

County Operated Schools & Programs

2011-2012

Student Handbook



San Joaquin County Office of Education
Mick Founts, Superintendent of Schools

one.®

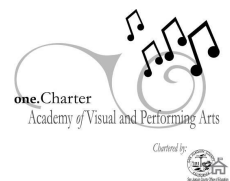
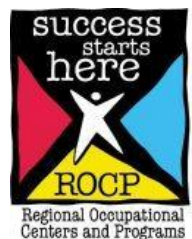
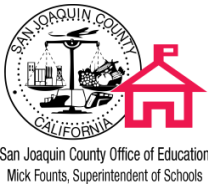


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EXPECTED SCHOOLWIDE LEARNING RESULT ESLRs

Concept of one.®

Students will be able to:

- Demonstrate the ability to work as individuals as identified by one or more of the following:
 - completing assignments, (K, W, CS)
 - completing personal quests, (PA, CS)
 - setting and achieving personal goals, (PA, CS)
- Demonstrate the ability to work effectively as part of a team as exhibited by one or more of the following:
 - actively contributing to group projects, (CS)
 - participating in quests, congresses, or team sports, (PA, CS)
 - contributing to the community, (CC)
 - maintaining employment. (W)

KEY PA = Personal Awareness
 CC = Community Contribution
 K = Knowledge
 W = Work
 CS = Communication Skills

Personal Awareness

Students will be able to:

- Identify their strengths, weaknesses, and experiences in order to set challenging educational, vocational, and personal goals.
- Demonstrate knowledge of diverse cultures and respect for individual differences.
- Understand how actions or lack of actions affect one's self, others and the community at large.
- Demonstrate skills in resolving conflicts through positive, non-violent alternative actions.

Communication Skills

Students will be able to:

- Demonstrate written skills by composing a well developed essay scoring a 4 or above on the writing rubric for proficiency and a 4 or above for GBE.
- Demonstrate oral skills by presenting a speech or dramatic presentation that demonstrates poise, command of language, and clear communication.
- Demonstrate listening skills by listening, observing, comprehending and reporting accurately.
- Demonstrate creativity through art and understand how art communicates to the student.
- Demonstrate technology skills by using a computer to develop research skills through the internet and/or using other technology resources to complete projects and assignments.

Community Contribution

Students will be able to:

- Research and identify needs within the community and create and implement an action plan.
- Demonstrate knowledge of diverse cultures and respect for individual differences.
- Understand how actions or lack of actions affect one's self, others and the community at large.
- Demonstrate skills in resolving conflicts through positive, non-violent alternative actions.

Work

Students will be able to:

- Demonstrate job preparation skills by understanding job search skills and the application process.
- Demonstrate responsibility by maintaining regular, punctual attendance, completing tasks, managing time, and setting challenging goals.

Knowledge

Students will be able to:

- Demonstrate integrated learning in a broad range of subjects shown through multiple, self-collected evidence and/or artifacts.
- Demonstrate the ability to think critically
- Demonstrate the application of knowledge
- Demonstrate knowledge in specific content areas.

The one.[®] Program



Concept of one.[®]

The Alternative Program's theme centers on the word "**one.**" This theme is printed on all of our documents and student incentive awards.

one.[®]

Noun

1. the number denoting unity
2. united in vision
3. united in action
4. tune to each other

Adjective

1. being the same kind or quality
2. a unified entity

one. stands for our desire to remind students that each individual is important and can make a difference in the world; we also want to make the point that it is when individuals join together, and work as one. that miracles can occur.

BELIEF STATEMENTS

We believe that...

- All kids can learn.
- Learning never ends.
- There is a need to celebrate diversity.
- Students bring with them their own reality.
- As educators, we should be eclectic and flexible.
- It is necessary to teach students to learn to learn.
- It is essential to recognize the basic worth in all people.
- There is a need to instill a sense of self-respect in our students.
- Each student should be given the opportunity to fully develop his/her human potential.
- There is a need to facilitate learning by drawing on student's individual strengths and learning styles.
- Each student has the right to a physically and emotionally safe environment that is conducive to learning.

LIFELONG GUIDELINES

- Be trustworthy
- Be truthful
- Active listening
- No put downs
- Personal best

LIFE SKILLS

- Integrity
- Initiative
- Flexibility
- Perseverance
- Organization
- Sense of humor
- Effort
- Common sense
- Problem-solving
- Responsibility
- Patience
- Friendship
- Curiosity
- Cooperation
- Caring
- Courage

MISSION STATEMENT

We ensure that ALL students attain the skills and confidence to make a positive difference and thrive in our ever-changing world.

VISION

We maintain high expectations and an academic focus that is rigorous, relevant, and founded on relationships. We inspire and empower our students to be tomorrow's leaders. They are innovative thinkers who transcend boundaries to achieve the extraordinary. They are resilient and self-aware, able to overcome all obstacles in their pursuit of excellence. Our students have a strong sense of self-worth and value working with others to make miracles occur.

CORE VALUES

As outcomes for students...

- Students will have the confidence to make educated decisions and be aware of the personal potential as a positive resource for others.

As commitments to each other...

- I will strive to be personally and professionally accountable by demonstrating a high level of sincerity, acceptance, diligence and effort.
- I promise to consistently support our mission by sharing resources and new ideas.

As beliefs about conditions for learning...

- As an educator and a role model, my role is to be innovative and flexible in meeting the needs of diverse learners while maintaining high academic standards in a safe environment.

The Program

Welcome to our school! Our mission is to enable students to become productive members of the community by providing quality-learning opportunities leading students to:

- develop an appreciation of self and others, while learning to become productive citizens,
- develop individual talents, critical thinking and problem-solving skills,
- develop workforce readiness,
- complete a course of study resulting in a high school diploma, Certificate of Completion or General Education Developmental (GED) Certificate.

We want your child to be successful in this program. Should you have questions or concerns, please contact our main office at (209) 468-4847.

Admission/Referral Screening Criteria

Students may be referred to the Alternative Programs by a local school district official, a school attendance review board, the juvenile court, a probation officer, or by a social worker. Students who meet one or more of the following criteria may be eligible for enrollment:

- a) Expelled from a school district;
- b) Referred by a school district as a result of the recommendation by a school attendance review board (SARB), or at the request of a parent/guardian;
- c) Probation-referred pursuant to W.I.C. Sections 300, 601, 602, 654, and/or
- d) Homeless children.

Each student will be assessed to determine appropriate placement. Students may be placed at a school site where they attend every day from 8 a.m. to 1:30 p.m., with the exception of Wednesdays, which are 12:30 p.m. dismissal days, or have an individualized schedule that will vary from site to site. A student's placement may be determined by court order, which would enroll a student in a court school or day center program.

Enrollment Procedures

A local school district will notify the Alternative Programs of students who have been expelled or referred through SARB. Probation officers will refer eligible students directly.

It is the parent's responsibility to contact the Alternative Programs for a registration appointment. Parents are expected to share information with the enrollment official regarding any special education programs and services received currently by the student.

In addition, the Alternative Programs handbook outlining the school rules, discipline procedures, and course offerings are explained. The student and parents commitment to the school program is encouraged.

Attendance

Regular attendance is essential to continuing enrollment in the Alternative Programs. The student is required to attend school daily, to arrive on time, and to remain in class until dismissed by the teacher-in-charge. Absences will be determined to be excused or unexcused according to the following criteria:

Excused Absences:

1. Personal illness or injury.
2. Quarantine under the direction of a county or city health officer.
3. Medical, dental, optometric, or chiropractic services rendered.
4. Attendance at funeral services for a member of the immediate family.
5. Jury duty in the manner provided by law.
6. Pupil is custodial parent of a child who is ill or has a medical appointment during school.
7. Exclusion for failure to present evidence of immunization.
8. Exclusion from school because the student is either the carrier of a contagious disease or not immunized for a contagious disease.
9. Pupils in grades 7-12 who leave school (with prior approval of the Principal or his/her designee) to obtain confidential medical services. The pupil is to return a copy of the medical professional's appointment verification form.
10. Upon written request of the parent or guardian and prior approval of the Principal or his/her designee and pursuant to board policy, a student's absence may be excused.

Reasons include, but are not limited to:

- (a) Appearance in court;
- (b) Observation of a holiday or ceremony of his/her religion;
- (c) Attendance at religious retreats not to exceed four (4) hours per semester;
- (d) Employment interview or conference;
- (e) Attendance to an educational conference on the legislative or judicial process offered by a nonprofit organization;
- (f) Attendance at funeral services for someone not a member of the immediate family;
- (g) Family emergencies;
- (h) Appearance at SARB or SART.

For a verified absence, one of the following two conditions must be met:

1. Parent/guardian should verify and explain the absence by telephone, and/or
2. Written verification should be received the day the student returns to school.

A parent/guardian can verify the absence by telephoning the school office at (209) 468-9055. If your student is tardy, please contact the students' school site directly.

Absences for illness beyond three consecutive days may require a doctor's note.

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

"Immediate family," as used in this section refers to mother, father, grandmother, grandfather, or a grandchild of the pupil or of the spouse of the pupil, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the pupil, or any relative living in the immediate household of the pupil.

Truancy

Pursuant to Assembly Bill 1542, the Alternative Programs must notify the San Joaquin County Human Services Agency if a student is not regularly attending school without good cause.

Habitual truancy may result in a referral back to the district of residency.

Truancy Process

STEP A: 1-2 Absences

- Telephone message sent to parents/guardian
- Probation Assistant (P.A.) visits home after 3 days of unexcused or unverified absences

STEP B: 3-9 Absences

- Probation Officer (P.O.) contacted by the student's teacher, if student is on formal probation
- P. A. visits home after 3 days of unexcused or unverified absences

- **STEP C: 5-10 Absences**

- Student Study Team (SST) meeting arranged by teacher
- Student, parents, teacher, P.A., counselor, Director School Nurse (if there are health issues)
- Notify Special Education Director and Foster Youth Services Director if appropriate

- **Send Letter #1: (After Step C, if previous steps were not effective)**

- Teacher recommends to Director
- Letter #1 sent
- Notify Human Services Agency (HSA)

- **STEP D: 11-19 Absences**

- Director, P.A. or counselor visit home

- **STEP E: 20+ Absences**

- Possible SST meeting with Director

- **Truancy Letter #2: (After Step D or E, if interventions were not successful)**

- 11-20+ absences
- Letter #2 sent
- Notify HSA

- **Truancy Letter #3: (After Letter 2, if interventions were not successful)**

- Student Study Team (SST) meeting held
- 20+ absences
- Letter #3 sent
- Notify HAS
- Possible re-assignment to intervention site

Parent/Guardian Duties and Responsibilities

A pupil's experience in the Alternative Programs will depend largely upon his/her own efforts; however, parent/guardian cooperation will greatly enhance the likelihood of success.

- ✓ Send your child to school every school day except when he/she is clearly ill.
- ✓ Make regular attendance at school your child's primary job.
- ✓ Telephone the SJCOE school office at 209-468-9055 as soon as you know that your child will be late or is not coming to school.
- ✓ Send a written note to the school with your child on the first day of attendance following an absence
- ✓ Send a doctor's note to the SJCOE school office at 2707 Transworld Dr., Stockton, CA 95206 or to school with your child for absences due to illness beyond three consecutive days.
- ✓ Require regular sleep hours.
- ✓ Be aware and provide for your child's transportation needs.
- ✓ Be aware, provide for your child's appropriate appearance and grooming.
- ✓ Please, schedule all appointments, including medical and dental, before or after school hours. When this is not possible, please have your child bring proof of the appointment from the doctor.
- ✓ Keep in contact with your child's teacher.
- ✓ Attend all Student Success Team (SST) meetings concerning your child.
- ✓ Continue to arrange and support services your child may be receiving outside the school setting such as counseling, medical monitoring, administration of medicine, etc.
- ✓ If parents or guardians wish to visit their students' school site the process is explained in **Appendix A**

Insurance

The Alternative Programs do not provide student insurance. It is the parent/guardian's responsibility for such coverage.

Holidays

SJCOE recognizes the following holidays:

- Monday, September 5, 2011
- Friday, November 11, 2011
- Monday - Friday, November 21-25, 2011
- Monday, December 19 thru Monday, Jan. 2, 2012
- Monday, January 16, 2012
- Monday, February 13, 2012
- Monday, February 20, 2012
- Friday, April 6, 2012 through April 13, 2012
- Monday, May 28, 2012
- Labor Day observed
- Veteran's Day observed
- Thanksgiving Break
- Winter Break
- Martin Luther King Day observed
- Abraham Lincoln Day observed
- President's Day observed
- Spring Break
- Memorial Day

The following dates will be ***early release*** with a dismissal time of 12:30 p.m.

- ◆ Each Wednesday through 5/23/12 – staff training
- ◆ 10/24/11 through 10/28, 2011 • for parent/student/teacher conferences
- ◆ 01/17/12 through 1/20/2012 • for parent/student/teacher conferences
- ◆ 3/19/2012 through 3/23/2012 • for parent/student/teacher conferences
- ◆ 3/26/2012 through 3/30/2012 • for program wide STAR testing/Senior Week
- ◆ 4/30/2012 through 5/23/2012 the last day of school
- ◆ The first Tuesday of each month beginning 9/6/2011 ending 4/3/2012 - training

Above dates are subject to change.

Curriculum

The Alternative Programs uses an integrated, thematic approach to instruction. Subjects such as language arts and history are combined in an effort to make learning more relevant and to help students process and retain information more efficiently. Lessons, assignments, and projects are centered on bi-monthly themes, which bring continuity to the learning experience. *This year's theme is:*

Roots of the Modern World

Unit I	Renaissance & Scientific Revolution	08/16/11 – 10/14/11
Unit II	Enlightenment & Social Contract	10/17/11 – 01/06/12
Unit III	Development of Modern Nations	01/09/12 – 03/09/12
Unit IV	The Sciences of the 20 th Century	03/12/12 – last day of school

Parents may review curriculum upon request.

Students have opportunities to individualize their instruction. Expectations are modified based on the abilities of each student. Teachers, parents, and students may conference with one another to determine what content areas they will emphasize in the work they do based upon the credits they need. However, final determination of credits awarded in specific content areas rests with the teacher and is based on evidence of student progress and performance outcomes on benchmarks and exams.

Expected School Wide Learning Results (ESLRs)

Six ESLR areas were determined by the Alternative Programs staff to be essential to the success of students upon graduation. Students and teachers examine these areas during each semester unit by the use of the Individual Learning Plan. The ESLR areas are:

- ❖ Concept of **one.**[®]
- ❖ Knowledge
- ❖ Work
- ❖ Communication Skills
- ❖ Community Contribution
- ❖ Personal Awareness

Individual Learning Plan

The Individual Learning Plan (ILP) form is designed to help the student and educational community focus upon the student's educational path. The student, with parent/guardian and staff support, will be able to identify goals and periodically review them.

Teachers will develop an ILP with each student. The Individual Learning Plan will be reviewed each quarter as the student and staff work together setting goals, and later on summarizing the student's educational growth. The meeting/review dates will be noted on the Individual Learning Plan form.

The Individual Learning Plan is meant to be a guide and learning tool for students. It is a reflection of the importance that we place upon the student's involvement in the learning process. We believe that learning is a process that continues throughout life. We also believe that students must develop the habit of maintaining a focus on goals and purpose, reflecting on their progress, and adjusting their life paths. The Individual Learning Plan begins the development of the process.

Credit Reports

Credits are awarded at the end of each reporting period. In order to earn credits, students must show evidence of progress in the ELSR areas listed above. Students are awarded 0 to 18 credits per reporting period according to quality of work and depth of understanding. Credits in mathematics and language arts will be based on each student's performance on benchmark assessments. These assessments will also help prepare students for success on the California High School Exit Exam and will ensure they are learning key content standards.

The week following unit ending dates are designated as conference days. Students are dismissed at 12:30 p.m. to facilitate parent (guardian)/student/teacher conference opportunities to discuss credits earned.

Reporting Periods

- Period 1 ends Friday, October 14, 2011 • Reports by Friday, October 21, 2011
- Period 2 ends Friday, January 6, 2012 • Reports by Friday, January 13, 2012
- Period 3 ends Friday, March 9, 2012 • Reports by Friday, March 16, 2012
- Period 4 ends Wednesday, May 23, 2012 • Reports by Friday, June 1, 2012

NOTE: Progress reports may be sent home at the discretion of the teacher.

Grade Level equivalency for the one. program purpose* is as follows:

- | | |
|--------------------------|-----------------|
| ■ 9 th grade | 0-50 credits |
| ■ 10 th grade | 51-100 credits |
| ■ 11 th grade | 101-150 credits |
| ■ 12 th grade | 151-205 credits |

Total credits earned are based on the last official school transcript.

* **placements/assessments**

Assessment

Initial assessment is completed to determine individual pupil needs. This may include:

- review of existing special education records;
- information on students in Licensed Care Institutes (LCI);
- academic pre-tests (to determine program placement);
- evaluation of transcripts;
- informal teacher interview; and/or
- program orientation
- Northwest Evaluation Association student assessment in math and language arts

Ongoing assessment of pupil progress occurs to plan for immediate/future needs and to measure effectiveness of instruction. This may include:

- portfolios;
- projects (individual and/or group);
- tests in subject areas;
- student study team meetings;
- aptitude assessment;
- interest assessment;
- individual assessment information gathered through special education assessment procedures;
- program writing assessments;
- Northwest Evaluation Association student assessment in math and language arts.
- credit reports/Individual Learning Plans;

- writing rubric(s);
- GBE (Graduation By Exhibition)

State mandated tests include:

- California High School Exit Exam (CAHSEE), mandatory for all graduates beginning in the 2005/06 school year;
- California English Language Development Test (CELDT);
- California Standards Test (CST);

Promotion/Retention

Refer to **Appendix B**

Graduation by Exhibition

Graduation by Exhibition (GBE) is a graduation requirement, in addition to the State of California's and the Alternative Programs credit and proficiency requirements. It is a demonstration by students reflecting their acquisition of knowledge and readiness to graduate. This process includes the presentation of evidence supporting fulfillment of seven criteria, which account for mastery of the six program outcomes.

The criteria are:

- The Concept of **one**.®
- Knowledge
- Community Contribution
- Work/Post-graduation Plan
- Communication Skills
- Personal Awareness - Physical/ Personal Quest
- Personal Celebration

A **GBE** can be performed at any time during the school year following completion of all credits and proficiency requirements for graduation. Traditionally, most GBE's are held in the spring, just prior to the graduation ceremony. The performance is held in a location convenient to the participants, generally at the San Joaquin County Office of Education. Students may invite family and friends in addition to the panel of judges. Judges include the advisor, a program director, a student representative, an SJCOE representative and one community member. Duration of the performance ranges from 30 to 90 minutes.

Students design a program, which is printed and distributed to judges and guests. They may present their GBE through various modes, including visual displays, auditory orations, audiovisual technology, and multimedia productions.

A Senior GBE Handbook, outlining the process, is available at: <http://www.sjcoe.org/alternativeed/>

Requirements for High School Diploma



Students are required to meet California State Standards in each content listed below:

1. Subject	Credits
English	40
Mathematics	20
Algebra 1 / Equivalent	10
Physical Education	20
World History/Culture/Geography	10
U. S. History/ Geography	10
Science, Biological	10
Science, Physical	10
Visual & Performing Arts or Foreign Language	10
American Government/Civics	5
Economics	5
Community Service	2
Health	2.5
Driver Education/Safety`	2.5
Electives	48
Total	205

2. Successful completion of:

- Mathematics CAHSEE passing score
- Language Arts CAHSEE passing score
- Level 4 Writing Requirement

Please note: Students who do not pass both sections of the CAHSEE, but meet all other requirements listed above, will receive a Certificate of Completion.

3. Graduation By Exhibition (GBE)

one.[®]

Faculty

Alternative Programs teachers must possess valid teaching credentials issued by the Commission on Teacher Credentialing. The faculty includes credentialed counselors.

Connect-Ed

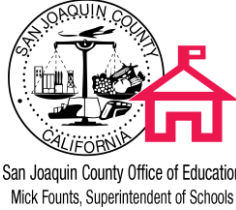
The Alternative Education program utilizes Connect Ed, an automated phone dialing service to contact parents or guardians of important events, such as testing dates, enrollment dates and special activities. It also calls for student absence notification. Please ensure all phone numbers on file for your student are correct.

Wellness Policy

A copy of the San Joaquin County Office of Education Wellness Policy is on file in the Comprehensive Health Office at the Education Service Center, 2707 Transworld Drive, Stockton, California 95206. You may also obtain a copy at your student's school site.



*Notice to
Parents/Legal
Guardian*



July 1, 2011

Dear Parents/Guardians of Students in the San Joaquin County Office of Education:

LOCAL EDUCATIONAL AGENCY IDENTIFIED FOR PROGRAM IMPROVEMENT, YEAR 3: CORRECTIVE ACTION

This is to inform you that San Joaquin Office of Education has been identified as a Program Improvement (PI) local educational agency (LEA) in Year 3+, corrective action. The Elementary and Secondary Education Act (ESEA)/The No Child Left Behind (NCLB) Act of 2001 requires the California Department of Education (CDE) to annually review the student academic performance in English-Language arts (ELA) and mathematics of each LEA that receives funds under Title I, Part A. An LEA is identified as PI if it fails to meet yearly student performance goals, known as Adequate Yearly Progress (AYP), for two consecutive years.

ESEA/NCLB also requires the California State Board of Education (SBE) to determine a corrective action for each PI Year 3 LEA. Corrective action is the collective name given to the steps an LEA must take that substantially and directly respond to instructional, managerial and organizational problems in the LEA and that will lead to students achieving proficiency in the core academic subjects of ELA and Mathematics.

At its November 2008 meeting, the SBE determined that San Joaquin Office of Education must take the following corrective action(s):

- Institute and fully implement an SBE-adopted/standards-aligned curriculum in ELA and Mathematics.
- Revise the LEA Plan to document steps to fully implement the SBE-assigned corrective action.

How can parents help the LEA improve?

Here are some suggestions to help you work with us to support improvements:

Learn more about the ESEA/NCLB requirements and become aware of strategies to improve student academic achievement. Additional information and resources are available at:

- The California Department of Education Title I, Part A Web page at <http://cde.ca.gov/sp/sw/t1/titleparta.asp>
- Program Improvement Status Determinations Web Page at <http://www.cde.ca.gov/ta/ac/ay/tidetermine.asp>
- The U.S. Department of Education's Web Page at <http://www.ed.gov> (Outside Source) and <http://www.ed.gov/parents/landing.jhtml>
- ✓ Talk with LEA staff about the LEA Plan <http://www.sjcoe.org/edservices/FinalLEAPlanAddendum.doc> and the revisions that must be made to help students meet the state standards in ELA and mathematics.
- ✓ Visit your child's school. You also may participate in voluntary activities to assist your school or LEA.
- ✓ If you are a parent of a student who attends a Title I PI school, ask about school choice options to transfer your child, with paid transportation, to a public school in your LEA that is not identified as a PI school.

I encourage you to contact Kristen Condit at (209) 468-9236 for further information about any of these requirements and to find out how you can become involved in our efforts to improve our county office of education.

Sincerely,

Mick Founts, Ed.D.
Superintendent of Schools

PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES

State law requires that parents be notified of their rights and responsibilities in certain matters pertaining to their children's education.

- ***Absence for Religious Exercises and Instruction:*** Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. (Ed. Code, § 46014)
- ***Comprehensive Sexual Health Education and HIV/AIDS Prevention Education:*** Parents may request in writing that their child not receive comprehensive sexual health education or HIV/AIDS prevention education. Parents may inspect the written and audio/visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them with a copy of Education Code section 51938. Every child's parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified. Parents have a right to request that the District provide them with a copy of Education Code sections 51933 and 51934.
- ***Excuse From Instruction:*** Upon written request of a parent, a pupil may be excused from any part of instruction in health which conflicts with the parent(s) religious training or beliefs (including personal moral convictions). (Ed. Code, § 51240)
- ***Administration of Medication:*** Medication may be safely taken at school with the assistance of school staff with the written permission of both parent/guardian and physician. Prescription asthma inhalants and auto-injectable epinephrine may be self-administered under the guidance of the school nurse. Medication administration forms are available at the **one.** office and are valid for one school year. (Ed Code 49423)
- ***Students on Medication:*** Parents are to notify the site Director if their child is on continuing medication. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the Director or school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. (Ed. Code, § 49480)
- ***Immunizations:*** The District shall exclude from school any pupil who has not been immunized properly. Pursuant to Health & Safety Code section 120325, a parent may consent in writing for a physician, surgeon, or registered nurse acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. (Ed. Code, §§ 48216, 48980(a), 49403)
- ***Physical Exams and Testing:*** The District is required to conduct certain physical examinations and vision, hearing and scoliosis testing of students unless the parent has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code, §§ 49451, 49452, 49452.5 and 49455, Health & Safety Code, § 124085)
- ***Confidential Medical Services:*** For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student's parent or guardian. (Ed. Code, § 46010.1)

- ***Accident-Medical Coverage for Injuries:*** Medical and hospital services for pupils injured at school or school-sponsored events, or while being transported, may be insured at parent's expense. No pupil shall be compelled to accept such services without his or her consent, or if the pupil is a minor, without the consent of a parent or guardian. (Ed. Code, § 49472)
- ***Medical and Hospital Services Not Provided:*** The District does not provide medical and hospital services for students injured while participating in athletic activities. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code, § 32221.5, 49471)
- ***Services for Students with Exceptional Needs or a Disability:*** State and Federal law requires that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code, § 56040 et seq.) In addition, services are available for students who have a disability, which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. §104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone:

James Mousalimas, Assistant Superintendent
 2707 Transworld Dr.
 Stockton, CA 95206
 209-468-9107

No Academic Penalty for Excused Absence: No pupil may have his or her grade reduced or lose academic credit for any absence or absences, which are excused for the reasons specified below when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, §48205, § 48980(j))

A pupil shall be excused from school when the absence is:

- Due to his or her illness.
- Due to quarantine under the direction of a county or city health officer.
- For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- For the purpose of jury duty in the manner provided for by law.
- Due to the illness or medical appointment during the school hours of a child of whom the pupil is the custodial parent.
- For justifiable personal reasons, including but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence 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 12302 of the Elections Code.

- A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- “Immediate family,” as used in this section refers to mother, father, grandmother, grandfather, or a grandchild of the pupil or of the spouse of the pupil, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the pupil, or any relative living in the immediate household of the pupil. (Ed. Code, § 48205)
- **Equal Opportunity:** Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone:

James Mousalimas, Assistant Superintendent
2707 Transworld Dr.
Stockton, CA 95206
209-468-9107

Complaints (Special Education): Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. To file a complaint, write a description of the manner in which parent believe special education programs for handicapped do not comply with state or federal law or regulations and file with the District official listed below at the following address and telephone:

(Cal. Code Regs. tit. 5, § 4630)

Wendy Frink, Director II
2707 Transworld Dr.
Stockton, CA 95206
209-468-4847

Release of Student Information: The District does not release information or records concerning a child to non-educational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. The following categories of directory information may be made available to various persons, agencies or institutions unless the parent or guardian notifies the District in writing not to release such information:

Name, address, telephone, date and place of birth, major field of study, class schedule, class roster, photographs, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and

awards received, and most recent previous educational institution attended. (Ed. Code, §§ 49060 et seq., 49073, 20 U.S.C. § 1232g, 34 C.F.R. § 99.7)

Inspection of Student Records: State law requires that the District notify parents of the following rights, which pertain to student records. (Ed. Code, §§ 49063, 49069, 34 C.F.R. § 99.7)

a.) A parent or guardian has the right to inspect and review student records relating directly to their child during school hours or obtain a copy of such records within five (5) business days of his/her request.

b.) Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The administrator of each school is ultimately responsible for maintenance of student records.

c.) A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

The parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

- (1) Inaccurate.
- (2) An unsubstantiated personal conclusion or inference.
- (3) A conclusion or inference outside of the observer's area of competence.
- (4) Not based on the personal observation of a named person with the time and place the observation.
- (5) Misleading.
- (6) In violation of the privacy or other rights of the pupil

Within thirty (30) days, the Superintendent shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student. (Ed. Code, § 49070)

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until such time as the information objected to be removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

d.) A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the extent required by law. Student Record Logs are located at each school and are open to inspection by parents or guardians. (Ed. Code, § 49064)

e.) School officers or employees having a legitimate educational interest may access

student records without first obtaining parental consent. "School officers and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel) a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist) or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A "legitimate educational interest" is one held by a school officer or employee whose duties and responsibilities create a reasonable need for access. (Ed. Code, §§ 49063(d), 49076)

f.) Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.

g.) Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. § 1232(g))

i.) Parents may obtain a copy of the District's complete student records policy by contacting the Superintendent.

Family Education Rights Privacy Act: In addition, parents have certain rights regarding student information and records which are guaranteed under federal law. A handout notifying parents of these rights is attached.

Student Discipline: District and School rules pertaining to student discipline are available to parents or guardians of district students in the school office. (Ed. Code, § 35291)

Dissection of Animals: If a student has a moral objection to dissecting or otherwise harming or destroying animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil's parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project or test for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. (Ed. Code, §§ 32255-32255.6)

Temporary Disability: A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence, shall be deemed to comply with the residency requirements of the school district in which the hospital is located. (Ed. Code, §§ 48206.3, 48207, 48208, 48980(b))

Student Residency: A student may be enrolled in the District if (1) the student's parent, legal guardian or other person having control and charge of the student resides in the District (Ed. Code, §48200); (2) the student is placed in a regularly established children's institution, licensed foster home, or family home; he or she is an emancipated student who lives within the District; the student lives in the home of an adult who has submitted a caregiver affidavit; or the student resides in a state hospital within the District. (Ed. Code, § 48204)

Attendance Options: All districts must inform parents at the beginning of the school year how to enroll in a school within the district that is different than the one

assigned. Students who attend schools other than those assigned by the districts are referred to as “transfer students” throughout this notification. There is one process for choosing a school within the district which the parent lives (intra-district transfer), and three separate processes for selecting schools in other districts (inter-district transfer). The general requirements and limitations of each process are described below:

Choosing a School Within District in Which Parent Lives: Education Code section 35160.5(b) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows;

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school’s attendance area.
- In cases in which there are more requests to attend a school than there are openings, the selection process must be “random and unbiased,” which generally means students must be selected through a lottery process rather than on a first-come, first-served basis.
- A district cannot use a student’s academic or athletic performance as a reason to accept or reject a transfer. Each district must decide the number of openings at each school, which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program. A district is not required to provide transportation assistance to a student that transfers to another school in the district under these provisions.
- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may however voluntarily decide to put in place a process for parents to appeal a decision.

Choosing a School Outside District in Which Parent Lives: Parents have three different options for *Choosing a School Outside the District in Which They Live.* The three options are:

Districts of Choice (Ed. Code, § 48300 - 48315): The law allows, but does not require, each school district to become a “district of choice” – that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. The school board of a district that decides to become a “district of choice” must determine the number of students it is willing to accept in this category each year and make sure that the students are selected through a “random and unbiased” process, which generally means a lottery process. If the district chooses not to become a “district of choice”, a parent may not request a transfer under these provisions. Other provisions of the “district of choice” option include:

- Either the district a student would transfer to or the district a student would transfer from may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Siblings of students already attending school in the “district of choice” must be given transfer priority.
- A parent may request transportation assistance within the boundaries of the “district of choice”. The district is required to provide transportation only to the extent it already does so.

ii. Other Inter-district Transfers (Ed. Code, §§ 46600 - 46611): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a

period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. There are no statutory limitations on the kinds of terms and conditions districts are allowed to place on transfers. The law on inter-district transfers also provides for the following:

- Both the school district a parent is requesting a transfer to and the one a parent is transferring from are encouraged to take into consideration the childcare needs of the student. If the transfer is approved based on childcare needs, the student may be allowed to stay in the new district or the high school district to which it feeds through the 12th grade, subject to certain conditions.
- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.

iii. Allen Bill Transfers (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby, the student may be considered a resident of the school district in which his/her parents or legal guardian(s) physically work if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions of Education Code section 48204(b) include:

- Either the district in which the parent or legal guardian lives or the district in which the parent or legal guardian physically works may prohibit the student’s transfer if it is determined that there would be a negative impact on the district’s desegregation plan.
- The district in which the parent or legal guardian physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student must provide in writing to the parent the specific reasons for denying the transfer.

Sexual Harassment Policy: Each student will receive a written copy of the district policy on sexual harassment. The purpose of this policy is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. A copy of the District's policy on sexual harassment is attached. (Ed. Code, §§ 231.5, 48980(g) Refer to **Appendix C**

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

- 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 his desire to learn.
- c.) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects.

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, 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 parent information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

Nutrition Program: The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. (Ed. Code, §§ 48980(b), 49510 et seq.)

U.S. Department of Education Programs: The following applies only to programs directly funded by the U.S. Department of Education:

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material, which will be used in connection with any survey, analysis, or evaluation, shall be available for inspection by the parents or guardians of the children. No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

- a.) political affiliations;
- b.) mental and psychological problems potentially embarrassing to the student or his family;
- c.) sex behavior and attitudes;
- d.) illegal, anti-social, self-incriminating and demeaning behavior;
- e.) critical appraisals of other individuals with whom respondents have close family relationships;
- f.) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
- g.) religious practices, affiliations, or beliefs of the student or student's parent; or
- h.) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an un-emancipated minor, without the prior written consent of the parent. (20 U.S.C. § 1232h)

Fingerprint Programs: *Not applicable to the SJCOE one. program*

Uniform Complaint Procedures: Refer to **Appendix D**

Complaints Alleging Discrimination:

State and Federal law prohibit discrimination in education programs and activities. State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of disability (mental and physical), gender (includes gender identity and gender related appearance and behavior whether or not associated with the person's assigned sex at birth), nationality (includes citizenship, country of origin and national origin), race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice,

including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or the perception of one or more of such characteristics. (Ed. Code, §§ 210-214, 220 et seq., 66260-66264, Cal. Code Regs. tit. 5, § 4900 et seq., 20 U.S.C. § 1681 et seq. 29 U.S.C. § 794, 42 U.S.C. § 2000d et seq., 42 U.S.C. § 12101 et seq., 34 C.F.R. § 106.9)

The District has a written complaint procedure, which may be used in cases where individuals have suffered discrimination on the basis of actual or perceived sex, sexual orientation, ethnic group identification, race, ancestry, national origin, religion, age, gender, color, or physical or mental disability. (Cal. Code Regs. tit. 5, §§ 4610, 4630, 4650)

a.) Any individual, public agency or organization has the right to file a written complaint alleging that he/she has personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs. tit. 5, § 4630(b) (1))

b.) Complaints must usually be filed with the (administrator/district superintendent/designee of the LEA). In the following cases, however, complaints may be filed directly with the State Superintendent of Public Instruction: (Cal. Code Regs., tit. 5, §§ 4630(a), 4650)

(1) Complaints alleging that the District failed to comply with the complaint procedures described herein.

(2) Complaints alleging facts, which indicate that complainant, will suffer an immediate loss of some benefit such as employment or education.

(3) Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.

(4) Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.

(5) Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.

(6) The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District.

c.) Complaints must be filed within six (6) months of the date the alleged discrimination occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination. Within that six (6) month period, complainant may file a written request with the State Superintendent of Public Instruction for an extension of up to ninety (90) days. Extensions will not be automatically granted, but may be granted for good cause. (Cal. Code Regs. tit. 5, § 4630(b))

Complaints Other Than Discrimination:

The District has a written complaint procedure, which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination.

a.) Written complaints may be made in the following areas: (Cal. Code Regs., tit. 5, §§ 4610(b), 4630)

(1) Adult Basic Education

(2) Consolidated Categorical Aid Programs

(3) Migrant Education

(4) Vocational Education

(5) Child Care and Development

(6) Child Nutrition

(7) Special Education

b.) Complaints must usually be filed with (the administrator/superintendent of the LEA).

In the following cases, however, complaints may be filed directly with the State Superintendent of Public Instruction: (Cal. Code Regs., tit. 5, §§ 4630, 4650)

- (1) Complaints alleging that the District failed to comply with the complaint procedures described herein.
- (2) Complaints regarding Child Development and Child Nutrition programs not administered by the District.
- (3) Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.
- (4) Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.
- (5) Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.
- (6) Complaints relating to Special Education, but only if:
 - (a) District unlawfully refuses to provide a free appropriate public education to handicapped students; or
 - (b) District refuses to comply with due process procedures or fails to implement due process hearing order; or
 - (c) Children may be in immediate physical danger, or their health, safety or welfare is threatened; or
 - (d) A handicapped pupil is not receiving the services specified in his/her Individual Educational Program (IEP); or
 - (e) The complaint involves a violation of federal law.
- (7) The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District.

c.) Williams Settlement Complaints: Complaints, including anonymous complaints, may be made and addressed on a shortened time line for the following areas: (Ed. Code, § 35186)

- (1) Insufficient textbooks and instructional materials;
- (2) Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils; or
- (3) Teacher vacancy or miss-assignment.
- (4) The provision of intensive instruction and services for pupils who have not passed the high school exit exam by the end of grade 12.

Responsible Official: The District official responsible for processing complaints is listed

Scott Anderson, Division Director
2901 Arch Airport Road
Stockton, CA 95206
209-468-9230

Appeals:

a.) If a complaint is denied, in full or in part, by the District, the complainant may appeal to the State Superintendent of Public Instruction. (Ed. Code, § 262.3(a), Cal. Code Regs. tit. 5, § 4652)

(1) Appeals must be filed within fifteen (15) days of receiving the District decision. Complainant may, within that fifteen (15) day period, file a written request for an extension. Extensions will not be automatically granted, but may be granted for good cause.

(2) Appeals must be in writing.

(3) Appeals must specify the reason(s) for appealing the District decision.

(4) Appeals must include a copy of the original complaint and a copy of the District decision.

b.) If a complaint is denied, in full or in part, by the State Superintendent of Public Instruction, the Complainant may request reconsideration by the Superintendent. (Cal. Code Regs. tit. 5, § 4665)

(1) Reconsideration must be requested within thirty-five (35) days of receiving the State Department of Education report.

(2) The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

Civil Law Remedies:

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may have civil law remedies. These civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner. Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any questions regarding civil law remedies should be directed to an attorney. (Ed. Code, § 262.3(b), Cal. Code Regs. tit. 5, § 4622)

Pupil-Free Staff Development Day and Minimum Day Schedule:

A copy of the District's pupil-free staff development day and minimum day schedules is attached for reference. A pupil's parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (Ed. Code, §48980(c))

Review of Curriculum: A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for parent review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code, §49063, §49091.14)

High School Exit Examination: Each pupil completing 12th grade is required as a condition of graduation to successfully pass the high school exit examination mandated by State law. Pupils may take the exit examination prior to reaching the 12th grade. In order to pass the exit examination a pupil will be required to demonstrate mastery of statewide academically rigorous content standards in language arts and mathematics. A pupil who fails to pass all parts of the examination by the completion of 12th grade shall not receive a diploma. (Ed. Code, §§48980(e) and 60850) Refer to **Appendix E**

Child Find System; Policies and Procedures: Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal. Policy and procedures shall include written notification to all parents of their rights pursuant to Education Code section 56300. (Ed. Code, § 56301; 34 C.F.R. § 104.32(b))

School Accountability Report: Parents/guardians may request a hard copy of the School Accountability Report Card, which is issued annually for each school of the District. (Ed. Code, § 35256)

Asbestos Management Plan: An updated management plan for asbestos-containing material in school buildings is available at the District Office. (40 C.F.R. § 763.93)

Availability of State Funds to Cover Costs of Advanced Placement Examination

Fees: School districts may apply to the State Department of Education for grant funding to assist economically disadvantaged pupils pay for advanced placement examination fees. School districts that apply for these grants must designate specific school district staff to which pupils may submit applications for grants and must institute a plan to notify pupils or the availability of financial assistance. A copy of the District's notification of these grants monies, if applicable, is attached. (Ed. Code, §§ 48980(k) and 52244)

No Child Left Behind Act of 2001: Under the NCLB, parents have the following rights:

Information Regarding Professional Qualifications of Teachers,

Paraprofessionals, and Aides: Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects s/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether s/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to parent's child and, if so, their qualifications. Districts shall also notify parents if their child has been assigned to or has been taught for 4 or more consecutive weeks by a teacher who is not highly qualified.

Information Regarding Individual Student Reports on Statewide

Assessments: Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student.

Limited English Proficient Students: The Act requires prior notice be given to parents of limited English proficient students regarding limited English proficiency programs, including the reasons for the identification of the student as limited English proficient, the need of placement in a language instruction educational program, the student's level of English proficiency, how such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a student from a program and/or to decline initial enrollment, and expected rate of transition into classrooms not tailored for limited English proficient students.

Program Improvement Schools: Parents shall be notified when their child's school is identified a "program improvement" school and the opportunities for school choice and supplemental instruction. The information provided above is available upon request from each child's school or the district office. Additional notices that may be required under the No Child Left Behind Act shall be sent separately. (20 U.S.C. §§ 6301 et seq.)

Military Recruiter Information: The No Child Left Behind Act of 2001 and Education Code section 49073.5 require that school districts disclose the names,

addresses and telephone numbers of high school students to military recruiters upon request, unless parents request that this information not be released without prior written consent. Parents have the option of making such a request. If parents do not wish this information to be provided to military recruiters, they must notify the District office of this fact in writing. The writing should be directed to the District official listed below at the following address:

Elsa Gonzales, Student Services Director II
P. O. Box 213030
Stockton, CA 95213

Children In Homeless Situations: Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (42 U.S.C. § 11432(g) (1) (J) (ii), (g) (6))

Sex Equity In Career Planning: Parents shall be notified in advance of career counseling

Pesticide Products: All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The attached list provides the name of each pesticide product, the active ingredient(s) and the Internet address for further information. Parents or guardians may request prior notice of individual pesticide applications at the school. If a parent wishes to be notified every time a pesticide is going to be applied, he or she must complete the attached form and return it to his or her child's school. (Ed. Code, §§ 48980.3, 17612) Refer to **Appendix F**

Notification of Rights Under FERPA for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school

officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

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

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit 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 parents; 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 screening, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use

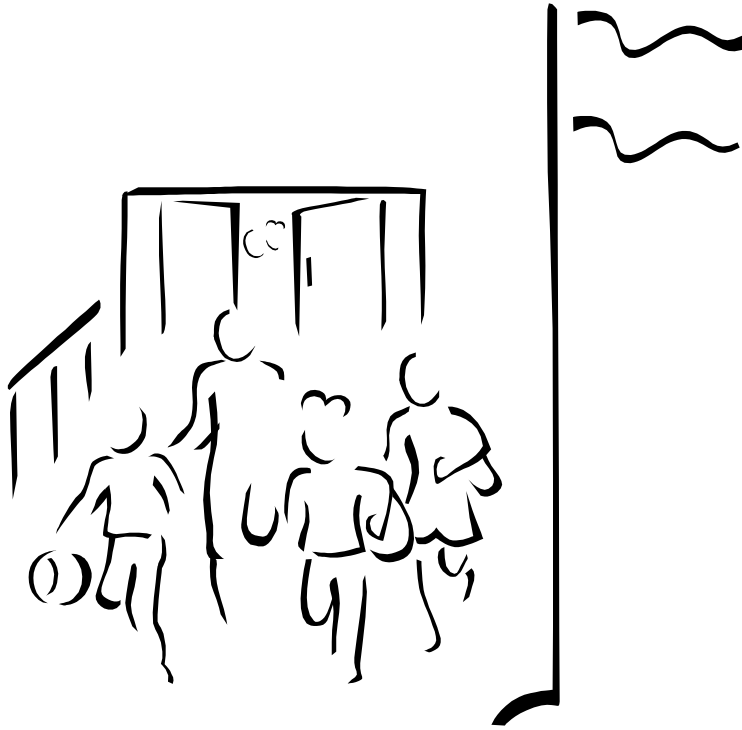
1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and

3. Instructional material used as part of the education curriculum.

These rights transfer from parents to student who is 18 years old or an emancipated minor under State law. The San Joaquin County Office of Education will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. SJCOE will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. SJCOE will also directly notify, such as through U.S. mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. SJCOE will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and are provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of activities and surveys covered under this requirement; Collection, disclosure, or use of personal information for marketing, sales or other distribution. Administration of any unprotected information survey not funded in whole or in part by the Department of Education. Any non-emergency, invasive physical examination or screening as described above.

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

Family Policy Compliance Office
U. S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920



Student Conduct

Dear Parent/Guardian:

Alternative Programs students are expected to RESPECT THEMSELVES, OTHERS, AND THEIR PROPERTY. Therefore, students should be aware of possible consequences of their behavior. Disciplinary action taken by school officials is a direct consequence of unacceptable behavior by a student.

Students who become involved in areas of problem behavior will be subject to certain disciplinary actions. Depending upon the behavior problem of the student, one or more of the following actions, stated in this handbook, may be taken by school officials. The action taken will be according to the policies of the Alternative Programs, and state law which provide for a safe and secure school environment.

Rules and regulations are established to maintain an atmosphere conducive to learning. Students who fail to comply with these rules and regulations will be counseled, reprimanded, suspended, and/or arrested as the laws are applied.

The governing board of any school district shall prescribe rules not inconsistent with law or with the rules prescribed by the State Board of Education, for the government and discipline of the schools under its jurisdiction (E.C. 35291.5).

All pupils shall comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the schools (E.C. 48908 and CCR, Title 5, sec. 300).

Field trip or off-campus curricular activities are considered a part of the educational program. Participants/spectators carry responsibilities as representatives of their schools. All rules of student conduct apply.

Any governing board may enforce the provisions of California Education Code 35291 by suspending a pupil in any elementary or secondary school who refuses or neglects to obey any rules prescribed pursuant in that section (E.C. 48900, 48915).

This publication has been prepared and distributed to assist the school in informing all concerned persons of these policies (E.C. 35291.5).

Important

It is noted by your signature on the handbook form, that you, as a parent/guardian, have read and understand the Student Conduct Code.

Your child is responsible for all sections of the Student Conduct Code as stated. If you have questions or concerns about any of the information, or if you disagree with any student conduct code section, please telephone the Alternative Programs at 468-4847.

Policy on Student Severance

The Alternative Programs is a permissive program. This means there is no legal requirement to enroll a student or to continue the enrollment of any student who:

- violates the rules stated in the Student Conduct Code,
- fails to achieve/meet minimum program expectations,
- otherwise presents himself/herself as a negative influence upon the program's other students or staff.

A STUDENT SHALL BE SUBJECT TO DISMISSAL IF ANY OF THESE SITUATIONS ARE EVIDENT.

General Information

1. (E.C. 48900) A pupil may not be suspended from school or recommended for expulsion unless the Superintendent or Program Administrator of the school in which the pupil is enrolled determines that the pupil has committed an act which is enumerated in this section and related to school activity or attendance which occur at any time, including, but not limited to, any of the following:

- a. while on the school grounds
- b. while going to or coming from school
- c. during, or while going to, or coming from, a school-sponsored activity

2. (E.C. 48915a) The program administrator or the County Superintendent of Schools shall recommend the expulsion of a pupil for an act which is enumerated in this section and related to school activity or attendance which occur at any time, including, but not limited to, any of the following:

- a. while on the school grounds.
- b. while going to or coming from school.
- c. during, or while going to, or coming from, a school sponsored activity.

Refer to **Appendix G** for complete policy.

3. A teacher may suspend any student from the teacher's class for any of the acts listed in the following pages for the day of the suspension and the day following. The Assistant Superintendent, Program Administrator, or designee may suspend a student from a school site for any of the acts listed in the following pages for not more than five consecutive school days.

4. Students accumulating 20 days of in-school and/or home suspension are subject to involuntary transfer to another school.

5. Disciplinary action will be taken if a student's behavior is disruptive to the instructional process or causes a danger to persons or property even though the offense is not defined in this Student Conduct Code.

6. Students and parents have a right to appeal disciplinary action taken against a student. A meeting must be requested with the administrator/designee prior to any further appeal (E.C. 48914).

7. Students may be suspended on the first offense if it is determined that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.

Behavior/Consequence

To Cause, Attempt to Cause, Threaten to Cause Serious Physical Injury...

E.C. 48900(a) (1): Cause, attempt to cause, threaten to cause physical injury to another person, or E.C. 48900(a) (2) and E.C. 48915(a) (1): Willfully use force or violence upon the person of another causing serious physical injury, except in self-defense.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

Note: Battery is any willful and unlawful use of force or violence upon the person of another. Assault is an unlawful attempt, coupled with a present liability, to commit a violent injury on the person of another.

To Attack, Assault, or Physically Threaten Any Employee of The Office of A County Superintendent Of Schools...

E.C. 48900 (a) (1), E.C. 48900(a) (2) and E.C. 48915(a) (5): Refer to definition above.

E.C. 44014(a): Whenever any employee of a school district or of the office of a county superintendent of schools is attacked, assaulted, or physically threatened by any pupil, it shall be the duty of the employee, and the duty of any person under whose direction or supervision the employee is employed in the public school system who has knowledge of the incident, to promptly report the incident to the appropriate law enforcement authorities of the county or city in which the incident occurred.

Minimum Action: Notification of appropriate law enforcement agency.

Maximum Action: Recommendation for severance.

To Possess, Sell, or Otherwise Furnish Any Firearm, Knife, Explosive, or Other Dangerous Object...

E.C. 48900(b), E.C. 48915(a)(2), E.C. 48915(c)(1), E.C. 48915(c)(2) and E.C. 48915(c)(5): Possess, sell, or otherwise furnish any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any such object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

Minimum Action: Notification of appropriate law enforcement agency.

Maximum Action: Recommendation for severance.

To Unlawfully Possess, Use, Sell or Otherwise Furnish, or Be Under The Influence of, Any Controlled Substance...

E.C. 48900(c), E.C. 48915(a)(3) and E.C. 48915(c)(3): Unlawfully possess, use, sell, or otherwise furnish, or be under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Unlawfully Offer, Arrange, or Negotiate To Sell Any Control Substance...

E.C. 48900(d): Unlawfully offer, arrange, or negotiate to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Commit or Attempt to Commit Robbery or Extortion...

E.C. 48900(e) and E.C. 48915(a) (4): Commit or attempt to commit robbery or extortion.

Minimum Action: Notification of appropriate law enforcement agency.

Maximum Action: Recommendation for severance.

Note: Extortion is the obtaining of property from another, without their consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right. (P.C. 518 Amend, states 1939, Ch. 601.) Fear, such as will constitute extortion, and may be induced by a threat, either:

1. To do an unlawful injury to the person or property of the individual threatened or of a third person; or,
2. To accuse the individual threatened, or any relative of his, or member of his family, of any crime; or,
3. To expose, or to impute to him or them any deformity, disgrace or crime; or,
4. To expose any secret affecting him or them. P.C. 519 Amend Stats, 1939, Ch. 60.)

To Cause or Attempt to Cause Damage to School Property...

E.C. 48900(f): Cause or attempt to cause damage to school property or private property.

Minimum Action: Notification of appropriate law enforcement agency.

Maximum Action: Recommendation for severance.

Note: Parent/guardian will be held responsible for damages to school district property. When the minor and parent are unable to pay for the damages, the school district shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage. (E.C. 48904)

To Steal or Attempt to Steal School Property or Private Property...

E.C. 48900(g): Steal or attempt to steal school property or private property.

Minimum Action: Notification of appropriate law enforcement agency.

Maximum Action: Recommendation for severance.

To Possess or Use Tobacco...

E.C. 48900(h): Possess or use tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

Minimum Action: Confiscation, warning to student, and parent contact.

Maximum Action: Recommendation for severance, and notification of appropriate law enforcement agency.

Confiscated materials will be returned to the parents upon request. Confiscated materials will not be returned to students.

To Commit an Obscene Act...

E.C. 48900(i): Commit an obscene act or engage in habitual profanity or vulgarity.

Minimum Action: Parent conference.

Maximum Action: Recommendation for severance, and notification of appropriate law enforcement agency.

To Unlawfully Possess or Unlawfully Offer, Arrange, or Negotiate to Sell Any Drug Paraphernalia...

E.C. 48900(j): Unlawfully possess or unlawfully offer, arrange, or negotiate to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Disrupt School Activities or Otherwise Willfully Defy The Valid Authority of Supervisors, Teachers, and Administrators...

E.C. 48900(k): Disrupt school activities or otherwise willfully defy the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Fail to Identify Oneself...

Falls under E.C. 48900(k): To fail to identify oneself or give false information to school personnel.

Minimum Action: Warning to student.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Leave Campus...

Falls under E.C. 48900(k): To leave campus without proper authorization.

Minimum Action: Warning to student; and unexcused absence recorded.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

Forge, Falsify, Alter, or Use Forged School Correspondence, Passes, or Re-Admit Slips...

Falls under E.C. 48900(k): Forge, falsify, alter, or use forged school correspondence, passes, or readmit slips.

Minimum Action: Parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Gamble and Wager...

Falls under E.C. 48900(k): To gamble and wager, or habitually being present where gambling and wagering are taking place.

Minimum Action: Warning and/or parent notification.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Fire-Set or Attempt Fire-Setting...

Falls under E.C. 48900(k): To fire-set or attempt to fire-set including the activation of false alarms or tampering with emergency equipment.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

Note: Fire-setting is never considered to be a prank. Restitution for damages is the responsibility of the parent/student. When the minor and parent are unable to pay for the damages, the school district shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages (E.C. 48904). Law enforcement agencies will be notified when appropriate.

To Loiter on or About Any Campus...

Falls under E.C. 48900(k): To loiter on or about any campus without apparent lawful purpose.

Minimum Action: Warning to student.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

Note: A student may be subject to arrest according to Penal Code 653G if he/she loiters at or near any school or public place at or near where students attend or normally congregate, or reenters or comes upon such school or place after being asked to leave by a school official. According to P.C. 653G, punishment for loitering includes a fine not to exceed \$1,000 and/or imprisonment in the county jail not to exceed 6 months.

To Exhibit Any Dress, Grooming, or Appearance...

Falls under E.C. 48900(k): To exhibit any dress, grooming, or appearance which disrupts, or tends to disrupt, the education process, or affects the health or safety of individuals shall be prohibited.

Note: Any attire/paraphernalia/symbol that signifies gang affiliation will not be allowed on campus. Any attire/paraphernalia/symbol that displays a logo or other message relating to alcohol, tobacco, drugs, or gangs, may not be worn on campus or at school related activities. This includes, but is not limited to, gang affiliated colors in clothing and accessories.

Minimum Action: Parent conference/improve clothing.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Possess Any Disruptive Items...

Falls under E.C. 48900(k): To possess any disruptive items (i.e. radios, tape players, skateboards, or other items a school administrator identifies as disruptive), unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.

Minimum Action: Confiscation of object.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

Confiscated materials will be returned to the parents upon request. Confiscated materials will not be returned to students.

To Use Any Electronic Signaling Devices...

E.C. 48900(k); E.C. 48901.5: The SJCOE allows students to possess and use electronic signaling and communication devices while on campus before school and after school. All electronic signaling and communication devices will be in the off mode and out of sight throughout instructional time, school activities and the nutrition period. Students are not permitted to use and/or possess a cellular phone, PDA (personal digital assistant), or any other type of electronic signaling/portable communication device with photographic capabilities on campus at any time.

Minimum Action: Warning to student and confiscation.

Maximum Action: Recommendation for severance, notification of appropriate law

To Knowingly Receive Stolen Property...

E.C. 48900(l): Knowingly receive stolen school property or private property.

Minimum Action: Parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency

To Possess, an Imitation Firearm...

E.C. 48900(m): Possess an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, and notification of appropriate law enforcement agency.

Note: Toy guns are considered objects of a dangerous nature (Penal Code 12020, AB 4546 P.C. 417.2).

To Commit, or Attempt to Commit a Sexual Assault...

E.C. 48900(n) and E.C. 48915(c)(4): Commit or attempt to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

Minimum Action: Warning and/or parent contact

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency

To Harass, Threaten, or Intimidate a Pupil...

E.C. 48900(o): Harass, threaten, or intimidate a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency

To Unlawfully Offer, Arrange, or Negotiate to Sell the Prescription Drug Soma...

E.C. 48900(p): Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Engage, or Attempt to Engage in Hazing...

E.C. 48900(q): Engaged in, or attempted to engage in, hazing as defined in Section 32050.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Engage in an Act of Bullying...

E.C. 48900(r): Bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

Note: Electronic act means the transmission of a communication, including, but not necessarily limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not necessarily limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

Bullying means one or more acts by a student or group of students that constitute sexual harassment pursuant to Education Code 48900.2; hate violence pursuant to Education Code 48900.3; or harassment, threats, or intimidation pursuant to Education Code 48900.4.

To Aid, or Abet the Infliction of Physical Injury...

E.C. 48900(s): A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aide and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

Note: Battery is any will and unlawful use of force or violence upon the person of another. Assault is an unlawful attempt, coupled with a present liability, to commit a violent injury on the person of another

To Commit, Sexual Harassment...

E.C. 48900.2: Commit sexual harassment as defined in Section 212.5. This section does not apply to pupils in grades K-3.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Cause, Attempt to Cause, Threaten to Cause, or Participate in an act of, Hate Violence...

E.C. 48900.3: Cause, attempt to cause, threaten to cause, or participate in an act of, hate violence, as defined in subdivision (e) of Section 33032.5.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Intentionally Engage in Harassment, Threats, or Intimidation, Directed Against a Pupil...

E.C. 48900.4: Intentionally engage in harassment, threats, or intimidation, directed against a pupil or group of pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile educational environment.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

To Make Terrorist Threats, Against School Officials or School Property...

E.C. 48900.7: A pupil may be suspended from school if the superintendent or school administrator of the school in which the pupil is enrolled determines that the pupil has made terrorist threats against school officials or school property, or both.

Minimum Action: Warning and/or parent contact.

Maximum Action: Recommendation for severance, notification of appropriate law enforcement agency.

During Suspension...

1. The student is expected to be under the supervision of a parent during school hours when serving suspension days at home (7:30 am - 2:30 pm). The student shall not appear on or about any school during the period of suspension, except in the case of in-school suspensions, unless coming to the office on official business with the parent/guardian and by prior arrangement with a school administrator.
2. Student is not to attend any school-sponsored event on or off any school campus during suspension. This is extended to include weekend and holiday activities, and would include, but not be limited to, field trips, athletic events, theater events, proms, dances, and band events.
3. If a student's suspension enters in to an off session period, the consequences and restitution will be determined by an administrator.
4. Violation of suspension rules may result in a minimum consequence of a warning and a maximum consequence of a referral to the appropriate law enforcement agency.
5. The teacher may require the suspended student to complete any assignments and tests missed during the suspension.
6. Instead of disciplinary action prescribed by this article, the Superintendent, Program Administrator or designee, may require a pupil to perform community service on school grounds during non-school hours. For the purposes of this section "community service" may include, but is not limited to, work performed on school grounds in the areas of outdoor beautification, campus betterment, and teacher or peer assistance programs.

Student Success Team (SST)

SST meetings are held for students and attended by parents, teachers, counselors, directors, and other significant representatives, for the purpose of creating the best educational behavioral plan for the student. This process of intervention focuses on an individual student's academic and behavioral progress through communication among all parties.



Regional Occupational Centers & Programs

Welcome to the San Joaquin County Office of Education/Regional Occupational Centers and Programs (ROC/P). Our mission is to provide quality career development and workforce preparation to ensure student success and employability.

All program courses have been developed in cooperation with local business and industry representatives to prepare you with a portfolio of highly marketable skills. You may enroll in an individual course, pursue a Career Certificate Program, and earn Certificates of Achievement for completing the academic and attendance requirements as outlined for particular areas of study.

We want you to be successful in this program. Should you have any questions or concerns, please contact the Enrollment Center at 468-5930.

WHO WE ARE?

ROC/P offers training to students that will prepare them for work. ROC/P courses provide opportunities to further education, upgrade present job skills, and/or learn new skills.

- There are 74 Regional Occupational Centers and Programs (ROC/P's) in California.
- Education, business, and industry leaders' work together to develop job training programs to match employer needs.
- Employer advisory committees assure that there is a strong labor market for skills taught.
- Courses provide meaningful career training and pathway opportunities through relevant training.
- ROC/P graduates have high job placement.
- ROC/P teachers and counselors hold appropriate career preparation credentials from the State Department of Education and have related industry experience.
- Students may earn credits to fulfill high school graduation requirements while acquiring job skills to take their place in the "World of Work".
- Community college credits are also available through most ROC/P courses.

WHAT WE DO?

We provide training for high school students, adults, and out-of-school youth for employment. In addition to formal classroom instruction, ROC/P's work in partnership with local businesses to provide students with internships and on-the-job-training. ROP teachers, counselors and job developers assist students in job placement.

ROC/P is the most cost effective job training program in the State. At the end of student training, ROC/P graduates entering the labor force have a significant economic impact on the community. Millions of dollars are returned to the government through taxes that more than offset the training cost.

HOW WE ARE FUNDED?

ROC/P is funded through the State Department of Education. ROC/P funding is based on students' average daily attendance (ADA). We are governed locally by the San Joaquin County Office of Education.

ROP classes are designed to reflect the real work environment. As in business, ROP training requires students to follow policies and procedures and accept personal responsibility while in class.

- Arrive **ON TIME** for class with all supplies and equipment required by the instructor.
- Be prepared to work and participate in the class.
- Adhere to all ROC/P policies, procedures and course expectations.
- Show respect for the authority of the instructor and other people with whom you come in contact while in training. Refrain from any action that might reflect unfavorably upon yourself and/or ROC/P.
- Respect the rights of other students and make sure your behavior does not interfere with their right to learn.
- Respect and protect property belonging to ROC/P, training sites and other people.
- Keep valuables with you at all time. The ROC/P program is NOT responsible for theft or damage to personal property.
- Refrain from behaviors listed under the Code of Student Conduct (pages 30-37).
- Dress appropriately for the work environment for which you are training (e.g. no tank tops, crop tops, short-shorts, baggy pants).
- Follow all safety regulations to protect yourself and others.
- Return all books and materials at the completion of the course, unless you have purchased them.
- Be responsible for your own transportation to and from school and to and from on-the-job training sites.
- Students must not bring radios, compact disc players and/or stereo equipment to class. Students must not disrupt class or other students with the use of pagers, beepers and cell phones.
- Students are not allowed to bring visitors to class unless pre-approved by the instructor. Visits are allowed for one day. If a longer duration is required, approval must come from the ROC/P Director.

EFFECTIVE WORKERS CAN PRODUCTIVELY USE:

All work site learning methodologies including Community Classroom and Cooperative Vocational Education will be utilized when appropriate.

1. Students will understand how personal skill development affects their employability.
 - They will exhibit positive attitudes, self-confidence, honesty, perseverance, self-discipline, and personal hygiene.
 - They will manage time, balance priorities and demonstrate a capacity for lifelong learning.
2. Students will understand key concepts in group dynamics, conflict resolution, and negotiation.

- They will work cooperatively, share responsibilities, accept supervision, and assume leadership roles.
 - They will demonstrate cooperative working relationships across gender and cultural groups.
3. Students will exhibit critical thinking skills, logical reasoning, and problem solving.
 - They will apply numerical estimation, measurement, and calculation as appropriate.
 - They will recognize problem situations; identify, locate, and organize needed information or data; and propose, evaluate, and select from alternative solutions.
 - Students will understand the principles of effective communication.
 - They will communicate both orally and in writing.
 - They will listen attentively and follow instructions, requesting clarification or additional information as needed.
 4. Students will understand occupational safety issues including the avoidance of physical hazards in the work environment.
 - They will operate equipment safely so as not to endanger themselves or others.
 - They will demonstrate proper handling of hazardous materials.
 5. Students will understand career paths and strategies for obtaining employment within their chosen fields.
 - They will assume responsibility for professional growth.
 - They will understand and promote the role of their field within a productive society, including the purposes of professional organizations.
 6. Students will understand and adapt to changing technology by identifying, learning, and applying new skills to improve job performance.
 - They will effectively employ technologies relevant to their fields.
 7. Students will understand complex inter-relationships of systems.
 - They will understand systems including knowing how social, organizational, and technological systems work and operate effectively with them.
 - They will monitor and correct performance including distinguishing trends; predicting impact on system operations; and, diagnosing systems' performance and correcting malfunctions.
 - They will improve or design systems including suggesting modifications to existing systems and developing new or alternative systems to improve performance.
 8. Students will understand all aspects of the industry including planning, management, and finance; required technical and production skills; underlying principles of technology; and, labor, community, health, and environmental issues.

GENERAL INFORMATION

ADMISSION CRITERIA/ENROLLMENT PROCEDURES

Priority will be given to ROP students 16 years of age. Education Code Section 52314 establishes the admission criteria for secondary students. A student is not eligible to be admitted to an ROCP until the student has attained the age of 16, unless the student meets one or more of the following conditions:

1. The student is enrolled in grade 11 or higher.

2. The student received a referral and all of the following conditions have been met: The student is referred to a ROC/P as part of a comprehensive high school plan (CHSP).
3. The plan must be approved by a counselor or administrator. The student's parents are not required to approve the plan.
 - a. The student's CHSP requires a sequence of CTE courses.
 - b. The student is enrolled in a school that maintains any of the grades 9 -12, inclusive.
4. The individual education program (IEP) prescribes occupational training for which the student's enrollment in a ROC/P is deemed appropriate.
5. A student is enrolled in grade 10 and has a CHSP that has been approved by a school counselor and the admission of the student will not result in the denial of admission or displacement of pupils in grades 11 and 12 that would otherwise participate in the ROC/P.

It is the responsibility of the student to make the necessary contact with the orientation site for registration information. A student handbook outlining the rules, regulations, policies and procedures governing attendance and conduct is available to every student. Some programs have specific admission requirements. Counseling services are available and an assessment to determine appropriate placement in a suitable training program may be recommended.

ATTENDANCE

1. Daily attendance and promptness are absolutely essential at ROC/P to maintain enrollment and develop work habits that lead to successful employment.
2. All students are to be in class EACH DAY on time. It is the student's responsibility to notify their instructor before class begins if they will be absent.
 - a. In the event of an illness, students must telephone their instructor before their schedules start time on **each day** of absence.
 - b. Please schedule personal and medical appointments outside of class time. Where a planned absence is required, students must notify the instructor at least one school day in advance.
 - c. Students may not leave the classroom during class hours without the permission of the instructor. Students under 18 may not leave the building prior to the end of class without advance, written parental/guardian permission.
3. Excessive absence or tardiness may result in the student being placed on probation or withdrawn from the program.
4. Students are considered tardy if they are not in the classroom at the regularly scheduled start time. A record of tardies and absences will be kept by the instructor. Students who are consistently tardy and /or absent will be referred to the ROP counselor and may be withdrawn.
5. Students are responsible for making arrangements with their instructors for make-up work and missed class time. Absences can affect the number of high school credits granted.

CURRICULUM

The San Joaquin County Office of Education Regional Occupational Center and Programs uses a curriculum that will enable the ROC/P teacher to provide the kind of learning experiences and opportunities for the student to achieve the educational

objectives. Career Preparation Standard integrated lessons, assignments, and projects are centered on business related themes which bring real world application to the learning experience.

Students have opportunities to individualize their instruction. Expectations are modified based on the abilities of each student. Teachers and students may conference with one another to determine what content areas they will emphasize in the work they do based upon their needs. However, final determination of specific content areas rest with the teacher and is based on evidence of student progress.

DRESS CODE

You have enrolled in a program that will prepare you for your future career. Appropriate attire is required for all programs. Your instructor will give you specific dress requirements.

FEES AND COSTS

There is no tuition for ROC/P classes, but there may be a fee for books and supplies for students.

- Fees must be paid by money order or cash only

- NO CHECKS WILL BE ACCEPTED

Students may request a Fee Waiver from their ROC/P counselor by providing evidence of financial hardship. If you can document low income or are part of the following programs, you may be eligible: Cal Works, TANF General Relief (Welfare), WorkNet, Food Stamps, SSI.

Fees will be collected from each new and continuing student for each class or session regardless of the date entered during the previous semester. Instructors of open-entry classes will handle fee collections as new students are admitted.

Adult students may be required to purchase textbooks. High school students will not be required to purchase textbooks. Some programs require the purchase of uniforms or special equipment such as safety goggles or hard-toed shoes.

GRADES FOR HIGH SCHOOL STUDENTS (Optional for Adults)

1. Grades are awarded based on skill proficiency and competence in relation to the student's selected employment goal. Letter grades indicate the following:
 - “A” = excellent ability to work as an expert; outstanding employment possibilities.
 - “B” = above average skill; no employment problems.
 - “C” = satisfactory skill development; fair employment possibilities.
 - “D” = minimal skill development; limited chance of employment; recommend transfer or goal change.
 - “NM” = No mark- issued if a student is in attendance for fewer than nine weeks. No credits earned.
 - “INC” = Incomplete-given only if a student has sufficient excused absences that result in their inability to complete course requirements. “Incomplete” requires a written plan to finish the work before the next grading period. The student will be provided with a copy of the plan. It is the student's responsibility to obtain and complete the work outlined in the plan.
2. Students should call the home high school to request a transcript.
3. Grades are reported for four grading periods:

- 1st Period ends Friday, October 14: Reports by Friday, October 21
- 2nd Period ends Friday, January 6: Reports by Friday, January 13
- 3rd Period ends Friday, March 9: Reports by Friday, March 16
- 4th Period ends Wednesday, May 23: Reports by Thursday, June 1st

HOLIDAYS

SJCOE recognizes the following holidays:

- | | |
|---------------------------------------|--|
| • Monday, September 5, 2011 | Labor Day <i>observed</i> |
| • Friday, November 11, 2011 | Veteran's Day <i>observed</i> |
| • November 21 – 25, 2011 | Thanksgiving Holiday |
| • December 19, 2011 – January 2, 2012 | Winter Break |
| • Monday, January 16, 2012 | Martin Luther King Day <i>observed</i> |
| • Monday, February 13, 2012 | Abraham Lincoln Day <i>observed</i> |
| • Monday, February 20, 2012 | President's Day <i>observed</i> |
| • April 6-13, 2012 | Spring Break |
| • Monday, May 28, 2012 | Memorial Day |

INSTRUCTIONAL STAFF

We are very proud of our instructional staff. Teachers are selected on the basis of business and industry experience in their field, as well as their academic education and teaching ability. They are also hired for their ability to care for and work with the diverse student population found at ROC/P. All of our teachers have appropriate credentials as required by the California Education Code.

INTERNSHIPS

On-the-job training is one of the teaching methods used in many ROC/P programs. ROC/P maintains written agreements with local businesses to provide supervised, non-paid internship training (Community Classroom) at actual work sites. Some programs offer paid internships (Cooperative Technical Education) arranged between individual students, industry work sites and ROC/P instructors. To be eligible for either type of internship, students must have successfully completed the required course work and skill development, have their instructor's recommendation, attend related classroom instruction at least once a week during the internship, and be able to provide their own transportation to and from the training site.

STUDENT SERVICES

General Counseling

An ROC/P counselor is available to discuss your educational, career and personal plan to help you make meaningful career choices. The counselor can also help you determine what other resources are available in the county. If you want assistance in deciding which ROC/P course is appropriate for you, the ROC/P counselor can help you make an appropriate choice. The counselor is available at walk-in registration, orientations and during the school year.

Placement Assistance

Job finding skills incorporate employment, employability and employment application skill training into each ROC/P Training

Complaint Reporting Procedure

ROP is a "Permissive" program and not mandated by Ed Code to participate. Complaint process is outlined below:

A. Informal Resolution

An informal discussion of problems and a continuing interchange of views between a student(s) and the instructor are encouraged. The parties should attempt to resolve the problem as soon as possible through these informal discussions.

B. Formal Procedure - Step 1

If the informal discussion fails to resolve the problem, the student(s) may file a written request with the ROC/P director to resolve the problem. The written request should contain a clear explanation of the complaint, facts describing the problem and the resolution being proposed. Names of anyone who may be helpful in resolving the problem should be included. The ROC/P director will consider the request for resolution and when appropriate, investigate. The student(s) will be given a written response within ten working days.

C. Appeal Procedure - Step 2

If the ROC/P director fails to respond in writing within the ten working days, or if the complaint is not resolved in Step 1, or if the ROC/P director is a party to the complaint, the student(s) may appeal directly to the appropriate Deputy/Assistant Superintendent. The student(s) must transmit the complaint in writing with all facts, the solution requested and the names of anyone who may be helpful in resolving the problem. The Deputy/Assistant Superintendent or his/her designee will investigate the complaint and respond in writing within fifteen working days.

D. Time Limits - Time limits may be modified by mutual agreement.



Chartered by:



San Joaquin County Office of Education

Mission/Vision

The one. Charter Academy *of* Visual and Performing Arts creates a passionate and dynamic community of students, staff and stakeholders dedicated to a positive, safe and creative educational environment. This environment will empower ALL students to achieve excellence in academic, artistic, personal, professional and social goals.



We Value . . .

CREATIVE learning through the arts

OUTLETS for positive expression and critical thought

NETWORKING and collaborating with a variety of stakeholders

CHALLENGING curriculum that engages and inspires

ENRICHMENT through diverse artistic opportunities

PASSIONATE pursuit of excellence

THOUGHTFUL and responsible community members

The Program

San Joaquin County Office of Education **one.** Charter Academy of Visual & Performing Arts (**one.** Charter) opened August 17, 2010 and serves 7th – 12th grade students from a variety of academic, social and emotional backgrounds. Many of the students attending **one.** Charter has struggled in the traditional educational setting and would otherwise be served by SJCOE's Alternative Programs. As a public school of choice, **one.** Charter provides a high quality educational option focusing on the arts for families who choose to have their children educated in a non-traditional setting.

In addition to the concept of **one.**, the educational professionals who make up **one.** Charter's staff firmly believes that the arts foster an environment that nurtures creativity and curiosity, and promotes expanding an understanding of the world through observation, questioning and testing theories. Teaching through the arts is viewed as a celebration of integrating content areas to grow the entire individual while engaging and energizing the learning experience.

one. Charter has a vision of providing a platform for students to showcase their talents and shine. In addition to providing students with rigorous and relevant core academic content, students can sign up for voluntary enrichment classes that pique their interests. As the school grows, so, too, will the enrichment classes and opportunities to participate in a variety of performances and activities.

Admission/Enrollment Process

Interested students complete an application and interview process. If more applicants than space are available, a lottery will take place to determine placement. Students that are accepted will enroll, be assessed academically and begin school the following day.

one. Charter adopted the current San Joaquin County Superintendent of Schools Policies and Procedures and the San Joaquin County Office of Education Personnel Handbook as the governing policies for the **one.** Charter School.

one. Charter is non-sectarian in its programs, admissions policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate on the basis of race, ethnicity, national origin, gender, or disability.

one. Charter pledges to work in cooperation with all local education agencies (LEAs) and special education local plan areas (SELPA) to ensure that a free and appropriate education is provided to all students with exceptional needs.

School Schedule

Monday, Tuesday, Thursday, Friday	-	Wednesday
8:00 a.m. to 1:30 p.m. <i>Core Instruction</i>		8:00 a.m. to 12:30 p.m. <i>Core Instruction</i>
1:30 p.m. to 3:30 p.m. <i>Enrichment Instruction</i>		

San Joaquin County Office of Education - Data Processing JPA

Student Internet and Network Access Ethics

I. INTRODUCTION

During the past five years access to the Internet has radically changed the way our county and school districts relate to the world. The information super highway has become a reality. From your school, the district office, or from your home, you are able to travel all over the world to gather information. As we continue to travel this electronic highway, rules to keep traveling safe have become even more vital to successfully completing the journey.

The San Joaquin County Office of Education Data Processing JPA Network (IT JPA WAN) and the Internet represent powerful resources which allow you to find information in this world-wide electronic network. You are able to connect to and correspond with businesses, major universities, national libraries, other schools, and other people around the world.

Just as you learn social codes and behaviors which are acceptable at your school, you need to learn the correct procedures and rules for using the network of information services. We require all students to adhere to these guidelines. ***If you break any of these rules, you will not be allowed to continue to use the system.***

At the beginning of each school year, you and your parents, or legal guardians, will be required to sign the *Consent and Waiver* form attached. This means that you and your parents are aware of the school rules and proper procedures for using the Internet and the IT JPA WAN, and the consequences which would result if these rules are broken. This signed statement becomes your permission slip to take trips on the information highway.

II. THE INTERNET

The Internet is a global technology network made up of many smaller contributing networks to support the open exchange of information among many different kinds of institutions all over the world. This system gives immediate access to information. It's like being able to open any book in any library from your computer. You can look at (and print out) articles, documents, and pictures, and review current facts about news, weather, and sports that you may use in your classes.

III. IT JPA WAN

The IT JPA WAN is one of the hundreds of thousands of networks that make up the Internet. The DP JPA Department of Information Technology has connected most of the district offices and many of schools sites to the Internet through direct high speed connections within the IT JPA WAN. Access through the Internet will typically occur in the school site libraries and at other locations such as student computer centers and classrooms. The IT JPA WAN provides information sharing and communication with other districts and school sites possible. This network supports activities which have educational value for administration, teachers, students, and parents.

IV. GETTING STARTED

Before you begin to use the IT JPA WAN and its connection to the Internet, it is important to your teachers, parents, and school administrators that you understand the many consequences of the new computer connections that you wish to make. It is important that you understand that your use of this powerful educational tool is a privilege. It can provide you with countless hours of exploration and use, but like a driver's license, it is a privilege that can be taken from you for breaking the rules. The Internet does include some material that is not suited for students. The intent of San Joaquin County Office of Education Department of Information Technology JPA (DP JPA) is for students to use connections to the Internet only for purposes consistent with the school district's approved curriculum. Anyone who uses the network illegally or improperly will lose the privilege of using it. Additionally, you cannot use the IT JPA WAN for commercial, political, or for profitable services. This document will detail for you what is the proper way to use this communication tool.

V. WHO IS WATCHING?

The Internet and IT JPA WAN are "public places." You must always remember that you are sharing this space with many others users. Potentially, millions of individuals at the same time may be interacting across the network. Your actions can be monitored by others on the network. If you use a particular service on the network chances are that someone knows the connections that you are making, knows about the computer shareware that you have borrowed, and knows what you looked at while you were in the system. Because these connections are granted to you as part of the larger scope of educational materials, the DP JPA reserves the right to monitor all traffic on the network. We do this to make sure that the network continues to function properly for all of its users.

VI. SCHOOL CONDUCT CODES

Your school or district office has a behavior code and student handbook for all students that detail appropriate school behavior, outline rights, and set expectations for students. Because the IT JPA WAN is used as part of a school activity, the school's code of conduct applies to network activities as well. Therefore, the network use policy is an extension of the school's behavior code. These rules apply to vandalism of computer equipment, unauthorized access to information, computer piracy, and any tampering with hardware or software.

These rules also apply to the electronic use of harassing and abusive or obscene language. You may not use the network to annoy, harass, or offend other people.

“Harassing” means to engage in a knowing and willful course of conduct directed at another which seriously alarms, annoys, or harasses another, and which serves no legitimate purpose. In addition, “harassment” shall also mean to subject another to unwelcome sexual advances, request for sexual favors and other verbal, visual or physical conduct of a sexual nature as set forth in California Education Code section 212.5

Other types of damage and information loss to a computer system are viruses and worms. If you are responsible for a computer becoming infected with viruses or

worms, you could be held liable.

VII. MORAL AND ETHICAL ISSUES

The moral and ethical issues involving the use of world-wide information systems deal with the appropriate access to information, the type of information accessed, and the behavior of the user. DP JPA wants to provide you with a stimulating educational environment, but at the same time, we want to protect you from information that is not appropriate for students to use.

The DP JPA wants you to use this valuable educational tool, but at the same time we cannot condone the use of inappropriate information on the Internet. We simply acknowledge the fact that these materials exist and then do everything we can to actively avoid them. We cannot weed out all of the materials that are unacceptable for academic purposes, but it should be clearly understood by all students that access to such material in any form is strictly forbidden. The network is designed to achieve and support instructional goals, and any information that does not support classroom learning is to be avoided.

Although the actual percentage of unacceptable materials is small, it is a cause for concern for students, parents, and teachers. If a student stumbles onto the information while doing legitimate research, he should contact your teacher or the person responsible for technology at your school.

VIII. ELECTRONIC LIBRARIES

Guidelines for access to information have already been established in the Library Bill of rights of 1980. These principles can be applied to the Internet. This document states that “attempts to restrict access to library materials violate the basic tenets of the *Library Bill of Rights*; however, school librarians are required to devise collections that are „consistent with the philosophy, goals, and objectives of the school district. This means that students have the right to information, but the school has the right to restrict any information that does not apply to the approved curriculum.

It is not farfetched to consider the Internet as a vast digital library. After all, the electronic-database and information-search tools it uses are rapidly becoming part of school media centers and libraries and many public libraries are beginning to offer some type of network access as part of their services.

The IT JPA WAN provides just such a connection to establish direct access to the appropriate materials that support curricular concerns.

IX. USING THE RESOURCES AND TRANSMITTING MESSAGES

It may seem that there is no limit to the resources on the Internet, but the IT JPA WAN has a limited capacity to handle traffic. This means the more users there are on the network, the more congested the network becomes. If there are too many users at any given time, the traffic on the network grinds to a crawl, just like a traffic jam on a freeway. Some users may be cut off altogether. Although the network may slow down, normally it will continue to function. The following list will help avoid

gridlock on the Internet and the IT JPA WAN, and it provides guidelines for the proper creation and transmission of documents and messages:

- ◆ Do not tie up the network with idle activities
- Do not play games with others on the network or on the Internet. Play games on your own time and on your own equipment.
- ◆ Do not download huge files from places half a globe away. Take only the information you want and need. The best thing to do is get into the Internet, get what you need, and get out. Remember, there are many students who need to use this system.
- ◆ Do not send lengthy materials or mail; be brief.
- ◆ Do not send messages to large audiences when a small audience is appropriate.
- ◆ Do not send documents with spelling errors and make sure that your message is easy to read and understand.
- ◆ Do not use vague or inaccurate titles or descriptions for your documents.
- ◆ Do not send messages in poor humor or taste.
- ◆ Do not fail to cite references for any facts you represent.
- ◆ Do not attack Internet correspondents; persuade them with facts. Don't forget, they are human beings.
- ◆ Do not post messages to unknown groups.
- ◆ Do not use e-mail for commercial purposes.

X. ELECTRONIC FIELD TRIPS

The Internet and IT JPA WAN offer many opportunities for "electronic field trips" to distant locations. The DP JPA considers all connections to remote locations as field trips. Therefore, the rules that apply to student conduct on field trips apply to these electronic field trips as well. It is important that you realize you are acting as an ambassador for your school. Just as parental/guardian

permission slips are required before you may take field trips, your parents, or legal guardians, have to give you permission for electronic field trips by signing the attached contract.

XI. EXPECTED BEHAVIOR

You are expected to use the network to pursue intellectual activities, seek resources, access libraries and find international friends. We want you to explore this new "space" and discover what is available there. We want you to learn new things and share that newfound knowledge with your friends, parents, and teachers.

When you are using the computer network and communicating with others in remote or even close locations, keep the following in mind: (1) You cannot see them; (2) You cannot tell how old they are or even what sex they are; (3) They can tell you anything, and you cannot always be sure what they are telling you is true; and (4) Absolute privacy cannot be guaranteed in a network environment. So, you need to think carefully about what you say and how you say it.

For your own safety and for the safety of others, remember to exercise caution when you are communicating with people in the outside world. **Do not give out your home phone number or your address to anyone.** They do not need to have that information. If you feel there is a problem or if you feel uncomfortable with the information someone is giving you, tell your teacher or school site technology coordinator immediately.

By the same token, you may not harass other users. You do not want to run the risk of breaking the law by bothering other people. If a user on the network asks that you no longer send him/her e-mail or in any other way contact him/her, you are obliged to stop all contact immediately. You may feel you have the right of freedom of expression, but others have the right to be free from harassment.

XII. LEGAL ISSUES

A. The Law

The State of California passed a computer crime bill in December 1979. The bill added section 502 to the Penal Codes making it a felony to intentionally and without permission access any data, computer, computer system or network for the purpose of: (1) devising any scheme or artifice to defraud, deceive or extort or (2) wrongfully obtaining money, property, or data.

It is also a felony to knowingly and without permission access, add, alter, delete, damage, or destroy any computer, computer system, computer software, computer program, or data. Penalties includes fines up to \$10,000 and/or imprisonment in the state prison for up to 16 months or in the county jail for two or three years, or a fine of \$5,000 and/or imprisonment in the county jail for up to one year. Anyone committing acts of this kind will face police charges and disciplinary action by the school. The person will be punished to the full extent of the law.

Some examples of offenses are removing another user's accounts, changing other user's passwords, using an unauthorized account, damaging any files, altering the system, or using the system to make money illegally. You may not cause damage to any school or district property. This includes the network system.

B. Plagiarism

The dictionary defines plagiarism as "taking ideas or writings from another person and offering them as your own." The student who leads readers to believe that what they are reading is the student's original work when it is not is guilty of plagiarism. Credit should always be given to the person who created the article or idea.

Be careful when you are using the Internet. Cutting and pasting ideas into your own document is very easy to do. So, be sure that you give credit to the author. That way your teacher will know which ideas are yours, and you won't be guilty of plagiarism.

C. Copyright

Copyright is another issue altogether. According to the Copyright Act of 1976, "Fair Use" means that you may freely use any information that you legally find on the Internet as long as you do so only for scholarly purposes. You may not plagiarize or sell what you find.

Suppose, for example, that you find a copy of Microsoft Works on the Internet. Could you legally copy it? The answer is NO. This is copyrighted software. You have to purchase software packages before you use them legally. Suppose you find an article about the use of Microsoft Works on the Internet. Can you legally copy it? The answer is yes, as long as you give credit to the author and do not sell the article for profit.

XIII. DP JPA POLICY

The DP JPA declares unethical and unacceptable behavior just cause for taking disciplinary action, revoking networking privileges, and/or initiating legal action for any activity through which an individual:

Uses the IT JPA WAN for illegal, inappropriate, or obscene purposes, or in support of such activities. Illegal activities shall be defined as a violation of local, state, and/or federal laws. Inappropriate use shall be defined as a violation of the intended use of the network, and/or purpose and goal. Obscene activities shall be defined as a violation of generally accepted social standards for use of a publicly-owned and operated communication vehicle.

Uses the IT JPA WAN for any illegal activity, including violation of copyrights or other contracts violating such matters as institutional or third party copyright, license agreements and other contracts.

Uses the IT JPA WAN to access harmful matter.

Penal Code section 313 defines “harmful matter” as “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.”

Intentionally disrupts network traffic or crashes the network and connected systems. Degrades or disrupts equipment or system performance.

Uses IT JPA WAN or equipment for commercial or financial gain or fraud.

- Steals data, equipment, or intellectual property.
- Gains or seeks to gain unauthorized access to resources or entities.
- Forges electronic mail messages, or uses an account owned by another user.
- Invades the privacy of individuals.
- Posts anonymous messages.
- Creates, distributes, or purposely activates a computer virus or worm.
- Uses IT JPA WAN to send or request racist, inflammatory, or sexist messages.
- Sends or requests messages or documents that are inconsistent with school or district policies, guidelines, or codes of conduct.
- Possesses any data which might be considered a violation of these rules in paper, magnetic (disk), or any other form.

A. Consequences of Violations

Possible consequences of violations include, but are not limited, to:

- **Suspension of Internet access**
- **Revocation of Internet access**
- **Suspension of IT JPA WAN privileges**
- **Revocation of IT JPA WAN privileges**
- **Suspension of computer access**
- **Revocation of computer access**
- **School suspension**
- **School expulsion**
- **Legal action and prosecution by the authorities**

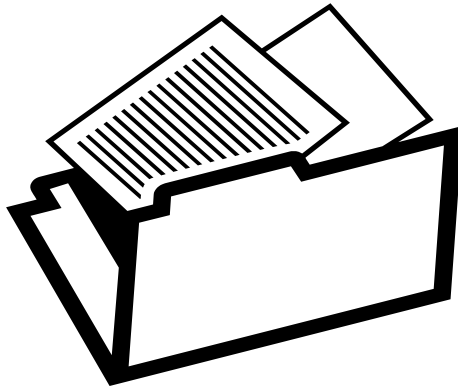
B. Remedies and Recourses

If you are accused of any of the violations, you have all of the rights and privileges that you would have if you were accused of school vandalism, fighting, and so forth.

The district, school site, and DPJPA have the right to restrict or terminate network and Internet access at any time for any reason. The district and DPJPA have the right to monitor network activity in any form that it sees fit to maintain the integrity of the network.

For further information please see Appendix H

Appendices



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Appendix A

COMMUNITY RELATIONS

Visits to the Schools

The San Joaquin County Office of Education (SJCOE) encourages parents/guardians and interested members of the community to visit the schools, view the educational program, and offer constructive comments.

Besides inviting parents/guardians and the community to open house activities and other special events, the deputy superintendent or designee shall develop procedures, which facilitate visits during regular school days when all visitors must first register at the school office.

The program administrator or designee may refuse to register any visitor whose acts or presence he/she judges would disrupt normal school operation, threaten the health and safety of students or staff, or cause property damage.

To ensure minimum interruption of the regular classroom program, school visits should be first arranged with the teacher and program administrator or designee. If a conference is desired, an appointment should be set with the teacher for a time before school, after school, or during the teacher's preparation period.

The SJCOE recognizes that under California law, any person whose conduct materially disrupts class work or extracurricular activities or cause a disturbance on school grounds may be guilty of a misdemeanor and an subject to a fine, imprisonment, or both. When such conduct occurs, the Superintendent may take action leading to the imposition of these penalties.

Possession of unauthorized dangerous instruments, weapons or devices is prohibited on school premises, on any public right-of-way immediately adjacent to school property, or any other place where a teacher and students(s) are required to be in a connection with assigned school activities.

cf: 1112 News Media
3514 Safety
3515 Security
4158 Employee Protection
5131.7 Weapons and Dangerous Instruments

Legal Reference:

EDUCATION CODE

1040 et seq. Duties, powers of boards
1240 et seq. General duties (superintendent)
1260 Powers to promote advancement of education
1262 Consultative and coordinative services
32210 Willful disturbance of public school or meeting
32211 Threatened disruption or interference with classes
35160 Authority
35292 Visits to schools (board members)
44810 Willful interference with classroom conduct
44811 Disruption of class work or extracurricular activities
49334 Injurious objects – notice to law enforcement agency
51512 Prohibited use of electronic listening or recording device

PENAL CODE

242.5 Assault or battery on school property
415.5 Disturbance of peace of school;
626 Definitions (re: disruption of schools)
626.4 Notice of withdrawal or consent; report; action on report; reinstatement of consent;
hearing; unlawful entry upon campus or facility; punishment
626.6 Committing act, or entry upon campus or facility to commit act, likely to interfere with
Peaceful activities
626.8 Disruptive presence at schools
626.9-626.10 Bringing or possessing firearms or weapons on school grounds
627-627.3 Access to school premises
627.4 Refusal or revocation of registration
627.5 Hearing request following denial or revocation of registration
627.6 Posted signs
627.7 Refusal to leave
653 Loitering about schools or public places

WELFARE AND INSTITUTIONS CODE

729 Battery on school grounds by a minor

Appendix B

STUDENTS PROMOTION AND RETENTION

Legislative Background

The Education Code was amended, effective January 1, 1999, by AB 1626 (Wayne) Chapter 748, Statutes of 1998, AB 1639 (Sweeney), Chapter 743, Statutes of 1998, and SB 1370 (Polanco), Chapter 942, Status of 1998, which requires the governing board of each school district and each county board of education to approve a policy regarding the promotion and retention of pupils.

The San Joaquin County Board of Education, hereinafter “Board”, expects pupils to progress through each grade within one school year. To accomplish this, instruction should accommodate the varying interests and growth patterns of individual pupils and include strategies for addressing academic deficiencies when needed.

Pupils shall progress through the grade levels by demonstrating growth in learning and meeting grade-level standards of expected student achievement.

Progress toward high school graduation shall be based on the pupil’s ability to pass the subjects and electives necessary to earn the required number of credits. The pupil must also meet the minimum proficiency requirements.

When high academic achievement is evident, the Superintendent or designee may recommend a student for acceleration into a higher-grade level. The pupil’s social and emotional growth shall be taken into consideration in making a determination to accelerate a pupil.

Pupils shall be considered for promotion and retention in specific subject areas and between certain grade levels:

1. Second and third grade primarily in reading;
2. Third and fourth grade primarily in reading;
3. Fourth and fifth grade primarily in reading, English, language arts, and math;
4. The end of the intermediate grades and the beginning of the middle school grades primarily in reading, English, language arts, and math;
5. The end of the middle school grades and the beginning of high school primarily in reading, English, language arts, and math.

When a pupil has more than one classroom teacher, the school site administrator shall identify which individual shall be responsible for the promotion/retention decision. As early as practicable in the school year, or pupil's school career, the Superintendent or designee, shall identify pupils who should be retained and who are at risk of being retained in accordance with law, policy, procedures, and administrative regulations.

Promotion/retention decisions shall be based upon multiple criteria as established by procedures, which may include, but are not limited to, grades and/or other indicators of academic achievement as designated by the Superintendent. Pupils who 1) are enrolled less than one academic year, 2) enter after the academic year has already begun, and 3) are returned to their district of residence for the next school year shall be subject to their respective district's board policy on Social Promotion and Retention.

Parent(s)/guardian(s) of pupils identified as at risk for retention or recommended for retention shall be notified as early in the school year and as early in their school careers as practicable. The Superintendent or designee shall provide or arrange for opportunities for intervention instruction. Intervention instruction shall assist the pupil in overcoming academic deficiencies. Such mandatory instruction may include, but is not limited to, tutorial programs, after-school programs, extended day and year programs and Saturday school. Parent(s)/guardian(s) shall be provided an option to exclude their child from this mandatory instruction. The recommendation regarding retention shall be discussed with parent(s)/guardian(s) prior to any final determination regarding promotion or retention.

Exceptions

In accordance with Education Code 48070.5(f), a process to appeal a decision to retain a pupil is in place (see Administrative Regulations). The decision of the appeal panel shall be final.

Pupils performing below minimum standard for promotion shall be retained unless the pupil's regular classroom teacher specifies in writing that retention is not the appropriate intervention. The teacher's evaluation shall be provided and discussed with the student assistance team, which includes the pupil's parents(s) or guardian(s) and the school principal before any final determination of pupil retention or promotion.

Education Code: 48070.5, 37252.5, 42239

STUDENTS PROMOTION AND RETENTION

Upon the enrollment of a student within any San Joaquin County Office of Education, Alternative Programs, an assessment shall be completed in the areas of:

1. word recognition/reading;
2. writing, and;
3. mathematics.

The following regulations apply to Court and Community school pupils whom:

- are in grades 2 through 9;
- are enrolled for more than one full academic year;
- are enrolled at the beginning of the school year;
- will not be returning to their district of residence for the next academic year.

Student Identification to be considered for Retention by Grade Level

As prescribed by law, the Superintendent or designee shall identify students who should be retained or who are at risk of being retained at the following grade levels (Education Code Section 48070.5):

1. Proficiency primarily in reading for students between:
 - a. grades two and three; and
 - b. grades three and four.
2. Proficiency primarily in reading, English, language arts, and mathematics for students between:
 - a. grades four and five; and
 - b. the end of the intermediate grades and the beginning of middle school grades;
 - c. grades seven and eight; and
 - d. the end of middle school grades and the beginning of high school grades (grade 9).

Criteria for Consideration of Retention

Students shall be identified on the basis of the following indicators:

- current student achievement (grades and/or credits earned);
- individual student goals as indicated on the Individual Learning Plan;
- composite performance on multiple assessments;
- portfolio of student work;
- school attendance;
- informal teacher records.

Students shall be assessed by the STAR provided that the student is enrolled in the program during the administration of this assessment. STAR results will be considered according to guidelines outlined in current Education Code.

Special Populations

With regard to special education students, the determination as to the appropriate standards for promotion or retention shall be made part of the IEP process.

Decisions regarding the promotion or retention of English Learners require special considerations. It is inappropriate to retain English Learners who have failed to meet academic standards in areas in which they have only been provided limited instruction. English Learners can be identified as being at risk of retention based on challenges they face in acquiring proficiency and mastering subject area content in English. English Learners determined to be at risk will be provided with supplemental instruction designed to meet their needs.

Designation of Teacher

1. The teacher making the recommendation for promotion/retention shall be the teacher who:
 - a. Serves as the full-time credentialed teacher for the student during the entire instructional day for the student; or
 - b. Provides more than 50% of the student's instruction for any school day.
2. The *Student Study Team* makes the recommendation for promotion/retention for those students enrolled in a departmentalized instructional program.

Teacher Determination for Student Retention

If a student is identified as performing below the minimum standards for promotion, the student shall be retained in his/her current grade level unless the student's teacher determines, in writing, that retention is NOT the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is NOT appropriate for the student and shall include recommendations for interventions other than retention that, in the opinion of the teacher, are necessary to assist the students in attaining acceptable levels of academic achievement.

If the teacher determines that retention is the appropriate intervention for the student's academic deficiencies, the teacher will develop a written action plan, which may include:

1. Identification of specific areas of academic deficiencies;
2. Recommendations for the provision for remedial instruction;
3. Recommendations for specific materials and strategies the parent can utilize to improve the student's academic skill levels.

Requirement for Parent Notification of Student “At-Risk” of Retention

When a student is identified as being at risk of retention, the Superintendent or designee shall so notify the student’s parent/guardian, in writing, as early in the school year as practicable. The student’s parent/guardian shall be provided a copy of the Board of Education’s policy on “Promotion and Retention,” and be provided an opportunity to consult with the teacher(s) responsible for the decision to promote or retain the student. (Education Code 48070.5)

Provision of Remedial Instruction

To the extent to which county offices of education are funded to provide systematic and intensive supplemental instruction to students retained pursuant to Education Code Section 48070.5, with parent/guardian consent, the Superintendent or designee may require a student who has been recommended for retention or identified as being at-risk of retention, to participate in a supplemental instructional program.

1. Such programs shall be offered during the summer, beyond the regular instructional day, or a combination thereof. However, a student shall not be removed from instruction of his/her regular day core curriculum.
2. The aforementioned services shall be provided to students in the following priority order.
 - a. Students who have been recommended for retention or who have been identified as being at risk of retention pursuant to EC 48070.5;
 - b. Students who have been identified as having a deficiency in mathematics, reading, or written expression based upon the results of tests administered by the county office or under the STAR program.

Final Teacher Recommendation for Retention/Promotion

1. The decision to promote or retain a student may be appealed consistent with Board policy, administrative regulations, and the law.
2. The burden shall be on the appealing party to show why the teacher’s decision should be overruled.
3. To appeal the teacher’s decision, the parent/guardian, and the student, if appropriate, shall submit a written request to the Superintendent or designee specifying the reasons why the teacher’s decision should be overruled. The appeal must be initiated within ten (10) school days of the determination of retention or promotion. The teacher shall be provided an opportunity to state orally and/or in writing the criteria on which his/her decision was based.
4. If the Superintendent or designee determines that the appealing party has overwhelmingly demonstrated that the teacher’s decision should be overruled, then the Superintendent or designee shall override the teacher’s decision.
5. If the decision is unfavorable to the appealing party, he/she shall have the right to submit a written statement, which shall become part of the student’s record.

Appendix C

Students

Sexual Harassment

The San Joaquin County Office of Education (SJCOE) recognizes that sexual harassment can cause embarrassment, feeling of powerlessness, loss of self-confidence, reduced ability to perform schoolwork, and increased absenteeism or tardiness.

To promote an environment free of sexual harassment, site supervisors and managers shall take appropriate actions such as removing vulgar or offending graffiti, establishing site rules, and providing staff inservice or student instruction and counseling. Teachers shall discuss this policy with their students in age-appropriate ways and shall assure them that they need not endure any form of sexual harassment.

The SJCOE will not tolerate sexual harassment of any student by any other student or SJCOE employee, including harassment because of sexual orientation. Any student or employee who is found guilty of sexual harassment shall be subjected to disciplinary action.

The SJCOE encourages students or staff to immediately report incidences of sexual harassment to the program administrator or designee. The program administrator or designee shall promptly investigate each complaint of sexual harassment in a way that ensures the privacy of all parties concerned. In no case shall the student be required to resolve the complaint directly with the offending person.

Upon verifying that the sexual harassment occurred, he/she shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment, and prevent any further instances of the harassment. In addition, the student may file a formal complaint with the Superintendent or his designee in accordance with the SJCOE's uniform complaint procedures.

The SJCOE prohibits retaliatory behavior against any complainant or any participant in the complaint process. Information related to a complaint of sexual harassment shall be confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process.

cf: 1312 Uniform Complaint Procedures

Legal Reference:

EDUCATION code

212.5 Sexual harassment

230 Particular practices prohibited

48900.2 Additional grounds for suspension or expulsion, sexual harassment

TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

STUDENTS

Sexual Harassment

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, request for sexual favors, and other verbal, visual, or physical conduct of a sexual nature against another person of the same or opposite gender, in the educational setting. Issues that may constitute sexual harassment include:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's academic status or progress;
2. Submission to or rejection of the conduct by an individual is used as the basis for academic decisions affecting the individual;
3. The conduct has the purpose or effect of unreasonably interfering with the other individual's academic performance; creating an intimidating, hostile or offensive educational environment; or of adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of education, or career development;
4. Submission to or rejection of the conduct by the individual is used as the basis for any decision affecting the individual regarding services, honors, programs, or activities available at or through the San Joaquin County Office of Education (SJCOE).

Types of conduct which are prohibited throughout the SJCOE and SJCOE-sponsored programs, whether committed by a supervisor, a teacher, or another student, and which may constitute sexual harassment include but are not limited to:

1. Sexual flirtations or propositions;
2. Sexual slurs, leering, 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, notes, stories, drawings, pictures, or gestures;
5. Spreading sexual rumors;
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class;
7. Touching an individual's body or clothes in a sexual way;

8. Purposefully cornering or blocking normal movements;
9. Limiting a student's access to educational tools;
10. Displaying sexually suggestive objects in the educational environment;
11. Sexual comments, innuendoes, or slurs, oral or in writing, regarding a person's sexual orientation.
12. Any act of retaliation against an individual who reports a violation of SJCOE's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

All SJCOE personnel have the responsibility of maintaining an educational environment free of sexual harassment. This responsibility includes discussing SJCOE's sexual harassment policy when asked and assuring students that they are not required to endure sexually insulting, degrading, or exploitative treatment or any other form of sexual harassment.

SJCOE will make its best effort to investigate and resolve all complaints within five working days of receipt of the complaint.

Notifications

A copy of the SJCOE 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;
2. Be displayed in a prominent location near each school office;
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session;
4. Appear in any school or SJCOE publication that sets forth the schools or SJCOE's comprehensive rules, regulations, procedures, and standards of conduct.

Investigation Of Complaint At School

1. The Program Administrator or designee shall promptly investigate all complaints of sexual harassment. In so doing, he/she shall talk individually with:
 - a. The student who is complaining;
 - b. The person accused of harassment;
 - c. Anyone who saw the harassment take place;
 - d. Anyone mentioned as having related information.

1. The student who is complaining shall have an opportunity to describe the incident, present witnesses and other evidence of the harassment, and put his/her complaint in writing.
2. The Program Administrator or designee shall discuss the complaint only with the people described above. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the Program Administrator or designee also may discuss the complaint with the following persons:
 - a. The Superintendent or designee;
 - b. The parent/guardian of the student who complained;
 - c. The parent/guardian of the person accused of harassing someone;
 - d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth;
 - e. Child protective agencies responsible for investigating child abuse reports;
 - f. Legal counsel for SJCOE.
3. When the student who complained and the person accused of harassment so agree, the Program Administrator or designee may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided.
4. The Program Administrator or designee shall tell the student who complained that he/she has the right to file a formal complaint at any time in accordance with SJCOE's uniform complaint procedures. If the student wishes to file a formal complaint, the Program Administrator or designee shall assist the student in doing this.
5. In reaching a decision about the complaint, the Program Administrator or designee may take into account.
 - a. Statements made by the persons identified above;
 - b. The details and consistency of each person's account;
 - c. Evidence of how the complaining student reacted to the incident;
 - d. Evidence of past instances of harassment by the accused person;
 - e. Evidence of past harassment complaints that were found to be untrue.
6. To judge the severity of the harassment, the Program Administrator or designee may take into consideration:
 - a. How the misconduct affected one or more students' education;
 - b. The type, frequency, and duration of the misconduct,

- c. The number of persons involved;
 - d. The age and sex of the person accused of harassment;
 - e. The subject(s) of harassment;
 - f. The place and situation where the incident occurred;
 - g. Other incidents at the school, including incidents of harassment that were not related to sex.
8. The Program Administrator or designee shall write a report of his/her findings, decision, and reasons for the decision and shall present this report to the student who complained and the person accused.
 9. The Program Administrator or designee shall give the Superintendent or designee a written report of the complaint and investigation. If he/she verifies that sexual harassment occurred, this report shall describe harassment, addresses the effects of the harassment on the person harassed, and prevents retaliation or further harassment.
 10. Within two weeks after receiving the complaint, the Program Administrator or designee shall determine whether or not the student who complained has been further harassed. The Program Administrator or designee shall keep a record of this information and shall continue this follow-up at his/her discretion.

ENFORCEMENT

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

1. Removing vulgar or offending graffiti;
2. Providing staff inservice and student instruction or counseling;
3. Notifying parents/guardians;
4. Notifying Child Protective Services;
5. Taking appropriate disciplinary action. In addition, the Program Administrator or designee may take disciplinary measures against any person who is found to have made a complaint of sexual harassment that he/she knew was not true.

SUPERINTENDENT'S DESIGNEE

The Superintendent designates the Deputy Superintendent, Associate Superintendent, or Assistant Superintendent of the program area in which the alleged harassment took place as designee for these procedures.

cf: 1312 Uniform Complaint Procedure
5141.41 Child Abuse Prevention
5145.6 Parent Notifications

Policy Adopted: November 17, 1993
Policy Revised: August 22, 2000
Board Approved: January 18, 2006
San Joaquin County Office of Education

Appendix D

COMMUNITY RELATIONS

Complaint Procedure

The Superintendent believes that the quality of the educational program can improve when San Joaquin County Office of Education (SJCOE) listens to complaints, considers differences of opinion, and resolves disagreements through an established, objective process.

The Superintendent encourages complainants to resolve problems early and informally whenever possible. If a problem remains unresolved, the individual should submit a formal complaint as early as possible in accordance with appropriate SJCOE procedures. SJCOE procedures shall be readily assessable to the public.

- cf:*
- 1312.1 Complaints Concerning Personnel or Programs
 - 1312.2 Complaints Concerning Instructional Materials
 - 1312.3 Uniform Complaint Procedures
 - 1312.4 Williams Uniform Complaint Procedures
 - 3320 Claims and Actions Against the County Office of Education

Legal Reference:

GOVERNMENT CODE

950 et.seq. Actions against public employees

54957-54957.8 Closed sessions

CODE OF REGULATIONS. TITLE 5

3080 Application of section 4600-4671

4600-4671 Uniform complaint procedures

COMMUNITY RELATIONS

Complaints Concerning Personnel or Programs

The Superintendent places trust in SJCOE's employees and programs service orientation and desires to support employee and program actions in such a manner that they are freed from unwarranted, spiteful, or negative criticism and complaints.

The Superintendent directs that procedures be developed which permit the public to lodge criticism against employees or programs and assure a thorough review while protecting the rights of SJCOE and its employees and programs.

Complaints made against a SJCOE employee or program will be referred to the appropriate administrator for consideration and action according to established procedures.

When complaints involve accusations of child abuse, the provisions of this policy and regulation shall be implemented only after the child abuse reporting requirements specified in law and SJCOE policy have been completed.

cf: 1312.2 Complaints Concerning Instructional Materials
1312.3 Uniform Complaint Procedures

Legal Reference:

EDUCATION CODE

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

44031 Personnel file contents and inspection

44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)

48987 Child abuse guidelines

GOVERNMENT CODE

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

PENAL CODE

273 Cruelty or unjustifiable punishment of child

11164-11174.3 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction of juvenile court

Policy Adopted: November 17, 1993

Policy Amended: January 6, 2006

Board Approved: January 18, 2006

San Joaquin County Office of Education

COMMUNITY RELATIONS

Complaints Concerning Personnel or Programs

The Superintendent or designee shall determine whether a complaint should be considered a complaint against SJCOE and/or an individual employee, and whether it should be resolved by the SJCOE's process for complaints concerning personnel and/or other SJCOE procedures.

In order to promote fair and constructive communication, the following procedures shall govern the resolution of complaints. Every effort should be made to resolve a complaint at the earliest possible stage.

1. Complaints concerning SJCOE personnel should be made directly by the complainant to the person against whom the complaint is lodged or in the case of a program complaint, the complaint should be made directly to the program administrator. Parent/guardians/citizens are encouraged to attempt to orally resolve concerns with the staff member personally.
2. If the complaint is not resolved at Step 1, the complainant may submit the complaint in writing to the immediate supervisor of the employee or to the program administrator. A written complaint must include the name of each employee or program involved and a brief, but specific, summary of the complaint and the facts surrounding it. A form (E 1312.1) will be provided for the complainant's convenience. It must also include a specific description of any prior attempt to discuss the complaint with the employee or program administrator involved and the failure to resolve the matter. If the complainant is unable to prepare the complaint in writing, staff shall help him/her do so. Complaints related to a program administrator shall be initially filed in writing with the Deputy Superintendent or designee. Complaints related to the Superintendent shall be initially filed in writing with the Superintendent.

The supervisor is responsible for investigating complaints and will attempt to resolve the complaint to the satisfaction of the person(s) involved within 30 days. If the complaint is resolved, the supervisor will so advise all concerning parties, including the Deputy Superintendent or designee.

3. If the complaint remains unresolved after review by the immediate supervisor, the supervisor shall refer the written complaint, together with a report and analysis of the situation, to the Deputy Superintendent or designee.
4. If the Deputy Superintendent or designee cannot resolve the complaint, it may be heard by the Superintendent. No party to a complaint may address the Superintendent unless the Superintendent has received the Deputy Superintendent or designee's written report concerning the complaint. The Deputy Superintendent or designee's report shall contain, but not limited to:

- a. The name of each employee or program involved.
- b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Superintendent and the parties as to the precise nature of the complaint and to allow the parties to prepare a response.
- c. A copy of the signed original complaint.
- d. A summary of the action taken by the Deputy Superintendent or designed with his/her specific finding that disposition of the case at that level has not been possible, and the reasons why.

Refusal by SJCOE to provide the investigator with access to records and/or other information related to the allegations in the complaint, or to otherwise fail to refuse or cooperate in the investigation, or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation, or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

The decision of the Superintendent shall be final as to remedies provided by SJCOE.

The existence of this complaint procedure, and the decision by the Superintendent, does not affect the right of any individual or group to file a complaint with the Office of Civil Rights, U.S. Department of Education. Moreover, California's Education Code 262.3 states that complainants may appeal SJCOE's action to the State Department of Education within 15 days of when the complainant receives the findings. Injunctions, restraining orders, and other civil law remedies also may be available to complaints.

NOTIFICATIONS

The Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of SJCOE complaint procedures and information about available appeals, civil law remedies, and conditions under which a complaint may be taken directly to the California Department of Education.

The Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies. Remedies may include court orders, preliminary injunctions, and/or restraining orders.

The above notification shall state that complainants may seek help from agencies such as legal assistance agencies, local mediation centers, or from private attorneys.

cf: 4144 Grievances

DEPARTMENTS OF FAIR EMPLOYMENT AND HOUSING

Santa Ana DFEH

28 Civic Center Plaza, Suite 538
Santa Ana, CA 92701-4010
(714) 558-4159

Sacramento DFEH

2000 "O" Street, Suite 120
Sacramento, CA 95814-5212
(916) 286-4095

Fresno DFEH

1900 Mariposa Mall, Suite 130
Fresno, CA 93721-2504
(209) 455-5373

San Bernardino DFEH

1845 S. Business Center Drive, # 127
San Bernardino, CA 92408-3426
(909) 383-4711

Oakland DFEH

1330 Broadway, Suite 1326
Oakland, CA 94612-2512
(510) 286-4095

Ventura DFEH

5720 Ralston Street, Suite 302
Ventura, CA 93003-6081
(805) 654-4513

San Diego DFEH

110 W. "C" Street, Suite 1702
San Diego, CA 92010-3901
(619) 237-7405

Los Angeles DFEH

322 W. First Street, Suite 2126
Los Angeles, CA 90012-3112
(213) 897-1997

COMMUNITY RELATIONS

Uniform Complaint Procedures

As the primary employer for all San Joaquin County Office of Education (SJCOE) staff, it is the desire of the Superintendent to address and resolve any concerns and/or complaints in a prompt and equitable manner.

Any person or group having a legitimate interest in the programs and services of SJCOE shall have the right to present a request, suggestion or complaint concerning personnel, programs, materials, or operations. At the same time, the Superintendent has a duty to protect staff from unnecessary harassment. It is the intent of this policy to provide the means for judging each public concern and complaint in a fair and impartial manner and to seek a remedy where appropriate. The Superintendent encourages the early, informal resolution of complaints at the site level whenever possible.

The Superintendent recognizes that SJCOE is responsible for ensuring that it complies with state and federal laws and regulations governing educational programs. SJCOE shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with SJCOE's uniform procedures. SJCOE shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity that receives or benefits from state financial assistance. SJCOE shall also follow uniform complaint procedures when addressing complaints alleging failure to comply with state or federal laws in adult basic education, consolidated categorical aid programs, migrant education, vocational education, childcare and development programs, child nutrition programs, special education programs, and federal school safety planning requirements.

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

The Superintendent prohibits retaliation in any form for participating in complaint procedures, including, but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not, in any way, affect the status, grades, or work assignments of the complainant.

- cf:* 0410 Nondiscrimination in Programs and Services
1312.1 Complaints Concerning Personnel or Programs
1312.2 Complaints Concerning Instructional Materials
1312.4 Williams Uniform Complaint Procedures
3553 Free and Reduced Lunch Program
4031 Complaints Concerning Discrimination in Employment
4119.23/4219.23/4319.23 Unauthorized Release of Confidential Privileged Information
5125 Release of Directory Information
5141.4 Child Abuse and Neglect (Reporting Procedures)
6159 Individualized Education Program
6171 Title I Programs
6174 Education for English Language Learners
6178 Vocational Education
6200 Adult Education

Legal Reference:

EDUCATION CODE

- 200-262.4 Prohibition of discrimination
8200-8498 Childcare and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedure
35186 Williams uniform complaint procedure
41500-41513 Categorical education block grants
48985 Notices in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-52490 Career-technical education
52500-52616.24 Adult schools
52800-52870 School-based coordinated programs
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant Education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process

Policy Adopted: November 17, 1993
Policy Amended: December 7, 2011
Board Approved: December 14, 2011

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

PENAL CODE

422.6 Interference with constitutional right or privilege

UNITED STATES CODE, TITLE 20

6301-6577 Title I Basic Programs

6601-6777 Title II Preparing and Recruiting High Quality Teachers and Principals

6801-6871 Title III Language instruction for limited English proficient and immigrant students

7101-7184 Safe and Drug-Free Schools and Communities Act

7201-7283g Title V Promoting Informed Parental Choice and Innovative Programs

7301-7372 Title VI Rural and Low-Income School Programs

(01/06)

COMMUNITY RELATIONS

Uniform Complaint Procedure

Compliance Officer

The Superintendent expects that complaints of alleged noncompliance or discrimination brought by students, employees, parents/guardians, or other members of the community will be resolved in a prompt and equitable manner.

The Superintendent designates the following position as the Noncompliance/Nondiscrimination Coordinator to receive and investigate complaints and to ensure SJCOE compliance with the law:

Director of Operations and Support Services
San Joaquin County Office of Education
P.O. Box 213030
Stockton, CA 95213-9030
(209) 468-9061

SJCOE ensures that the Director of Operations and Support Services responsible for compliance and/or investigations, is knowledgeable about the laws/programs that he/she is assigned to investigate (T5CCR 4621).

The Superintendent requires that all SJCOE programs and activities shall be free from discrimination based on actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, mental or physical disability, age or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics. The Superintendent shall promote programs which ensure that discriminatory practices are eliminated in all SJCOE activities.

Notifications

The Superintendent or designee shall annually provide written notification of SJCOE's uniform complaint procedures to students, employees, parents/guardians, advisory committees, appropriate private school officials or representatives and other interested parties.

Procedures

The following procedures shall be used to address all complaints which allege that SJCOE has violated federal or state laws or regulations governing educational programs. The Compliance Officer shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4632.

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

Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance by SJCOE.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination.

The complaint shall be presented to the Compliance Officer who shall maintain a log of complaints received.

If a complainant is unable to put a complaint in writing, SJCOE staff shall help him/her file the complaint.

Mediation

Within three days of receiving the complaint, the Compliance Officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the Compliance Officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the Compliance Officer shall ensure that all parties agree to make the mediator a party to related confidential information.

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

The use of mediation shall not extend SJCOE's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time.

Investigation of Complaint

The Compliance Officer is encouraged to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

Refusal by SJCOE to provide the investigator with access to records and/or other information related to the allegations in the complaint, or to otherwise fail to refuse or cooperate in the investigation, or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The complainant and/or his/her representative and SJCOE's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses.

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation, or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Response

Within 60 calendar days of receiving the complaint, the Compliance Officer shall prepare and send to the complainant a written report of the investigation and decision, as described below, unless the complainant agrees in writing to an extension of time.

Final Written Decision

The report of the decision shall be in writing and sent to the complainant.

The report of the decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, SJCOE shall arrange a meeting at which a community member will interpret for the complainant.

This report shall include:

1. The findings of fact based on the evidence gathered.
2. Conclusion of law.
3. Disposition of the complaint.

4. The rationale for such a disposition.
5. Corrective actions, if any are warranted.
6. Notice of complainant's right to appeal the decision within 15 days to the California Department of Education, and procedures to be followed for initiating such an appeal.
7. For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies.

If an employee is disciplined as a result of the complaint, this report shall simply state that effective action was taken and that the employee was informed of SJCOE's expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with SJCOE's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals.

When appealing to the California Department of Education, within 15 days of receiving the decision, the complainant must specify the reason(s) for appealing the decision and must include a copy of the locally filed complaint and the decision.

The California Department of Education may directly intervene in the complaint without waiting for action by SJCOE when one of the conditions listed in 5CCR 4650 (Basis Of Direct State Intervention) exists. In addition, the California Department of Education may also intervene in those cases where SJCOE has not taken action within 60 calendar days of the date the complaint was filed.

Civil Law Remedies

A complainant may pursue available civil law remedies under state or federal discrimination laws outside of SJCOE's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if SJCOE has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

cf: 5145.6 Notifications to Parents and Students (01/06)

COMMUNITY RELATIONS

Exhibit 1

San Joaquin County Office of Education

Uniform Complaint Procedures Annual Notification

To: Students, Employees, Parents/Guardians, Advisory Committees, Appropriate Private School Officials, and Other Interested Parties

San Joaquin County Office of Education (SJCOE) is primarily responsible for compliance with federal and state laws and regulations.

The Director of Operations and Support Services at SJCOE is responsible for receiving and investigating complaints.

If dissatisfied with SJCOE's decision regarding a complaint, the complainant may appeal in writing to the California Department of Education (CDE) within 15 days of receiving the decision.

A complainant may pursue any available civil law remedies under state and federal laws outside of SJCOE's complaint procedures.

A copy of SJCOE's complaint procedures is available, free of charge, upon request.

COMMUNITY RELATIONS

Williams Uniform Complaint Procedures

Types of Complaints

The San Joaquin County Office of Education (SJCOE) shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred:

1. Textbooks and Instructional materials
 - a. A student, including an English-learner, does not have standards-aligned textbooks or instructional materials or state- or SJCOE-adopted textbooks, or other required instructional materials to use in class.
 - b. A student does not have access to instructional materials to use at home, or after school.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

2. Teacher vacancy or misassignment
 - a. A semester begins and a teacher vacancy exists
 - b. A teacher who lacks credentials or training to teach English-learners is assigned to teach a class with more than 20 percent English-learner students in the class.
 - c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy – means a position to which a single-designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single-designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Beginning of the year or semester – means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester.

Misassignment – means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or a credential, or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

3. Facilities

- a. A condition poses an emergency or urgent threat to the health or safety of students or staff

Emergency or urgent threat – means structures or systems that are in a condition that pose a threat to the health and safety of students or staff while at school, including but not limited to gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to students or staff; or structural damage creating a hazardous or uninhabitable condition.

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5

Clean or maintained school restroom – means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.

Open restroom – means, except as necessary for student safety or to make repairs, the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes.

4. High school exit examination intensive instruction and services:

A student, including an English learner, who has not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after completion of grade 12 for two consecutive academic years or until the student has passed both parts of the exam, whichever comes first.

Filing of Complaint

A complaint alleging any condition(s) specified in items #1-3 above shall be filed with the program administrator or designee at the school or site in which the complaint arises. The school or site shall have a complaint form available for such Williams Complaints. The program administrator or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days.

A complaint alleging any deficiencies specified in item #4 above shall be filed with an SJCOE official as designated by the Superintendent. Such complaints may be filed at SJCOE or at a school/program site and shall be immediately forwarded to the Superintendent or designee.

Investigation and Response

The program administrator or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received.

Complaints may be filed anonymously. If the complainants have identified themselves and indicated on the complaint form that he/she would like a response to his/her complaint, the program administrator or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the program administrator or designee shall report the same information to the Superintendent or designee.

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint he/she has the right to describe the complaint to the Superintendent and the County Board of Education at a regularly scheduled meeting.

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a above, a complainant who is not satisfied with the resolution proffered by the program administrator, Superintendent or designee, may file an appeal to the State Superintendent of Public Instruction within 15 days of receiving the response.

Complainant shall comply with the appeal requirements of 5 CCR 4632.

All complaints and written responses shall be public records.

Reports

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the County Superintendent of Schools and the County Board of Education. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled County Board of Education meeting.

Forms and Notices

The Superintendent or designee shall ensure that SJCOE's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. However, complainants need not use the SJCOE's Williams complaint form in order to file a complaint.

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

cf: 1340 Access to Public Records
4112.2 Certification
4113 Assignments
6162.52 High School Exit Examination
6179 Supplemental Instruction

Legal Reference:

EDUCATION CODE

1240 County superintendent of schools, duties
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School Accountability Report Card
35186 Williams uniform complaint procedure
35292.5 Restrooms, maintenance and cleanliness
37254 Supplemental instruction based on failure to pass exit exam by end of grade 12
48985 Notice to parents in language other than English
60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures
4680-4687 Williams complaints

(11/10)

Policy Adopted: December 13, 2005
Policy Amended: December 7, 2011
Board Approved: December 14, 2011
San Joaquin County Office of Education

COMMUNITY RELATIONS

Williams Uniform Complaint Procedures

Exhibit 1

NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS COMPLAINT RIGHTS

Parents/Guardians, Pupils, and Teachers:

Pursuant to Education Code 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English-learners, must have a textbook, or instructional material, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy – means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Misassignment – means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or a credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. Pupils, including English learners, who have not passed one or both parts of the high school exit examination by the end of grade 12 are to be provided the opportunity to receive intensive instruction and services for up to two consecutive academic years after the completion of grade 12.
5. A complaint form can be obtained at San Joaquin County Office of Education (SJCOE). You may also download a copy of the California Department of Education (CDE) complaint form from the following website <http://www.cde.ca.gov/re/cp/uc>.

Policy Adopted: January 6, 2006
Policy Amended: December 7, 2011
Board Approved: December 14, 2011
San Joaquin County Office of Education

Exhibit 2

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, or the provision of intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

CONTACT INFORMATION:

Name: _____

Address: _____

Phone Number: Day: _____ Evening: _____

E-mail address, if any:

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

School:

Course title/grade and teacher name:

Room number/name of room/location of facility:

Date problem was observed:

Policy Adopted: January 6, 2006
Policy Amended: December 7, 2011
Board Approved: December 14, 2011
San Joaquin County Office of Education

Exhibit 2 (Continued)

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

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

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

1. Textbooks and instructional materials:

- ⑥ A pupil, including an English Learner, does not have standards-aligned textbooks or instructional materials, or state- or SJCOE-adopted textbooks, or other required instructional materials to use in class.
- ⑥ A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- ⑥ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- ⑥ A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

2. Teacher vacancy or misassignment:

- ⑥ A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
- ⑥ A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- ⑥ A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Exhibit 2 (Continued)

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

3. Facility conditions:

- ⑥ A condition exists that poses an emergency or urgent threat to the health or safety of students or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions SJCOE determines appropriate.
- ⑥ A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- ⑥ The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.

4. High school exit exam intensive instruction and services:

- ⑥ Pupils who have not passed the high school exit exam by the end of grade 12 were not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after the completion of grade 12.

Exhibit 2 (Continued)

COMPLAINT FORM: WILLIAMS UNIFORM COMPLAINT PROCEDURE

Please file this complaint with the person specified below at the following location:

(Program Administrator or title of his/her designee)

(Address)

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

(Signature)

(Date)

(11/10)

Appendix E California High School Exit Examination 2011- 2012

Notice to Parents/Guardians

All California public school students are required by state law to pass the California High School Exit Examination (*CAHSEE*) as well as satisfy all other state and local requirements in order to receive a high school diploma. All students, including English learners and students with disabilities, must first take the *CAHSEE* in the tenth grade. Students who do not pass the exam in grade ten will have additional opportunities in grades eleven and twelve to retake the part(s) not passed.

What the CAHSEE Covers

The exam is divided into two parts: (1) English-language arts (reading and writing) and (2) mathematics. All questions are aligned to California content standards adopted by the State Board of Education. Content standards describe what students should know and be able to do at each grade level from kindergarten through grade twelve. Your school district can provide you with information on the content standards assessed by the *CAHSEE*, or you can download the *CAHSEE* test blueprints located on the Internet at <http://www.cde.ca.gov/ta/tg/hs/admin.asp>.

Requirements for Passing the CAHSEE

Students must earn a score of 350 or higher on each part of the *CAHSEE* (English-language arts and mathematics) to pass the exam. Students do not need to pass both parts of the exam during the same administration in order to satisfy the *CAHSEE* requirement.

Graduation Requirements

All California public school students must pass the *CAHSEE* in addition to meeting all other state and local requirements to receive their high school diploma. Students with disabilities and English learners must also satisfy the *CAHSEE* requirement.

Testing Dates

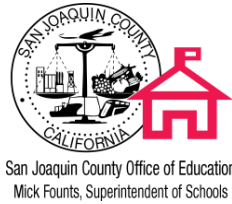
The *CAHSEE* will be administered at the school site during regular school hours on the dates specified in the table below. As required by state law, students in grade ten must take the *CAHSEE* during the March 2009 administration. For students who are absent, a make-up administration will be offered in May. Students will receive additional instruction, if needed, to ensure success on this exam. Grade eleven and twelve students who have not passed one or both parts of the *CAHSEE* will be offered the exam on the dates listed in the chart below.

For More Information...

For the latest information regarding the *CAHSEE*, please visit the California Department of Education's Web site at <http://www.cde.ca.gov/ta/tg/hs>. If you have any further questions about the *CAHSEE*, please contact our school office during regular school hours.

2011-2012 Designated CAHSEE Testing Dates

English-Language Arts	Mathematics	Who Tests
November 1, 2011	November 2, 2011	11th & 12th Grades
February 7, 2012	February 8, 2012	10 th 11th 12th
March 13, 2012	March 14, 2012	12th Grade
May 8, 2012	May 9, 2012	10th & 12th Grades Only



Appendix F

HEALTHY SCHOOLS ACT OF 2000

Notice of all students, parents/guardians and employees of the San Joaquin County Office of Education.

Assembly Bill 2260 went into effect on January 1, 2001. This legislation enacted Education Code section 17608 et seq. which require, among other things, that school districts notify parents and staff about the use of pesticides at school. The purpose of this legislation is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, please be advised of the following:

The San Joaquin County Office of Education expects to use the following pesticides at its campuses during the upcoming year:

Pesticide Name E.P.A. Reg. Number Active Ingredient(s)

Pesticide Services provided by Pestmaster Services Inc. See the attached list of pesticides that may be used for the 2011-2012 school year. *

Parents/guardians of the San Joaquin County Operated Schools and Programs can register with the County's designee, Rachel Elias, to receive notification of individual pesticide applications by calling (209) 468-9044. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

If you wish to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code section 13184, you can do so by accessing the Department's website at www.cdpr.ca.gov.

* Pestmaster Services Inc. pesticide list is subject to change. See the attached.

PESTMASTER SERVICES INC.

1. CONTRAC ALL-WEATHER BLOX – EPA Reg. No: 12455-79
2. DEADLINE T & O – EPA Reg. No: 64864-38
3. DELTADUST – EPA Reg. No: 432-772
4. EcoEXEMPT D – EPA Reg. No: N/A Exempt
5. EcoEXEMPT G – EPA Reg. No: N/A Exempt
6. EcoEXEMPT IC – EPA Reg. No: N/A Exempt
7. EcoPCO AC – EPA Reg. No: N/A Exempt
8. MAXFORCE FC ANT KILLER BAIT – EPA Reg. No: 432-1264
9. MAXFORCE FC ROACH KILLER BAIT – EPA Reg No: 432-1259
10. MICROCARE – EPA Reg. No: 499-381
11. NYGUARD – EPA Reg. No: 1021-1603
12. PHANTOM – EPA Reg. No: 241-392
13. PREMISE 75 – EPA Reg. No: 3125-455
14. SUSPEND SC – EPA Reg. No: 432-763
15. TALSTAR – EPA Reg. No: 279-3168
16. TEMPO 20 – EPA Reg. No: 3125-380
17. TERMIDOR SC – EPA Reg. No: 7969-210
18. VICTOR POISON FREE ANT/ROACH BAIT – EPA Reg. No: N/A Exempt
19. VICTOR POISON FREE WASP\HORNETS – EPA Reg. No. N/A Exempt
20. WASP-FREEZE – EPA No: 499-362
21. WILCO GOPHER GETTER AG BAIT – EPA Reg. No: 36029-7
22. WILCO GROUND SQUIRREL BAIT – EPA Reg. No: 36029-CA-01
23. 565 PLUS XLO – EPA Reg. No: 499-290
24. Advion Cockroach Gel - EPA Reg. No: 352-652
25. Advion Ant Bait - EPA Reg. No: 352-627

Appendix G

Suspension & Expulsion / Due Process

Please refer to website: <http://www.sjcoe.org/alternativeed/>

Parents and legal guardians may request a copy by contacting the main office for the one. Program at 209-468-4847.

Appendix H

INSTRUCTION

Student Use of Technology

The Superintendent recognizes that technology provides ways to access the most current and extensive sources of information available. Technology also enables students to practice skills and to develop reasoning and problem –solving abilities. In addition, electronic resources foster workplace skills that may be transferable to new technologies. Therefore, every effort shall be made to provide equal access to technology throughout the San Joaquin County Office of Education (SJCOE).

On-line Services

The Superintendent has constitutionally legitimate pedagogical concerns that the material students access through on-line services be both educational and age appropriate. Pursuant to the accompanying Superintendent Policy 6163.5, it is the intent to prevent student use of SJCOE access to any online services which are not age appropriate, are unhealthy, constitute “harmful matter” under Penal Code section 313, are pornographic or obscene, or whose dominant appeal is to prurient interests. To discourage access to adult content on-line electronic services and preclude other misuses of the system, the Superintendent, or designee, shall see to it, so far as is technologically reasonable with filtering software, that the material students are able to access through DPJPA Internet access is age appropriate and educationally suitable.

Staff shall supervise students while using on-line services and may ask Para educators and student aides to assist in such supervision. Students who fail to abide by regulations promulgated by the Superintendent, or designee, or who fail to abide by the Student Internet Ethics Acceptable Use Agreement or school rules regarding Internet use, shall be subject to disciplinary actions, revocation of the user account, and legal or criminal action as appropriate.

Revisions of Net Use Agreements

The Superintendent, or designee, may revise the Student’s Internet Ethics Acceptable Use Agreement from time to time as appropriate.

Legal References:

EDUCATION CODE

- §51006 Computer education and resources
- §51007 Programs to strengthen technological skills
- §51870-5144 Education Technology Act
- §60011 Instructional materials definition
- §60022 Prohibited instructional materials

- b. Provide materials and training to help parents/guardians work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parent involvement;
 - c. Educate teachers, student services personnel, principals, and other staff, with the assistance of parents/guardians, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools;
 - d. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, public preschool, and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in more fully participating in their children's education;
 - e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand;
 - f. Provide other such reasonable support for parent involvement activities as parents/guardians may request; and
 - g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students.
5. Conduct, with involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the schools served by Title I.

The Superintendent or designee shall:

- a. Ensure that the evaluation include the identification of barriers to greater participation in parent involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;
- b. Use the evaluation results to design strategies for more effective parent involvement and, if necessary, to recommend changes in the parent involvement policy; and
- c. Assess the SJCOE's progress in meeting annual objectives for the parent involvement program, notify parents/guardians of this review and assessment through regular school communications mechanisms, and provide a copy to parents/guardians upon their request.

The Superintendent or designee may:

- a. Include information about school activities in SJCOE communications to parents/guardians;

EDUCATION CODE

- §51006 Computer education and resources
- §51007 Programs to strengthen technological skills
- §51870-5144 Education Technology Act
- §60011 Instructional materials definition
- §60022 Prohibited instructional materials

PENAL CODES

- §313 Harmful matter
- §632 et seq., Eavesdropping on or recording confidential communications

UNITED STATES CODE

- 20 U.S.C. §6801-7005 Technology for Education Act of 1994
- Board of Education, Island Trees Union Free District #26 v. Pico (1982) 457 U.S. 853.
- McCarthy v. Fletcher (1989) 207 Cal.App.3d 130 [254 Cal.Rptr.714].

Management Resources:

CDE PUBLICATIONS

K-12 Network Technology Planning Guide: Building the Future, 1994

CDE PROGRAM ADVISORIES

1223.94 Acceptable Use of Electronic Information Resources

WEB SITES

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

CDE: <http://www.cde.ca.gov>

Appendix H INSTRUCTION

Student Use of Technology and the Internet

Technology in general and the Internet in particular, provide tremendous educational opportunities for schools and students which allow students to go far beyond the traditional school library in their research. At the same time technology and the Internet provide risks of misuse, which do not exist with the traditional school library. The purpose of this administrative regulation is to provide guidance for San Joaquin County Office of Education (SJCOE) employees on how to protect students from such misuse.

In keeping with SP §6163.4, the Superintendent or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. The Superintendent or designee shall ensure that all students using these resources receive training in their proper use, as well as copies of related SJCOE policies and regulations. The Superintendent or designee shall also see to it that all students using IT JPA WAN access to Internet or Intranet technology, and their parents or guardians, have read and signed the DB JPA Student Internet Ethics Acceptable Use Agreement. Efforts will be made to assure that no student uses the SJCOE Intranet or Internet unless that student and the student's parents have signed off on the Student Internet Ethics Acceptable Use Agreement.

For purposes of this regulation and the Student Internet Ethics Acceptable Use Agreement, the term "Net" refers to any and all Internet or Intranet access provided through the use of DP JPA technology.

On-Line Services: User Obligations and Responsibilities

No student is authorized to use SJCOE technology for Internet or Intranet purposes unless the student, as well as the student's parent or guardian, signs a Student Internet Ethics Acceptable Use Agreement. (Attached as E6163.4)

On-Line Services: Staff Obligations and Responsibilities

Staff shall provide reasonable supervision under the circumstances for students who are using on-line services and may ask teacher aides and student aides to assist in such supervision. The purpose of such supervision shall be instructional as well as to prevent students from "misuse of the IT JPA WAN access to the Internet" as that phrase is defined in the Student Internet Ethics Acceptable Use Agreement.

Diplomacy Action Related to Misuse of the Internet

Student failure to abide by the Student Internet Ethics Acceptable Use Agreement may result in disciplinary action following disciplinary procedures established by the DP JPA with the following qualifications:

Policy Adopted: April 24, 2001
San Joaquin County Office of Education

1. Student misuse of the system is defined in the Student Internet Ethics Acceptable Use Agreement. The definitions therein are not exclusive. If a student is clever enough to invent a new way of misusing the system, and it is reasonable that the student would know that he/she is doing is improper, the student may nonetheless be disciplined.
2. Student use of the IT JPA WAN is a privilege granted to students by SJCOE not a legal right. Since it is a privilege, SJCOE may restrict any student's use of its Internet system if the student abuses that privilege.
3. Suspension or Expulsion. If the student has violated the Student Internet Ethics Acceptable Use Agreement in a way that leads to suspension or expulsion, discipline shall be administered, appealed, and controlled by the policy on discipline – SP 51449(a) et seq. In all other situations, the following procedures apply.
 - a. Teacher Level. In situations where the student is suspected to have misused the system, the teacher shall discuss the matter with the student, informing the student of what the student is suspected to have done, hear the student's side of the story, and institute action deemed appropriate by the teacher, short of prohibiting the student from the Internet for the remainder of the school year. The student may be prohibited from using the system for any length of time which is reasonable and pedagogically suited to obtaining the student's cooperation and adherence to the Student Internet Ethics Acceptable Use Agreement.
 - b. School Level. In situations where there have been repeated infractions, or where the student has engaged in extreme misuse of the system which will not directly result in suspension or expulsion, the Superintendent or designee, may completely bar the student from further use of the system for the remainder of the school year.
 - c. Agency Level. In extreme situations which will not directly result in suspension or expulsion, the Superintendent or designee, may bar the student from any use of the system for not just the current school, year but the student's entire time with SJCOE.
4. Appeals. Except in situations where the discipline administered was suspension or expulsion, students or parents may appeal any decisions at the Agency level of appeal under this regulation by using the Superintendent's Uniform Complaint Procedures. Where the student is suspended or expelled, appeal procedures in SP 5144.1(a) et seq. may apply.

San Joaquin County Office of Education

Data Processing JPA

CONSENT AND WAIVER

The following form must be read and signed by you and your parent or legal guardian and school site teacher or administrator.

By signing the *Consent and Waiver* form attached, I _____ (print name here) and my parent(s) or guardian(s) agree to abide by the following restrictions. I have discussed these rights and responsibilities with my parent(s) or guardian(s).

Further, my parent(s) or guardian(s) and I have been advised that the San Joaquin County Office of Education Data Processing JPA (DP JPA), district, and school site do not have control of the information on the Internet, although it attempts to provide prudent and available barriers. Other sites accessible via the Internet may contain material that is illegal, defamatory, inaccurate, or potentially offensive to some people. While the DP JPA's intent is to make Internet access available to further school and district educational goals and objectives, account holders will have the ability to access materials which may not be appropriate and meet these goals and objectives. The DP JPA believes that the benefits to educators and students to access the Internet, in the form of information resources and opportunities for collaboration, far exceed any disadvantages of access. But ultimately, the parent(s) and guardian(s) of minors are responsible for setting and conveying the standards that their student should follow. To that end, the DP JPA, district, and school supports and respects each family's right to decide whether or not to apply for San Joaquin County Office of Education IT JPA WAN access. Any questions should be directed to the Department of Information Technology at (209) 468-4869 or school site or district technology staff members.

The student and his/her parent(s) or guardian(s) must understand that student access to the IT JPA WAN is developed to support the district's educational responsibilities and mission. The specific conditions and services being offered will change from time to time. In addition, DP JPA makes no warranties with respect to the IT JPA WAN's service, and it specifically assumes no responsibilities for:

A. The content of any advice or information received by a student from a source, or any costs or charges incurred as a result of seeking or accepting such advice.

B. Any costs, liability, or damages caused by the way the student chooses to use his/her District

Network access.

C. Any consequences of service interruptions or changes, even if these disruptions arise from circumstances under the control of the DP JPA.

D. While the DP JPA supports the privacy of electronic mail, students must assume that this cannot be guaranteed.

By signing this form I agree to the following terms:

1. My use of the IT JPA WAN must be consistent with the DP JPA's, districts, and school site's primary goals.
2. I will not use IT JPA WAN for illegal purposes of any kind.
3. I will not use the IT JPA WAN to transmit threatening, obscene, or harassing materials. The district, school, and DP JPA will not be held responsible if I participate in such activities. In fact, by completing this contract, I agree that the DP JPA, school, or district is not responsible for such behavior on my part.
4. I will not use the IT JPA WAN to interfere with or disrupt network users, services, or equipment. Disruptions include, but are not limited, to distribution of unsolicited advertising, propagation of computer worms and viruses, using printers other than those designated at my school site for student use, and using the network to make unauthorized entry to any other machine accessible via the network.
5. I will not use the IT JPA WAN to access information or resources unless permission to do so has been granted by the owners or holders of rights to those resources or information. It is assumed that information and resources accessible via IT JPA WAN are private to the individuals and organizations which own or hold rights to those resources and information unless specifically stated otherwise by the owners or holders of rights.

The DP JPA, district, and school make no warranties of any kind, whether express or implied, for the services it is providing. The DP JPA will not be responsible for any damages a user suffers. This includes loss of data resulting from delays, non-deliveries, miss-deliveries, or service interruptions caused by the DP JPA's or the district/school's negligence or by user's error or omissions. Use of any information obtained via the Internet is at the user's own risk. The DP JPA, district, and school specifically deny any responsibility for the accuracy of or quality of information obtained through its services. All users need to consider the source of any information they obtain and consider how valid that information may be.

In accordance with the Electronic and Communications Privacy Act of 1986, 18 USCS Section 2510, all students are hereby given notice that there are no facilities provided by the IT JPA WAN for sending or receiving private or confidential electronic communications. All messages shall be determined to be readily accessible to the general public. Do not use this system for any communications which the sender intends only for the sender and intended recipients to read. By your use of IT JPA WAN, you agree to hold harmless the DP JPA, school and district, thereof, against any and all claims arising out of said use, no matter the cause or fault.

Required Signatures

I understand and will abide by the provisions and conditions of this contract. I understand that any violations of the above provisions may result in disciplinary action, the revoking of my user account, and the appropriate legal action. I also agree to report any misuse of the information system to the school site technology representative, teacher, or administrator. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described in this document. All the rules of conduct described in district or school site policies, procedures, and handbooks apply when I am on the network.

I understand that the e-mail account supplied by the Data Processing JPA (DP JPA) is not my personal e-mail and that it and its content are solely the property of the DP JPA and can be viewed by those authorized by the DP JPA.

School District: _____ School Site: _____

Student ID#: _____

Student Signature: _____ Date: _____

PARENT OR GUARDIAN

Students under the age of 18 must have the signature of a parent or guardian who has read this contract.

As the parent or guardian of this student, I have read this contract and understand that it is designated for educational purposes. I understand that it is impossible for the DP JPA, district, or school to restrict access to all controversial materials, and I will not hold the DP JPA, district, or school responsible for materials acquired on the IT JPA WAN. I also agree to report any misuse of the information system to the school site technology representative. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described in this document .

I accept full responsibility for supervision of my child should they use remote connections to the IT JPA WAN in a non-school setting. I hereby give my permission to issue an account for my child and certify that the information contained on this form is correct.

Please complete all of the information below and route the Consent and Waiver portion of this document to your sponsoring teacher for approval. Your Internet access and account will not be granted without the completion of all informational items listed.

Parent or Guardian Name (please print): _____ Home Phone: _____

Signature: _____ Date: _____

SPONSORING TEACHER

I have read this contract and agree to promote this agreement with the student. As the sponsoring teacher, I agree to instruct the student on acceptable use of the network and proper network etiquette. I also agree to report any misuse of the information system to the school site technology representative. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described in this document.

Teacher's Name (please print): _____

Signature: _____ Date: _____

DISTRICT REPRESENTATIVE

Students must have the signature of the district representative who has read this contract.

As a representative of the district, I have read this contract and understand that it is designated for educational purposes. I understand that it is impossible for the DP JPA or district to restrict access to all controversial materials, and I will not hold the DP JPA or district responsible for materials acquired on the IT JPA WAN, I also agree to report any misuse of the information system to the Department of Information Technology. Misuse can come in many forms, but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described in this document .

Please complete all of the information below and keep on file.

District Representative (please print): _____

Signature: _____ Date: _____

APPENDIX I INSTRUCTION

Parent Involvement

The San Joaquin County Office of Education (SJCOE) recognizes that parents/guardians are their children's first and most influential teachers and that continued parental involvement in the education of children contributes greatly to student achievement and conduct. Parents/guardians can directly affect academic success by reinforcing where appropriate, their children's motivation and commitment to education. The Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in district and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home.

Teachers and parents/guardians can better understand and meet student needs if they work together. All of our schools have a duty to communicate frequently management techniques, which support classroom learning. Administrators and teachers should keep parents/guardians well informed about school expectations and tell them when and how they can assist their children in support of classroom learning activities.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The Superintendent or designee shall regularly evaluate the effectiveness of SJCOE's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

Title I Schools

Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. The Superintendent or designee shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program.

The Superintendent or designee shall ensure that SJCOE's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how SJCOE will carry out each activity listed in 20 USC.

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. The Superintendent or designee also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities.

The Superintendent or designee shall ensure that each school receiving Title I funds, develops a school-level parent involvement policy in accordance with 20 USC.

Non-Title I Schools

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502.

cf: 0420 Program Based Management
1220 Citizen Advisory Committees
1230 School-Connected Organizations
1240 Classroom Volunteers
1250 Visits to the Schools
3100 Budget Development
5020 Parent Rights and Responsibilities
5145.6 Notifications to Parents and Students
6171 Title 1 Programs

Legal Reference:

EDUCATION CODE

11500-11506 Programs to Encourage Parental Involvement
48985 Notices in languages other than English
51101 Parent rights and responsibilities
64001 Single plan for student achievement

LABOR CODE

230.8 Time off to visit child's school
UNITED STATES CODE, TITLE 20
6311 Parental notice of teacher qualifications and student achievement
6312 Local education agency plan
6314 School wide programs
6316 School improvement
6318 Parent involvement

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services
35.160 Communications

(08/06)

INSTRUCTION

Parent Involvement

San Joaquin County Office of Education's (SJCOE) Strategies for Title I Schools

To ensure that parents/guardians of students participating in Title I programs are provided with opportunities to be involved in their children's education, the Superintendent or designee shall:

1. Involve parents/guardians of participating students in the joint development of the Title I local educational agency (LEA) plan pursuant to 20 USC 6312 and the process of school review and improvement pursuant to 20 USC 6316.

The Superintendent or designee may:

- a. Establish an SJCOE-level committee including parent/guardian representatives from each school site to review and comment on the LEA plan;
 - b. Communicate with parents/guardians through newsletters, web site, or other methods regarding the LEA plan and the opportunity to provide input;
 - c. Provide copies of working drafts of the LEA plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand;
 - d. Ensure that there is an opportunity at a public Board meeting for public comment on the LEA plan prior to the Board's approval of the plan or revisions to the plan.
2. Provide coordination, technical assistance, and other support necessary to assist Title I schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance.

The Superintendent or designee may:

- a. Assign person(s) at SJCOE to serve as a liaison to the schools regarding Title I parent involvement issues.
3. Build the capacity of schools and parents/guardians for strong parent involvement.

The Superintendent or designee shall:

- a. Assist parents/guardians in understanding such topics as the state's academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children;

- b. Provide materials and training to help parents/guardians work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parent involvement;
 - c. Educate teachers, student services personnel, principals, and other staff, with the assistance of parents/guardians, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools;
 - d. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, public preschool, and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in more fully participating in their children's education;
 - e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand;
 - f. Provide other such reasonable support for parent involvement activities as parents/guardians may request; and
 - g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students.
5. Conduct, with involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the schools served by Title I.

The Superintendent or designee shall:

- a. Ensure that the evaluation include the identification of barriers to greater participation in parent involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background;
- b. Use the evaluation results to design strategies for more effective parent involvement and, if necessary, to recommend changes in the parent involvement policy; and
- c. A s s e s s the SJCOE's progress in meeting annual objectives for the parent involvement program, notify parents/guardians of this review and assessment through regular school communications mechanisms, and provide a copy to parents/guardians upon their request.

The Superintendent or designee may:

- a. Include information about school activities in SJCOE communications to parents/guardians;

- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians with special needs; and
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children.

The SJCOE's superintendent policy and administrative regulation containing parent involvement strategies shall be incorporated into the LEA plan and distributed to parents/guardians of students participating in Title I programs.

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent involvement shall be developed jointly with and agreed upon by parents/guardians of participating students. Such policy shall describe the means by which the school will:

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved.
2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent involvement.
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent involvement policy and, if applicable, the joint development of the plan for school wide programs pursuant to 20 USC 6314.
4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs;
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
 - c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians.

5. If the school wide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to SJCOE.
6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards.

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's student academic achievement standards;
 - b. Ways in which parents/guardians will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television viewing; volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time; and
 - c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement;
 - (2) Frequent reports to parents/guardians on their children's progress; and
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities.
7. Build the capacity of the school and parents/guardians for strong parent involvement by implementing the activities described in items #3a-f in the section "SJCOE Strategies for Title I Schools" above.
 8. To the extent practicable, provide full opportunities for the participation of parents/guardians with limited English proficiency, parents/guardians with disabilities, and parents/guardians of migrant children, including providing information and school reports required under 20 USC 6311 (h) in a format and language such parents/guardians can understand.

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements.

Each school's parent involvement policy shall be made available to the local community and distributed to parents/guardians of participating students in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand.

San Joaquin County Office of Education Strategies for Non-Title I Schools

For each school that does not receive federal Title I funds, the Superintendent or designee shall, at a minimum:

1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible members of society.

The Superintendent or designee may:

- a. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter.
 - b. Provide parents/guardians with information about students' class assignments and homework assignments.
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home.

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment at home and to encourage good study habits.
 - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing.
 - c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees.
3. Build consistent and effective communication between the home and school so that parents/guardians may know when and how to assist their children in support of classroom learning activities.

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students.
- b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom

- c. Provide information about parent involvement opportunities through SJCOE, school, and/or class newsletters, the SJCOE's web site, and other written or electronic communications.
- d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand.
- e. Develop mechanisms to encourage parent/guardian input on SJCOE and school issues.
- f. Identify barriers to parent/guardian participation in school activities, including parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.
- g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or childcare.

cf: 0420ProgramBaseManagement
1220 Citizen Advisory Committees
1230 School-Connected Organizations
1240 Classroom Volunteers
4115 Evaluation/Supervision
4215 Evaluation/Supervision
4315 Evaluation/Supervision
4131 Staff Development
4231 Staff Development
4331 Staff Development
5020 Parent Rights and Responsibilities
5113 Absences and Excuses
5121 Grades/Evaluation of Student Achievement
5123 Promotion and Retention
5145.6 Notifications to Parents and Students
5148.3 Preschool/Early Childhood Education
6145 Extracurricular/Curricular Activities
6162.52 High School Exit Examination
6171 Title I Programs

(08/06)