class operated by the county are permitted as long as:

- No attempt is made to interfere with the class activities during the visit (see Ed. Code 44810).
- No attempt is made to upbraid, insult, or abuse any teacher in the presence of pupils or on school grounds or public ways adjacent to school premises (see Ed. Codes 44811 and 44812).

In accordance with Penal Code 626.7, the principal or designee may request that any individual who is causing a disruption, including exhibiting volatile, hostile, aggressive, or offensive behavior, immediately leave school grounds.

Presence of Sex Offender on Campus

Any person who is required to register as a sex offender pursuant to Penal Code 290, including a parent/guardian of a student, shall request written permission from the principal before entering the school campus or grounds. As necessary, the principal shall consult with local law enforcement authorities before allowing the presence of any such person at school or other school activity. The principal also shall report to the Superintendent or designee anytime he/she gives such written permission.

The principal shall indicate on the written permission the date(s) and times for which permission has been granted. (Penal Code 626.81)

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of governing boards

35292 Visits to schools (board members)

44810 - 44812 Rights and Duties

49091.10 Parental right to inspect instructional materials and observe school activities

51101 Parent Rights Act of 2002

51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off to participate in child's educational activities

PENAL CODE

290 Sex offenders

626-626.10 Schools

626.81 Misdemeanor for registered sex offender to come onto school grounds

627-627.10 Access to school premises, especially:

627.1 Definitions

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652

ATTORNEY GENERAL OPINIONS

95 Ops.Cal.Atty.Gen. 509 (1996)

(7/10 3/12) 12/14

Series 1000 – Community Relations

AR 1250

| TITLE: Visitors | |
|---|--|
| Approved by: <u>On File</u> <i>Francisco Reveles, Ed.D., Superintendent of Schools</i> | Series: Community Relations Version: 2 Effective Date: July 1, 2021 Previous Policy Date: Unknown Revised By: Leslie Cena Policy Number: AR 1250 |

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors/outsideers while they are on school grounds.

Visitor Registration

Visitors shall register upon entering school premises during school hours. A visitor includes any person who is not a student of the school/program or a County Office of Education officer or employee.

Registration Procedure

In order to register, a visitor shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. His/her name, address, and occupation
2. His/her age, if less than 21
3. His/her purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

Principal's Registration Authority

The principal or designee may refuse to register any visitor if he/she reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee or school security officer may revoke any visitor's registration if he/she has a reasonable basis for concluding that the individual's presence on school grounds would interfere or is interfering with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)

When a visitor fails to register, or when the principal or designee denies or revokes a visitor's registration privileges, the principal or designee may request that the individual promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform him/her that if he/she reenters the school within seven days he/she may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

Appeal Procedure

Any person who is denied registration or whose registration is revoked may appeal to the Superintendent or principal by submitting, within five days after the person's departure from school, a written request for a hearing. This request must state why he/she believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

(6/96 10/96) 7/10

Series 1000 – Community Relations

SP 1312.3

TITLE: Uniform Complaint Procedures

Approved by: Francisco Reveles
*Francisco Reveles, Ed.D., Superintendent of
 Schools*

Series: **Community
 Relations**
 Version: **3**
 Effective Date: **6/7/2022**
 Previous Policy
 Date: **1/25/2016**
 Revised By: **Committee**
 Policy Number: **SP 1312.3**

Yuba County Office of Education (YCOE) recognizes that the county office of education (YCOE) has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing its educational programs. YCOE encourages the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, YCOE adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and any related procedures approved by the County Superintendent of Schools.

Complaints Subject to UCP

YCOE's uniform complaint procedures (UCP) shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Childcare and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in YCOE programs and activities,

including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School safety plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8207-8225)
23. State preschool health and safety issues in license-exempt programs (Education Code 8212)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

At its discretion, the YCOE may use the UCP for any other type of complaint as specified in a YCOE policy or regulation. (5 CCR 4610)

YCOE recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The use of ADR shall be consistent with state and federal laws and regulations.

All complainants shall be protected from retaliation, and the confidentiality of the parties shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the identity of the complainant, and/or the subject of the complaint if different from the complainant, shall remain confidential when appropriate and as long as the integrity of the complaint process is maintained.

Records of all UCP complaints and the investigations of those complaints are to be maintained in accordance with applicable law and County Superintendent policies and procedures.

Non-UCP Complaints

The following complaints shall not be subject to the YCOE's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to the Department of Social Services. (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the YCOE exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in E 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be referred to the County Superintendent for investigation using YCOE procedures, including the right to file the complaint with the California Department of Fair Employment and Housing.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the YCOE is subject, or a physical safety concern that interferes with the YCOE's provision of FAPE shall be submitted to the California Department of Education (CDE). (5 CCR 3200-3205)
6. Any complaint alleging noncompliance of the YCOE's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the YCOE's food service program shall be referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with BP 1312.4 - Williams Uniform Complaint Procedures and applicable administrative regulations. (Education Code 35186)

| Federal | Description |
|---------------------|--|
| 20 USC 1221 | Application of laws |
| 20 USC 1232g | Family Educational Rights and Privacy Act (FERPA) of 1974 |
| 20 USC 1681-1688 | Title IX of the Education Amendments of 1972 |
| 20 USC 6301-6576 | Title I Improving the Academic Achievement of the Disadvantaged |
| 20 USC 6801-7014 | Title III language instruction for limited English proficient and immigrant students |
| 28 CFR 35.107 | Designation of responsible employee and adoption of grievance procedures |
| 29 USC 794 | Rehabilitation Act of 1973, Section 504 |
| 34 CFR 100.3 | Prohibition of discrimination on basis of race, color or national origin |
| 34 CFR 104.7 | Designation of responsible employee for Section 504 |
| 34 CFR 106.1-106.82 | Nondiscrimination on the basis of sex in education programs |
| 34 CFR 106.30 | Definitions |
| 34 CFR 106.44 | Response to notice of sexual harassment |
| 34 CFR 106.45 | Title IX sexual harassment complaint procedures |
| 34 CFR 106.8 | Designation of responsible employee and adoption of grievance procedures |
| 34 CFR 110.25 | Prohibition of discrimination based on age |

| | |
|--|--|
| 34 CFR 99.1-99.67 | Family Educational Rights and Privacy Act |
| 42 USC 11431-11435 | McKinney-Vento Homeless Assistance Act |
| 42 USC 12101-12213 | Equal opportunity for individuals with disabilities |
| 42 USC 2000d-2000e-17 | Title VI and Title VII Civil Rights Act of 1964, as amended |
| 42 USC 2000h-2-2000h-6 | Title IX of the Civil Rights Act of 1964 |
| 42 USC 6101-6107 | Age Discrimination Act of 1975 |
| Management Resources | Description |
| California Department of Education Publication | Uniform Complaint Procedure 2020-21 Program Instrument |
| California Department of Education Publication | Sample UCP Board Policies and Procedures |
| U.S. DOE, Office for Civil Rights Publication | Part 1: Questions and Answers Regarding the Department's Title IX Regulations, January 2021 |
| U.S. DOE, Office for Civil Rights Publication | Questions and Answers on the Title IX Regulations on Sexual Harassment, July 2021 |
| U.S. DOE, Office for Civil Rights Publication | Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014 |
| U.S. DOJ Publication | Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2007 |
| Website | Student Privacy Policy Office |
| Website | U.S. Department of Justice |
| Website | U.S. Department of Education, Office for Civil Rights |
| Website | U.S. Department of Agriculture |
| Website | CSBA |
| Website | California Department of Social Services |
| Website | California Department of Fair Employment and Housing |
| Website | California Department of Education |
| State | Description |
| 2 CCR 11023 | Harassment and discrimination prevention and correction |
| 5 CCR 15580-15584 | Child nutrition programs complaint procedures |
| 5 CCR 3200-3205 | Special education compliance complaints |
| 5 CCR 4600-4670 | Uniform complaint procedures |
| 5 CCR 4680-4687 | Williams uniform complaint procedures |
| 5 CCR 4690-4694 | Complaints regarding health and safety issues in license-exempt preschool programs |
| 5 CCR 4900-4965 | Nondiscrimination in elementary and secondary education programs |
| Ed. Code 200-262.4 | Educational equity; prohibition of discrimination on the basis of sex |
| Ed. Code 18100-18203 | School libraries |
| Ed. Code 32280-32289 | School safety plans |
| Ed. Code 35186 | Williams uniform complaint procedures |
| Ed. Code 46015 | Accommodations for pregnant and parenting students; |

| | |
|--------------------------|--|
| Ed. Code 48645.7 | parental leave |
| Ed. Code 48853-48853.5 | Juvenile court schools |
| Ed. Code 48985 | Foster youth |
| Ed. Code 49010-49014 | Notices to parents in language other than English |
| Ed. Code 49060-49079 | Student fees |
| Ed. Code 49069.5 | Student records |
| Ed. Code 49490-49590 | Records of foster youth |
| Ed. Code 49701 | Child nutrition programs |
| | Interstate Compact on Educational Opportunity for Military Children |
| Ed. Code 51210 | Courses of study grades 1-6 |
| Ed. Code 51222 | Physical education |
| Ed. Code 51223 | Physical education, elementary schools |
| Ed. Code 51225.1-51225.2 | Exemption from local graduation requirements; acceptance of coursework |
| Ed. Code 51226-51226.1 | Career technical education |
| Ed. Code 51228.1-51228.3 | Course periods without educational content |
| Ed. Code 52059.5 | Statewide system of support |
| Ed. Code 52060-52077 | Local control and accountability plan |
| Ed. Code 52075 | Complaint for lack of compliance with local control and accountability plan requirements |
| Ed. Code 52300-52462 | Career technical education |
| Ed. Code 52500-52617 | Adult schools |
| Ed. Code 54400-54425 | Compensatory education programs |
| Ed. Code 54440-54445 | Migrant education |
| Ed. Code 54460-54529 | Compensatory education programs |
| Ed. Code 59000-59300 | Special schools and centers |
| Ed. Code 64000-64001 | Consolidated application process; school plan for student achievement |
| Ed. Code 65000-65001 | School site councils |
| Ed. Code 8200-8498 | Child care and development programs |
| Ed. Code 8500-8538 | Adult basic education |
| Gov. Code 11135 | Unlawful discrimination |
| Gov. Code 12900-12996 | Fair Employment and Housing Act |
| H&S Code 1596.792 | California Child Day Care Act; general provisions and definitions |
| H&S Code 1596.7925 | California Child Day Care Act; health and safety regulations |
| Pen. Code 422.55 | Definition of hate crime |
| Pen. Code 422.6 | Crimes, harassment |
| Cross References | |
| Code | Description |
| 0410 | Nondiscrimination In County Office Programs And Activities |
| 0460 | Local Control And Accountability Plan |
| 1312.4 | Williams Uniform Complaint Procedures |
| 1312.4 | Williams Uniform Complaint Procedures |

| | |
|--------------|--|
| 5145.3 | <u>Nondiscrimination/Harassment</u> |
| 5145.3 | <u>Nondiscrimination/Harassment</u> |
| 5145.7 | <u>Sexual Harassment</u> |
| 5145.7 | <u>Sexual Harassment</u> |
| 5145.7-E(1) | <u>Sexual Harassment</u> |
| 5145.71 | <u>Title IX Sexual Harassment Complaint Procedures</u> |
| 5145.71-E(1) | <u>Title IX Sexual Harassment Complaint Procedures</u> |
| 5145.71-E(2) | <u>Title IX Sexual Harassment Complaint Procedures</u> |
| 9011 | <u>Disclosure Of Confidential/Privileged Information</u> |
| 9124 | <u>Attorney</u> |
| 9321 | <u>Closed Session</u> |
| 9321-E(1) | <u>Closed Session</u> |
| 9321-E(2) | <u>Closed Session</u> |

Series 1000 – Community Relations

AR 1312.3

| TITLE: Uniform Complaint Procedures | |
|---|--|
| Approved by: <u>Francisco Reveles</u> Francisco Reveles, Ed.D., Superintendent of Schools | Series: Community Relations Version: 2 Effective Date: 6/7/2022 Previous Policy Date: 10/3/2014 Revised By: Committee Policy Number: AR 1312.3 |

Except as may otherwise be specifically provided in other Yuba County Office of Education (YCOE) policies, these Uniform Complaint Procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Superintendent policy.

Compliance Officers

Yuba County Office of Education (YCOE) designates the individual, position, or unit identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual, position, or unit also serve as the compliance officer specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.

Mary Hang, Executive Director of Human Resources
Yuba County Office of Education
Human Resources Department
935 14th Street, Marysville, CA 95901
530-749-4870
mary.hang@yubacoe.k12.ca.us

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the County Superintendent or designee who shall determine how the complaint will be investigated.

The County Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for

investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the County Superintendent or designee.

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until YCOE issues its final written decision, whichever occurs first.

Notifications

YCOE's UCP policy and administrative regulation shall be posted in all schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

In addition, the County Superintendent or designee shall annually provide written notification of the YCOE's UCP to students, employees, parents/guardians of YCOE students, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that YCOE is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person currently occupying that position if known, and a statement that such person will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for

participation in an educational activity that constitutes an integral fundamental part of the YCOE's educational program, including curricular and extracurricular activities

6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that YCOE will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in YCOE, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with YCOE's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal YCOE's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and YCOE's decision, within 30 calendar days of receiving YCOE's decision
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of YCOE's UCP are available free of charge

The annual notification, complete contact information of the compliance officer, and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on YCOE's and school web sites and may be provided through YCOE-supported social media, if available.

The County Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in YCOE's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular school speak a single primary language other than English, YCOE's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, YCOE shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, YCOE staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging YCOE violation of applicable state or federal law or regulations governing the programs specified in the accompanying Superintendent policy may be filed by any individual, public agency, or organization. (5 CCR 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the County Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the County Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other

response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit YCOE's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, YCOE shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

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

The use of mediation shall not extend YCOE's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then YCOE shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, YCOE shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide YCOE's investigator with documents or other evidence related to the allegations in the complaint, failure, or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by YCOE to provide the investigator with access to records and/or information related to the allegations in the complaint, failure, or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Timeline for Investigation Report

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

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant.

Investigation Report

For all complaints, YCOE's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether YCOE is in compliance with the relevant law
3. Corrective action(s) whenever YCOE finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600

4. Notice of the complainant's right to appeal YCOE's investigation report to CDE, except when YCOE has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with YCOE legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then YCOE's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of YCOE's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or YCOE environment may include, but are not limited to, actions to reinforce YCOE policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, YCOE shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

YCOE may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, harassment, intimidation, or bullying, that YCOE does not tolerate it,

and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, YCOE shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, YCOE, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with YCOE's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the YCOE's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the YCOE's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. YCOE failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, YCOE's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in YCOE's investigation report are not supported by substantial evidence.
4. The legal conclusion in YCOE's investigation report is inconsistent with the law.
5. In a case in which YCOE found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by CDE that YCOE's investigation report has been appealed, the County Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint

2. A copy of YCOE's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of YCOE's UCP
6. Other relevant information requested by CDE

If notified by CDE that YCOE's investigation report failed to address allegation(s) raised by the complaint, YCOE shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

| Federal | Description |
|------------------------|--|
| 20 USC 1221 | Application of laws |
| 20 USC 1232g | Family Educational Rights and Privacy Act (FERPA) of 1974 |
| 20 USC 1681-1688 | Title IX of the Education Amendments of 1972 |
| 20 USC 6301-6576 | Title I Improving the Academic Achievement of the Disadvantaged |
| 20 USC 6801-7014 | Title III language instruction for limited English proficient and immigrant students |
| 28 CFR 35.107 | Designation of responsible employee and adoption of grievance procedures |
| 29 USC 794 | Rehabilitation Act of 1973, Section 504 |
| 34 CFR 100.3 | Prohibition of discrimination on basis of race, color or national origin |
| 34 CFR 104.7 | Designation of responsible employee for Section 504 |
| 34 CFR 106.1-106.82 | Nondiscrimination on the basis of sex in education programs |
| 34 CFR 106.30 | Definitions |
| 34 CFR 106.44 | Response to notice of sexual harassment |
| 34 CFR 106.45 | Title IX sexual harassment complaint procedures |
| 34 CFR 106.8 | Designation of responsible employee and adoption of grievance procedures |
| 34 CFR 110.25 | Prohibition of discrimination based on age |
| 34 CFR 99.1-99.67 | Family Educational Rights and Privacy Act |
| 42 USC 11431-11435 | McKinney-Vento Homeless Assistance Act |
| 42 USC 12101-12213 | Equal opportunity for individuals with disabilities |
| 42 USC 2000d-2000e-17 | Title VI and Title VII Civil Rights Act of 1964, as amended |
| 42 USC 2000h-2-2000h-6 | Title IX of the Civil Rights Act of 1964 |
| 42 USC 6101-6107 | Age Discrimination Act of 1975 |

Management Resources

California Department of Education
Publication

California Department of Education
Publication

U.S. DOE, Office for Civil Rights
Publication

U.S. DOE, Office for Civil Rights
Publication

U.S. DOE, Office for Civil Rights
Publication

U.S. DOJ Publication

Website

Website

Website

Website

Website

Website

Website

Website

State

2 CCR 11023

5 CCR 15580-15584

5 CCR 3200-3205

5 CCR 4600-4670

5 CCR 4680-4687

5 CCR 4690-4694

5 CCR 4900-4965

Ed. Code 200-262.4

Ed. Code 18100-18203

Ed. Code 32280-32289

Ed. Code 35186

Ed. Code 46015

Ed. Code 48645.7

Ed. Code 48853-48853.5

Ed. Code 48985

Ed. Code 49010-49014

Ed. Code 49060-49079

Description

Uniform Complaint Procedure 2020-21 Program Instrument

Sample UCP Board Policies and Procedures

Part 1: Questions and Answers Regarding the Department's
Title IX Regulations, January 2021

Questions and Answers on the Title IX Regulations on
Sexual Harassment, July 2021

Dear Colleague Letter: Responding to Bullying of Students
with Disabilities, October 2014

Guidance to Federal Financial Assistance Recipients
Regarding Title VI Prohibition Against National Origin
Discrimination Affecting Limited English Proficient Persons,
2007

[Student Privacy Policy Office](#)

[U.S. Department of Justice](#)

[U.S. Department of Education, Office for Civil Rights](#)

[U.S. Department of Agriculture](#)

[CSBA](#)

[California Department of Social Services](#)

[California Department of Fair Employment and Housing](#)

[California Department of Education](#)

Description

[Harassment and discrimination prevention and correction](#)

Child nutrition programs complaint procedures

Special education compliance complaints

Uniform complaint procedures

Williams uniform complaint procedures

Complaints regarding health and safety issues in license-
exempt preschool programs

Nondiscrimination in elementary and secondary education
programs

[Educational equity; prohibition of discrimination on the basis
of sex](#)

School libraries

School safety plans

Williams uniform complaint procedures

Accommodations for pregnant and parenting students;
parental leave

Juvenile court schools

Foster youth

Notices to parents in language other than English

Student fees

Student records

| | |
|--------------------------|--|
| Ed. Code 49069.5 | Records of foster youth |
| Ed. Code 49490-49590 | Child nutrition programs |
| Ed. Code 49701 | Interstate Compact on Educational Opportunity for Military Children |
| Ed. Code 51210 | Courses of study grades 1-6 |
| Ed. Code 51222 | Physical education |
| Ed. Code 51223 | Physical education, elementary schools |
| Ed. Code 51225.1-51225.2 | Exemption from local graduation requirements; acceptance of coursework |
| Ed. Code 51226-51226.1 | Career technical education |
| Ed. Code 51228.1-51228.3 | Course periods without educational content |
| Ed. Code 52059.5 | Statewide system of support |
| Ed. Code 52060-52077 | Local control and accountability plan |
| Ed. Code 52075 | Complaint for lack of compliance with local control and accountability plan requirements |
| Ed. Code 52300-52462 | Career technical education |
| Ed. Code 52500-52617 | Adult schools |
| Ed. Code 54400-54425 | Compensatory education programs |
| Ed. Code 54440-54445 | Migrant education |
| Ed. Code 54460-54529 | Compensatory education programs |
| Ed. Code 59000-59300 | Special schools and centers |
| Ed. Code 64000-64001 | Consolidated application process; school plan for student achievement |
| Ed. Code 65000-65001 | School site councils |
| Ed. Code 8200-8498 | Child care and development programs |
| Ed. Code 8500-8538 | Adult basic education |
| Gov. Code 11135 | Unlawful discrimination |
| Gov. Code 12900-12996 | Fair Employment and Housing Act |
| H&S Code 1596.792 | California Child Day Care Act; general provisions and definitions |
| H&S Code 1596.7925 | California Child Day Care Act; health and safety regulations |
| Pen. Code 422.55 | Definition of hate crime |
| Pen. Code 422.6 | Crimes, harassment |

Cross References**Code**

0410
0460
1312.4
1312.4
5145.3
5145.3
5145.7
5145.7
5145.7-E(1)
5145.71

Description

[Nondiscrimination In County Office Programs And Activities](#)
[Local Control And Accountability Plan](#)
[Williams Uniform Complaint Procedures](#)
[Williams Uniform Complaint Procedures](#)
[Nondiscrimination/Harassment](#)
[Nondiscrimination/Harassment](#)
[Sexual Harassment](#)
[Sexual Harassment](#)
[Sexual Harassment](#)
[Title IX Sexual Harassment Complaint Procedures](#)

| | |
|--------------|--|
| 5145.71-E(1) | <u>Title IX Sexual Harassment Complaint Procedures</u> |
| 5145.71-E(2) | <u>Title IX Sexual Harassment Complaint Procedures</u> |
| 9011 | <u>Disclosure Of Confidential/Privileged Information</u> |
| 9124 | <u>Attorney</u> |
| 9321 | <u>Closed Session</u> |
| 9321-E(1) | <u>Closed Session</u> |
| 9321-E(2) | <u>Closed Session</u> |

Firearms Safety Memorandum

To: Parents and Guardians of Students of Yuba County Office of Education Programs

From: Bobbi Abold, Deputy Superintendent

Subject: California Law Regarding Safe Storage of Firearms

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in Yuba County Office of Education Programs of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home.

These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

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

¹ See California Penal Code sections 25100 through 25125 and 25200 through 25220.

² See California Penal Code section 25100(c).

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.³
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.⁴

Note: Your county or city may have additional restrictions regarding the safe storage of firearms.

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

Sincerely,

Bobbi Abold

Bobbi Abold, Deputy Superintendent

Date published: June 28, 2023
California Department of Education

³ See California Civil Code Section 29805.

⁴ See California Civil Code Section 1714.3.



Tuberculosis Information

For Health Care Providers and Schools*

*Adapted from Santa Clara County Public Health

County of Yuba

Public Health Department

5730 Packard Ave., Suite 100
Marysville, CA., 95901
(530) 749-6755



DATE: June 1, 2023

TO: District Superintendents
School Nurses
Health Care Providers

FROM: Phuong Luu, MD
Health Officer

RE: **Tuberculosis Testing in Schools: Change from Universal Testing to Universal Risk Assessment and Targeted Testing**

As tuberculosis (TB) rates have declined in the US and California, the Centers for Disease Control and Prevention (CDC), the American Academy of Pediatrics (AAP) and the California Tuberculosis Controller's Association (CTCA) have revised their recommendations. In place of universal TB testing, these bodies now recommend that healthcare providers ask a series of questions to assess a child's risk of exposure to TB and target TB testing for children at increased risk for TB exposure or developing TB disease.

The best public health and medical evidence suggests that universal TB testing is neither necessary nor cost-effective. The number of pediatric cases is low, and universal testing results in a number of false positives. California Health and Safety Code, Section 121485 allowed universal testing mandates for school children only if "persons seeking first admission to school are reasonably suspected of having tuberculosis" and if "the examination of the persons for tuberculosis is necessary for the prevention and protection of the public health." This is no longer the case for the population of children entering the majority of schools in California, including in Yuba County. Therefore, effective immediately, all Yuba County schools should replace the universal TB testing of kindergarteners and for all transfer students new to the school district, with a TB risk assessment questionnaire, and conducting TB testing based on the results of the TB risk assessment. TB testing can be completed through a TB skin test (PPD) or a TB blood test (interferon-gamma release assay). If a student is out of the United States for more than one (1) year, they will need a new TB risk assessment when they re-enroll in school.

The *Yuba County Public Health Department Risk Assessment for School Entry* form will be required for school registration effective June 1, 2023 for all children enrolling in kindergarten, or transferring, at any grade level, from outside of Yuba County. If a student is out of the United States for more than one (1) year, they will need a new TB risk assessment when they re-enroll in school.

Please discard all prior references to the TB School Mandate and replace with the following documents:

- TB Risk Assessment for School Entry form (to be completed by healthcare providers)
- Guidelines to the School Mandate and Requirements
- Frequently Asked Questions
- Yuba County School TB Evaluation Flow Chart
- IGRA Fact Sheet

Please reproduce this entire packet for each school in your district as well as any location where centralized registration is done for new and transfer students. Please also feel free to post on District or School websites.

If you have questions about these changes, please contact the Yuba County Public Health Department (530) 749-6755.

Thank you for helping us protect the health of children in Yuba County.

Child's Name: _____ Birthdate: _____ Male/Female School: _____
Last, First month/day/year

Address _____ Phone: _____ Grade: _____
Street City Zip

Yuba County Public Health Tuberculosis (TB) Risk Assessment for School Entry

This form must be completed by a licensed health professional in the U.S. and returned to the child's school.

1. Was your child born in, resided, or traveled (for more than one month) to a country with an elevated rate of TB*? ☐ Yes ☐ No
2. Has your child been in close contact to anyone with TB disease in their lifetime? ☐ Yes ☐ No
3. Is your child immunosuppressed; current, or planned? (e.g., due to HIV infection, organ transplant, treatment with TNF-alpha antagonist or high-dose systemic steroids (e.g., prednisone \geq 15 mg/day for \geq 2 weeks). ☐ Yes ☐ No

*Most countries other than the U.S., Canada, Australia, New Zealand, or a country in western or northern Europe. This does not include tourist travel for <1 month (i.e., travel that does not involve visiting family or friends, or involve significant contact with the local population).

If YES, to any of the above questions, the child has an increased risk of TB and should have a TB blood test or a tuberculin skin test (TST) unless there is either 1) a documented prior positive IGRA or TST or 2) no new risk factors since last documented negative IGRA (performed at age \geq 2 years in US or TST performed at age \geq 6 months in U.S.)

All children with a current or prior positive IGRA/TST result must have a medical evaluation, including a chest x-ray (CXR; posterior-anterior and lateral for children <5 years old is recommended). CXR is not required for children with documented prior treatment for TB disease, documented prior treatment for latent TB infection, or BCG-vaccinated children who have a positive TST and negative IGRA. If there are no symptoms or signs of TB disease and the CXR is normal, the child should be treated for latent TB infection (LTBI) to prevent progression to TB disease.

Enter test results for all children with a positive risk assessment:

| | |
|---|---|
| Date of (IGRA) | Result: <input type="checkbox"/> Negative <input type="checkbox"/> Positive <input type="checkbox"/> Indeterminate |
| Tuberculin Skin Test (TST/Mantoux/PPD) Date placed: _____ Date read: _____ | Induration _____ mm Result: <input type="checkbox"/> Negative <input type="checkbox"/> Positive |
| Chest X-Ray Date: _____ Impression: <input type="checkbox"/> Normal <input type="checkbox"/> Abnormal | |
| LTBI Treatment Start Date: _____ <input type="checkbox"/> Rifampin daily - 4 months <input type="checkbox"/> Isoniazid/Rifapentine - weekly X 12 weeks <input type="checkbox"/> Isoniazid daily - 9 months <input type="checkbox"/> Isoniazid and Rifampin daily - 3 months | <input type="checkbox"/> Prior TB/LTBI treatment (Rx & duration): _____ <input type="checkbox"/> Treatment medically contraindicated <input type="checkbox"/> Declined against medical advice |
| Please check one of the boxes below and sign: <input type="checkbox"/> Child has no TB symptoms, no risk factors for TB, and does not require a TB test. <input type="checkbox"/> Child has a risk factor, has been evaluated for TB and is free of active TB disease. <input type="checkbox"/> Child has no new risk factors since last negative IGRA/TST and has no symptoms. <input type="checkbox"/> Child has no TB symptoms. Appointment for IGRA/TST scheduled on: _____ <input type="checkbox"/> | |
| Health Care Provider Signature, Title _____ Date _____ | |
| Name/Title of Health Provider: Facility/Address: Phone number: | |

County of Yuba

Public Health Department

5730 Packard Ave., Suite 100
Marysville, CA., 95901
530.749.6755



Testing Methods

An Interferon Gamma Release Assay (IGRA, i.e., QuantiFERON or T-SPOT.TB) or Mantoux tuberculin skin test (TST) should be used to test those at increased risk. An IGRA can be used in all children ≥ 2 years old and is preferred in BCG-vaccinated children to avoid a false positive TST result. A TST of ≥ 10 mm induration is considered positive. If a child has had contact with someone with active TB disease (yes to question 2 on reverse), or the child is immunosuppressed, then TST ≥ 5 mm is considered positive. If a BCG-vaccinated child has a positive TST, and an IGRA is subsequently performed and is negative, testing is considered negative unless the child was exposed to someone with TB disease or is immunosuppressed. For immunosuppressed children, screening should be performed by CXR in addition to a TST/IGRA (consider doing both) and symptom review. TB screening can be falsely negative within 8 weeks after exposure, so are best obtained 8 weeks after last exposure.

Evaluation of Children with Positive TB Tests

- All children with a positive IGRA/TST result must have a medical evaluation, including a CXR (posterior-anterior and lateral is recommended for children <5 years old). A CXR is not required for a positive TST with negative IGRA in a BCG-vaccinated child, or if the child has documentation of prior treatment for TB disease or treatment for latent TB infection.
- For children with TB symptoms (e.g., cough for >2 -3 weeks, shortness of breath, hemoptysis, fever, weight loss, night sweats) or an abnormal CXR consistent with active TB disease, report to Yuba County Public Health within one day. The child will need to be evaluated for TB disease with sputum AFB smears/cultures and nucleic acid amplification testing. A negative TST or IGRA does not rule out active TB disease in a patient with symptoms or signs of TB disease. The child cannot enter school unless active TB disease has been excluded or treatment has been initiated.
- If there are no symptoms or signs of TB disease and the CXR is normal, the child should be treated for latent TB infection (LTBI). Do not treat for LTBI until active TB disease has been excluded.
- Short-course regimens are preferred (except in persons for whom there is a contraindication, such as a drug interaction or contact to a person with drug-resistant TB) due to similar efficacy and higher treatment completion rates as compared with 9 months of daily isoniazid.

Treatment Regimens for Latent TB Infection

- Rifampin 15 - 20 mg/kg (max. 600 mg) daily for 4 months
- 12-dose Weekly Isoniazid/Rifapentine (3HP) Regimen:
 - Isoniazid
 - 2-11 years old: 25 mg/kg rounded up to nearest 50 or 100 mg (max. 900 mg)
 - ≥ 12 years old: 15 mg/kg rounded up to nearest 50 or 100 mg (max. 900 mg)
 - Rifapentine
 - 10.0-14.0 kg: 300 mg
 - 14.1-25.0 kg: 450 mg
 - 25.1-32.0 kg: 600 mg
 - 32.1-50.0 kg: 750 mg
 - >50 kg: 900 mg
 - Vitamin B6 50 mg weekly
- Isoniazid 10 mg/kg (range, 10-15 mg/kg; max. 300 mg) daily for 9 months. Recommended pyridoxine dosage is 25 mg for school-aged children (or 1-2 mg/kg/day).
- Isoniazid and Rifampin daily for 3 months: Children: Isoniazid 10-20 mg/kg (300 mg maximum) Rifampin 15-20 mg/kg; (600 mg maximum)

Yuba County Tuberculosis Screening Requirement for School Entrance Effective June 1, 2023

Guidelines to Revisions to the School Mandate and Requirements

1) What are the tuberculosis (TB) screening requirements for school entrance in Yuba County?

Students must undergo a TB risk assessment prior to entering kindergarten, upon transfer to Yuba County schools, or re-enrollment to a Yuba County school after they have been out of the country for one year or longer. Each student must be evaluated by a primary care provider who will: 1) complete the *Yuba County Public Health Department TB Risk Assessment for School Entry* or 2) provide an After Visit Summary or similar print out from visit stating results of risk assessment, need for testing and appropriate test results as indicated.

TB risk assessment and test results (if indicated) must be submitted prior to in person school entry; documented TB risk assessment **up to twelve months prior to registration for school is considered valid.**

Students who have a positive risk assessment should have a TB test (PPD or IGRA). All children with a positive TB test should undergo medical evaluation, including a chest x-ray. The results of the chest x-ray should be included on the form. If the chest x-ray is normal and the child has no TB symptoms, they may start school. If the child has symptoms or an abnormal chest x-ray consistent with active TB disease, the child must undergo further evaluation and cannot enter school unless active TB disease has been excluded or treatment has been initiated.

Please fax any forms reporting an abnormal chest x-ray to Yuba County Public Health (530)749-6397.

2) How were the risk assessment questions chosen?

The questions on the TB Risk Assessment for School Entry form were adapted from the American Academy of Pediatrics Guidelines and the California Department of Public Health recommendations.

3) Who needs to satisfy the requirements of the Yuba County TB Mandate?

The requirement applies to the following students entering a public or private school in Yuba County beginning June 1, 2023 and later:

1. All students entering into kindergarten for the first time.
2. All students transferring to Yuba County schools into kindergarten through twelfth grade from a school outside of Yuba County.
3. All students re-enrolling to a Yuba County school after being out of the country for one year or longer

Yuba County Tuberculosis Screening Requirement for School Entrance Effective June 1, 2023

4) Who is exempt from these requirements?

1. All students who have previously met the TB screening requirements of Yuba County AND who have not been residing outside the county greater than 12 months; this includes students with prior completion of the Yuba County Public Health Department TB Risk Assessment for School Entry form for Transitional Kindergarten (TK) or other school based early learning program in Yuba County (school programs begin after age 3).
2. Students transferring from one school to another within Yuba County AND have previously met the TB screening requirements.

5) Who can enroll/register in a Yuba County school before TB screening requirements are complete?

1. A student who falls under the provisions of the McKinney-Vento Homeless Assistance Act, Students with an IEP, and/or a student who is in Foster Care is not required to complete TB screening before school registration and may be immediately enrolled into school. TB screening is still required for these students and should be completed in a timely manner, e.g., within 20 calendar days of enrollment. Note: School district may extend time to complete screening for up to 45 calendar days.
2. A TB blood test (IGRA) or a tuberculin skin test (TST) is recommended 8-10 weeks after their return because it can take this long to develop an immune response. Consequently, for these students, if they have no symptoms of TB disease, the IGRA or TST can be deferred until then, but must be completed within 10 weeks of return to the U.S.
3. A student with a positive risk assessment may conditionally enroll before completing the school mandate if they have a scheduled appointment with their provider after the school start date. Results of test may not be available for 20 calendar days after their appointment.

6) What are acceptable TB tests?

1. Interferon Gamma Release Assay (IGRA) blood test, which must be done in the U.S., US Territories or US Military Base Medical Facility (recommended for children who are at least 2 years old).
2. Mantoux Tuberculin Skin Test (TST), which must be done in the U.S., US Territories or US Military Base Medical Facility. (If testing was performed at < 6 months of age it should be repeated).
3. Exception to above: A positive IGRA or TST shall be accepted from any country.

7) What is the definition of a positive TB test?

1. A positive IGRA result interpretation is included in the laboratory report
2. A positive TST is 10 millimeters (mm) or more of induration (swelling). Redness alone at the skin test site is not considered a positive reaction.
3. If an individual has had recent contact to a person with active infectious TB or if they are immunosuppressed, they are considered to have a positive TST if there is 5 mm or more of induration.

Yuba County Tuberculosis Screening Requirement for School Entrance Effective June 1, 2023

8) What does a positive TB test mean?

A positive TB screening test suggests that the student has been infected with the bacteria that causes TB. Occasionally, a positive TB screening test identifies students with active infectious TB disease. It is important for students with a positive TB screening test to undergo medical evaluation to determine that there are no symptoms or signs of TB disease or whether their CXR has any findings consistent with active TB disease. If active TB disease has been excluded, the child should be treated for latent TB infection (LTBI). LTBI treatment is not mandated for school enrollment as LTBI is not infectious (cannot be transmitted to others), but treatment is advised to prevent the child from developing TB disease in the future.

9) What is the next step for a student with a positive IGRA or positive TST result? *Note: positive means past positive or current positive result*

1. Students with a positive IGRA, positive TST, or symptoms or signs of TB disease (not required for a positive TST with negative IGRA in a BCG-vaccinated) must submit evidence that they are free of pulmonary TB disease. This includes one of the following:
 - a. Result of chest x-ray done in the United States, US Territories or US Military Base Medical Facility up to 12 months prior to school registration that does not show evidence of active pulmonary tuberculosis.
 - b. Written documentation of prior treatment for latent TB infection. See Table on p. 8.
 - c. Written documentation of ongoing treatment for latent TB infection.
 - d. Written documentation of prior treatment for active TB disease.
 - e. Written documentation of current treatment for active TB disease.
2. If the student does not have any of the above and does not have signs or symptoms of active TB (as documented by a medical provider), he/she may be conditionally enrolled, pending the results of the chest x-ray in accordance with school policy. It is recommended that conditional enrollment and admittance be extended for no more than 20 calendar days. However, school districts may extend the time before excluding the student for up to 45 days.

10) What is the next step for a student with an indeterminate IGRA test?

Students who have a positive TB risk assessment, an indeterminate IGRA test result, and a negative symptom review by a primary care provider may enter school.

Note to providers: If result is indeterminate, consider repeating the IGRA or placing a TST.

11) What should schools do if a student does not have a primary care provider?

If a student does not have a source of regular care, refer to the Child Health and Disability Prevention (CHDP) program at 1 (800) 689-6669 or provide our list of community clinics that offer IGRA or TST testing.

Yuba County Tuberculosis Screening Requirement for School Entrance Effective June 1, 2023

12) What records must students provide to meet the requirements of the TB Mandate?

1. The *Yuba County Public Health Department TB Risk Assessment for School Entry* form completed by a primary care provider in the U.S., U.S Territory or U.S. Military Facility
2. Students who are currently being treated or have completed treatment for TB or latent tuberculosis infection (LTBI) must provide written documentation from their health care provider. This should include medication name, dosage, date started, and date completed. This student does NOT require an additional chest x-ray.
3. Students who have a positive TB test results can present a visit summary stating a risk assessment was performed and follow up testing and evaluation completed by a primary care provider in the U.S., U.S Territory or U.S. Military Facility the *Yuba County Public Health Department TB Risk Assessment for School Entry*
4. Students who present a Risk Assessment which includes 1) no risk factors 2) no symptoms of TB and 3) no test required can present this Risk Assessment completed by a primary care provider in the U.S., U.S Territory or U.S. Military Facility lieu of the *Yuba County Public Health Department TB Risk Assessment for School Entry*.

13) Who can sign the TB Mandate Form?

1. If the Risk Assessment is negative an LVN, RN, PA, NP, or physician can sign form.
2. If the Risk Assessment is positive, but the TB test is negative an LVN, RN, PA, NP, or physician can sign form.
3. If the Risk Assessment and TB test are positive and requires a physical exam and chest x-ray, a PA, NP or physician needs to sign the form.

14) What is the process for obtaining a waiver that exempts a student with a positive risk assessment from the TB test?

1. To initiate the process for an exemption for a TB test, a student who has a positive TB risk assessment must have the medical provider write a note on the Yuba County TB Risk Assessment for School Entry form. The provider should document that TB testing was deferred due to personal beliefs and that the child has no TB symptoms.
2. Fax this form to the Yuba County Public Health Department (530) 749-6397.

15) Is there a process for obtaining a waiver that exempts a student from the TB Risk Assessment?

No, there is no waiver for the TB Risk Assessment.

Yuba County Tuberculosis Screening Requirement for School Entrance Effective June 1, 2023

Frequently Asked Questions

Can I have a TB test on the same day as a COVID-19 Vaccine?

Testing for TB infection with one of the immune-based methods, either an interferon release assay (IGRA) tuberculin skin test (TST), can be done before or during the same encounter as COVID-19 vaccination. When testing with TST or IGRA cannot be done at the same time as COVID-19 vaccination, these tests should be delayed ≥ 4 weeks after the completion of COVID-19 vaccination. COVID-19 vaccination should not be delayed because of testing for TB infection.

Should a child who has history of BCG vaccination have a TST or IGRA?

Because Interferon Gamma Release Assays (IGRAs) have increased specificity for TB infection in children vaccinated with BCG, IGRAs are preferred over the tuberculin skin test (TST) for children ≥ 2 years of age who have a history of BCG vaccination. If an IGRA is not done, the TST results can be utilized.

Medi-Cal does not have an age restriction for IGRA reimbursement.

Are there ever indications for doing both a TST AND an IGRA?

In general, a provider should choose the appropriate test and avoid doing both tests.

If a BCG-vaccinated child has a positive TST, an IGRA can be used to help determine if this is a false-positive test due to BCG vaccination or latent TB infection.

For children who are immunocompromised, consider performing both tests AND obtain a chest x-ray. If either the TST or IGRA is positive, and TB disease has been excluded, the child should be treated for latent TB infection.

What if the student has documentation of a previous positive TST/IGRA from outside the U.S, US Territories or US Military Base Medical Facility?

The student with documentation of a positive TST/IGRA will need to have a medical evaluation, including a chest x-ray in the United States, US Territories or US Military Base Medical Facility.

If someone does not want to submit to a risk assessment, can they get a TB test?

Yes, a TB test (either IGRA or TST), performed up to twelve months prior to registration for school, may be completed instead of a TB risk assessment. If the test is positive, the child must have a medical evaluation by a licensed primary care provider in the U.S., US Territories or US Military Base Medical Facility, including a chest x-ray, with documentation of these results on the risk assessment form and provided to the child's school.

Yuba County Tuberculosis Screening Requirement for School Entrance Effective June 1, 2023

Frequently Asked Questions

This student left the county for an extended vacation. Do they still need a TB screening test?

If the student has extended travel (e.g., > 1 month) to a country other than the U.S., Canada, Australia, New Zealand, or a country in western or northern Europe with an elevated TB rate they should be evaluated for TB infection 8-10 weeks after they return but this will not be required for school re-entry. If the child has been residing outside of Yuba County for >12 months, the risk assessment must be completed again.

What is considered an adequate regimen for latent TB Infection?

Recommended treatment for latent TB infection is listed in the following table. Short-course regimens (rifampin daily for four months, 12-dose weekly isoniazid/rifapentine and Isoniazid and Rifampin for 3 months) are preferred (except in persons for whom there is a contraindication, such as a drug interaction or contact to a person with drug-resistant TB) due to similar efficacy and higher treatment completion rates as compared with 9 months of daily isoniazid. If a student was previously treated with 6 months of isoniazid for LTBI, this is also considered adequate treatment.

For additional information:

Yuba County Public Health (530) 749-6755.

Yuba County Tuberculosis Screening Requirement for School Entrance Effective June 1, 2023

Table. Latent Tuberculosis Infection Treatment Regimens for Children

| Drug(s) | Duration | Dose | Frequency | Total Doses |
|---|----------|---|-------------|-------------|
| Rifampin (RIF) | 4 months | Children: 15-20 mg/kg Maximum dose: 600 mg | Daily | 120 |
| Isoniazid (INH) and Rifapentine (RPT) | 3 months | <ul style="list-style-type: none"> Isoniazid 2-11 years old: 25 mg/kg rounded up to nearest 50 or 100 mg (max. 900 mg) ≥ 12 years old: 15 mg/kg rounded up to nearest 50 or 100 mg (max. 900 mg) Rifapentine 10.0-14.0 kg: 300 mg 14.1-25.0 kg: 450 mg 25.1-32.0 kg: 600 mg 32.1-50.0 kg: 750 mg >50 kg: 900 mg Vitamin B6 50 mg weekly | Once weekly | 12 |
| Isoniazid (INH) and Rifampin (RIF) | 3 months | Children: INH: 10-20 mg/kg; 300 mg maximum RIF: 15-20 mg/kg; 600 mg maximum | Daily | 90 |
| Isoniazid (INH) | 9 months | 10 mg/kg (range, 10-15 mg/kg) Maximum dose: 300 mg Recommended pyridoxine dosage: 25 mg for school-aged children (or 1-2 mg/kg/day) | Daily | 270 |

*Short-course regimens (rifampin daily for four months or 12-dose weekly isoniazid/rifapentine or Isoniazid and Rifampin daily for 3 months) are preferred (except in persons for whom there is a contraindication, such as a drug interaction or contact to a person with drug-resistant TB) due to similar efficacy and higher treatment completion rates as compared with 9 months of daily isoniazid.

**Rifampin (RIF) is formulated as 150 mg and 300 mg capsules. Rifapentine (RPT) is formulated as 150 mg tablets in blister packs that should be kept sealed until usage. Isoniazid (INH) is formulated as 100 mg and 300 mg tablets.

References

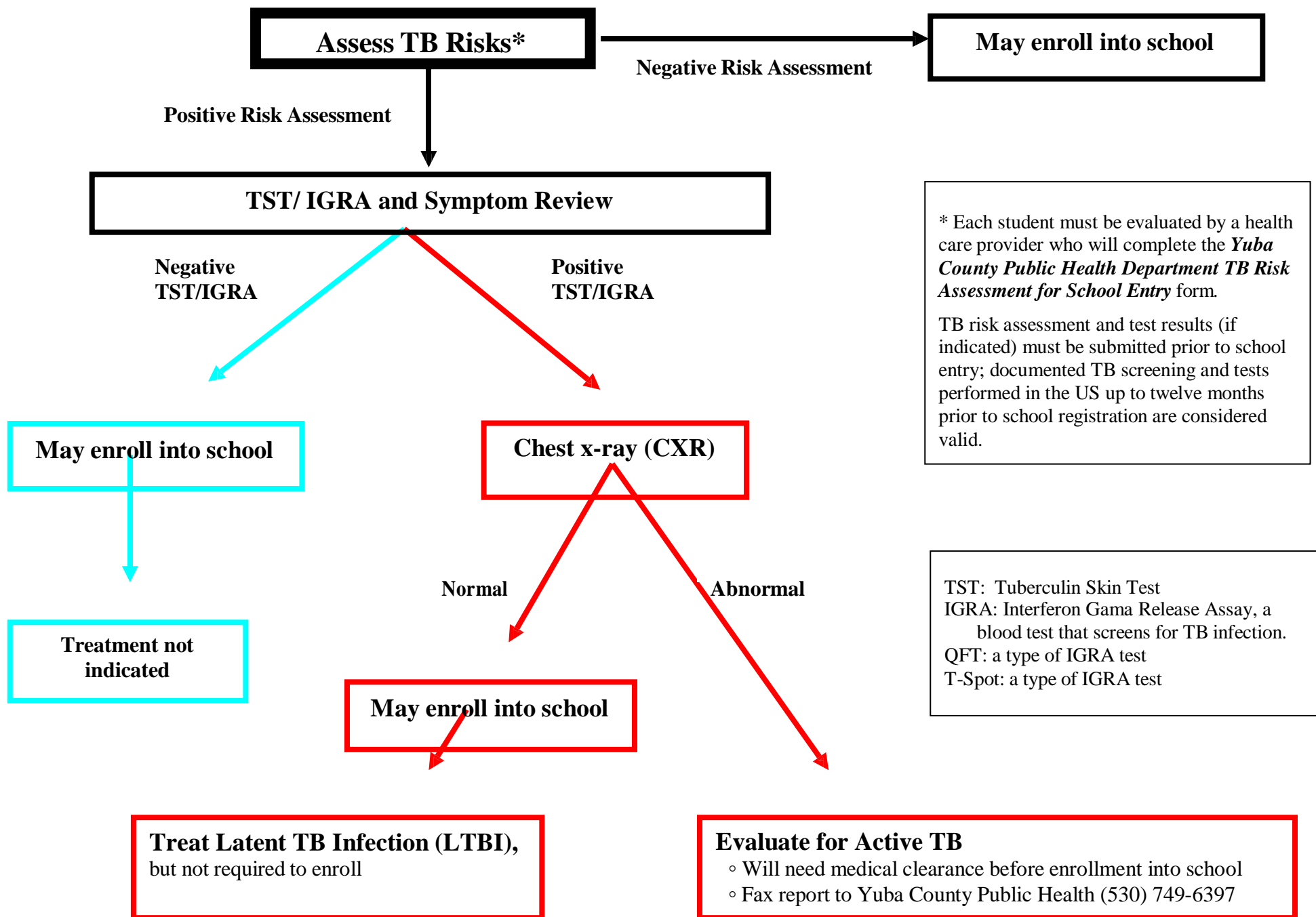
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Pang J, Teeter LD, Katz DJ, et al. Epidemiology of Tuberculosis in Young Children in the United States. Pediatrics. 2014;133:494-504.

California Pediatric TB Risk Assessment and User Guide (September 2018)

(<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/TB-Risk-Assessment.aspx>)

YUBA COUNTY TB SCREENING REQUIREMENT FOR SCHOOL ENTRANCE (K-12) EFFECTIVE JUNE 1, 2023



Interferon Gamma Release Assay (IGRA)

Provider Information and Guidelines for Interpretation

What is it?

Interferon Gamma Release Assays (IGRAs) are blood tests for detecting *M. tuberculosis* infection by measuring a person's immune response. White blood cells that recognize *M. tuberculosis* release interferon-gamma (IFN- γ) when mixed with peptide antigens that simulate *M.tb* proteins, including ESAT-6 and CFP-10. These proteins are not found in BCG strains and most non-tuberculous mycobacteria. IGRAs include the QuantiFERON and T-SPOT.TB tests.

A positive test can occur due to active tuberculosis (TB) disease or latent tuberculosis TB infection (LTBI). If not detected and treated, LTBI may later develop into TB disease.

What are the advantages of IGRA?

Prior BCG (Bacille Calmette-Guérin) vaccination does not cause a false-positive IGRA result.

Requires a single patient visit to conduct the test.

Does not boost responses for subsequent tests.

Less subject to reader bias and error when compared with the TST.

What are the disadvantages?

Errors in collecting or transporting the specimens or in running and interpreting the assay can decrease the accuracy of IGRAs.

Not recommended for children < 2 years old.

May be more expensive than a TST.

When should I use IGRA?

IGRAs are the preferred TB screening test in the following situations:

- Patients ≥ 2 years old who have received a BCG vaccine.
- Patients unlikely to return for the TST reading.

When should I use both a TST and IGRA?

For immunocompromised patients consider performing both tests and utilizing any positive result as evidence of infection.

Is IGRA covered by Medi-Cal?

YES! As of March 1, 2014, Medi-Cal removed the age restriction on Medi-Cal reimbursement of IGRA tests for children under 5 years old.

How do you interpret IGRA test results?

Negative: Same interpretation as a negative TST. A negative TST or IGRA does not rule out active TB disease in a patient with symptoms or signs of TB disease; they should be evaluated with a CXR and sputum AFB smears/cultures/nucleic acid amplification testing.

Positive: Same interpretation as positive TST. Medical evaluation, including a chest x-ray, is needed to evaluate for TB disease. If there are no symptoms or signs of TB disease and the CXR is normal, treatment for latent TB infection should be provided.

Indeterminate: Uninterpretable. Repeat IGRA or place TST per patient and provider preference.

Can IGRAs be done at the same time as receiving vaccinations?

Similar to TST, live virus vaccines (e.g., MMR, varicella) might affect IGRA test results. CDC recommends that both TST and IGRA testing in the context of live vaccine administration be done as follows:

- Either on the same day as vaccination with the live virus vaccine, OR
- At least 4 weeks after administration of the live virus vaccine.

Additional Information

CDC. Updated Guidelines for Using Interferon Gamma Release Assays to Detect *Mycobacterium tuberculosis* Infection - United States, 2010. *MMWR*. 2010; 59 (No.RR-5).

Yuba County Public Health
Phone: 530-749-6755