



Hesperia Community Day School

16633 LEMON ST. • HESPERIA, CA 92345 • (760) 948-3999, ext.5108 • FAX (760) 948-0508

Nate Lambdin, Principal



Dear Students and Parents,

On behalf of the entire staff, I welcome you to Hesperia Community Day School. As a Community Day School student, you have a unique opportunity to improve your behavior, prepare for graduation, and plan for your future. We are a "fresh-start" school, and our programs are designed to give our students the opportunity to experience success in school.

We serve those students who no longer have the option of attending other District schools. We believe that it is a privilege to attend our school. Our individually crafted study plans and activities, our small class sizes, and our emphasis on the educational and behavioral needs of our students make us unique and enable our students to discover success in school. For many of our students, it is the last opportunity to achieve success in the Hesperia Unified School District.

Our staff is uniquely trained and committed to making your Hesperia Community Day School experience rewarding and productive. Our staff cares about students, and demonstrates patience in teaching them to take ownership and responsibility for their decisions. We pride ourselves in stressing a positive, common-sense approach to problem solving, and we stress the importance of demonstrating respect for all people they are in contact with.

We look forward to working with you to ensure your success!

Nate Lambdin, Principal

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Hesperia Community Day School: **Schedule**

Monday, Tuesday, Wednesday, Thursday, Friday



Period/ Assignment	CDS	Minutes
Breakfast/ Individual	7:15-8:00	45
English	8:00-9:00	60
P.E.	9:00-9:30	30
Reading	9:30-10:30	60
Lunch	10:30-11:00	30
Math	11:00-12:00	60
Science/Social Studies	12:00-1:00	60
Individual Assignment/RTI	1:00-1:45	45



At Hesperia Community Day there are:

- ***NO Minimum Days***
- ***NO Late Start Wednesdays***

Expected School-Wide Learning Results (ESLRS)

- Students will demonstrate social, interpersonal, and conflict resolution skills.
- Students will demonstrate appropriate communications skills
- Students will demonstrate knowledge of research, problem-solving, critical thinking and mathematical application skills
- Students will demonstrate technological skills
- Students will demonstrate life and career readiness skills.

Hesperia Community Day School GRADING PERIODS

Grading Period

1- Aug. 14 – Oct. 6

39 days

Grading Period

2- Oct. 10 – Dec.21

47 days

3 –Jan. 8 – Mar.23

52 days

4- Apr.2 – May 31

42 days

Hesperia Community Day School

Administration, Faculty & Staff

Nate Lambdin
Principal

Jennifer Most
School Psychologist

Olga Fisher
Assistant Principal

Alejandra Jaramillo-Williams
Counselor

(760) 948-3999

Or

(760) 244-1771

Terry McGrath
Teacher
CD 2
Ext. 5182

Susan Gaus
Teacher
CD 3
Ext. 5183

(760) 948-3999

Or

(760) 244-1771

Tameisha Brooks
Instructional Aide

Derek Chip
Instructional Aide

Silvana Kocharyn
Instructional Aide

Stacy Bolden
Instructional Assistant

Liliana Latorre-Melchor
Program Specialist
Ext. 5108

Faculty

Classified

Parental Involvement Policy

Hesperia Community Day School strives to involve parents in all aspects of their students' educational pathway. There are many ways parents may get involved here at Hesperia Community Day School, listed below are a few of the ways. For more information please contact **Liliana Latorre-Melchor** at **(760) 244-1771 ext. 188**.

Back to School Night	Date: Tuesday, September 21, 2017
Location: Hesperia Community Day School	Time: 5:30 pm

School Site Council followed by Title I Meeting	Date: Wednesday, November 14, 2017 Wednesday, March 21, 2018
Location: Mojave High School (Room 100)	Time: 1:00 PM

DELAC	Date: Tuesday, September 5, 2017 Wednesday, November 14, 2017 Wednesday, January 24, 2018 Tuesday, March 6, 2018
Location: Parent Center-9144 3 rd Ave.	Time: 6:30 pm

Parent involvement groups:

- Parent Center
- Representative for ELAC/DELAC
- Representative for School site counsel

Additionally, regular Connect Ed phone calls will be made to the students' home to keep parents updated on events, report cards, and pertinent information to Hesperia Community Day School. Please keep your current phone number updated with Liliana Latorre-Melchor in the office.

Additional important information could be found on:

<https://campus.hesperiausd.org/campus/portal/hesperia.jsp>
www.Hesperiausd.org

What Is Hesperia Community Day School?

HCDS serves Grades 7-12 students who have been expelled (E.C. 48900), who have been referred by Probation, who are recommended by Scholastic Attendance Review Board (SARB) and who are referred by the District Administrative Hearing Panel. These high-risk students are best served by HCDS because the program provides a lower student/teacher ratio, close supervision, and an individualized academic program.

The Process

Each prospective student and parent or guardian will complete an enrollment packet and an intake interview with the staff who will explain the program rules. Students and parents will have an opportunity to ask questions and clarify issues. Each student will receive a copy of the HCDS Handbook. During the first week, new students will take a series of reading and math placement exams.

Student's previous test scores will also be part of the initial assessment. The school will use multiple measures to assess the progress of each student and the success of the program. We will track attendance, tardiness, discipline, and test scores for each student. In other words, we will *use* the same criteria to measure our students' successes as is used for all other students in the District. It is our goal to eventually transition each student who attends HCDS to an appropriate school or program.

Academic Standards

HCDS students will be held to the same rigorous academic standards as all students in the District. Students will be expected to have mastery of the school-wide ESLRS prior to graduation from high school.

Re-Admit hearing (Eligibility to get back to a regular school)

Re-Admit hearings are scheduled twice a year **December, 2017** and **May, 2018**. To be eligible for a re-admit hearing a student must fulfill all requirements set by the terms to expulsion such as:

- Community Service hours
- Anger Management and/or Drug & Alcohol class.
- Academically a student should be on track for graduation or promotion.

To schedule your re-admit appointment please call **(760) 244-4411 ext. 7233**
Re-admits are held at the District Office in the Student Services Department:

**15576 Main St.
Hesperia, CA 92345**

HESPERIA UNIFIED SCHOOL DISTRICT

THREE-WAY SCHOOL PLEDGE

SCHOOL: _____

Student Pledge

I realize my education is important. I know I am the one responsible for my own success. I agree to carry out the following responsibilities to the best of my ability:

- I will seek help when I don't understand
- I will get to class on time every day
- I will take my school communications and class assignments home to my parents/guardians
- I will return completed homework on time and ask for help when needed
- I will be a cooperative learner and responsible for my own behavior

Student Signature

Date

Parent Pledge

I understand participation in my student's education will enhance achievement and attitude. I agree to carry out the following responsibilities to the best of my ability:

- I will communicate with the teacher when I have a concern
- I will encourage my student to complete his/her homework by providing a quiet place/time
- I will review all school communications and return requested items promptly
- I will attend Back-to-School events, Parent-Teacher-Student conferences, Open House and other school events
- I will encourage my student to engage in reading activities for at least 15 minutes every day and support the school's/district's homework, discipline and attendance policies
- I will make sure my student gets adequate sleep and has a healthy diet

Parent Signature

Date

Teacher Pledge

I understand the importance of the school experience to every student and my role as an educator and model. I agree to carry out the following responsibilities to the best of my abilities:

- I will communicate with you regarding your student's progress, homework and classroom expectations through Parent-Teacher conferences and frequent reports
- I will introduce grade level skills and concepts while striving to address the individual needs of your student
- I will assess and return appropriate work in a timely manner
- I will provide a safe, positive and healthy learning environment for your student
- I will return your phone calls or emails in a timely manner

Teacher Signature

Date



Student and Parent Information

TRANSPORTATION

There is a city bus stop located on the corner of 3rd and Lemon. \$1.00 w/ID. \$1.25 without
Please call the number below for a schedule.

**For the most up to date information on fees and bus routes please visit www.vvta.org or call:
(760) 948-3030.**

APPOINTMENTS

If you need to see a counselor, administrator, or teacher, please call the school and set up an appointment. **Walk-in** appointments are discouraged. School employees have many scheduled appointments and meetings that they must attend that sometimes make it impossible to see walk-in appointments. *Please call ahead.*

The school phone number is: **(760) 948-3999 or (760) 244-1771 Ext: 5108**

ACCIDENTS AND INJURIES



All accidents or injuries to students should be reported immediately to the Office, and an accident report must be completed.

First aid may be administered on campus. There is no school nurse on site. If the situation warrants, paramedic services will be requested at parental expense. In all cases, an attempt will be made to notify a parent or guardian as soon as possible.

It is absolutely *essential* to have a properly completed emergency card on file at the school to ensure prompt and effective treatment and parental notification.

DISASTER PREPAREDNESS

It is important for both parents and students to know that all students will be kept at school if a major disaster occurs during school hours. In addition, parents must know that if students are kept at school, they will not be released until signed for by the person(s) listed on the emergency card. Disaster Preparedness manuals are available in the Office.

LUNCH PROGRAM

You may pick up a lunch application at:

Hesperia Unified School District
Nutritional Services Warehouse
11176 G Avenue
Hesperia, CA 92345

Or apply online at: <https://lunch.hesperiausd.org/fma/>
(760) 948-1051, Ext. 7909



ATTENDANCE



Philosophy Statement of the Board of Trustees

Regular attendance and punctuality are essential if a student is to receive maximum benefit from an instructional program. Absence and tardiness are counter-productive to educational success. In addition, students who are absent from or tardy to class infringe upon the rights of those students in attendance and their teachers by disrupting the normal flow of an instructional program and by causing teachers to unnecessarily repeat and review information and material previously covered. Even though it is possible for students to make up much of the work missed due to absence, it is impossible to completely compensate for loss of classroom time.

For these reasons it is essential that students attend school on a regular basis and absences result from legitimate and compelling reasons only. A concerted effort should be made by students, parents/guardians, and school officials to schedule as few appointments and activities as possible that interfere with school attendance and class schedules. Students who are 18 years old must comply with attendance rules. Eighteen year olds who do not earn their units and maintain good attendance may be dropped from HCDS.

ATTENDANCE POLICY

A student will be marked absent by each teacher at any time he or she is not present in a scheduled class. Acceptable reasons for excused student absence as per Education Code 46010 and 48205 are as follows:

1. Student's personal illness.
2. Quarantine under the direction of county health officer.
3. Student's personal medical, dental, optometrist or chiropractic appointments (requires doctor's note).
4. Funeral services of parent, sibling, spouse, child, grandparent, or any relative living in the immediate household of the student. (Limited to one day in the state, and three days out of state.)
5. Court/Counseling services

When a student returns after an absence, he/she must bring a written note from a parent or guardian or have the parent or guardian phone the Attendance Office on the first day of absence. When placing a call, please indicate the name of the student, the date, the period(s) of absence, and the reason for the absence. The 24-hour attendance reporting hotline is **(760) 244-1771 Ext. 5108**. Attendance may also be verified by calling during the hours of 7:00 a.m. – 3:00 p.m.

A student absent because of illness for five (5) or more days may be required to submit a doctor's letter to substantiate that the absence is excused.

If a student or parent feels there are extenuating circumstances that fall outside of the attendance guidelines stated above, an appeal can be made to the appropriate administrator.

CLOSED CAMPUS

HCDS maintains a closed campus. A student may not leave the campus at any time during the school day except in case of an emergency or with prior administrative approval. Students whose whereabouts during the school day are unexplained will be subject to search upon arrival at school. There are no student visitors allowed on campus.

SARB

The Hesperia Unified School District maintains a **School Attendance Review Board (SARB)**. The purpose of SARB is to divert students with school attendance or school behavior problems from the justice system by providing guidance and coordinated community services to meet their special needs. The SARB is made up of representatives of various youth serving agencies that help truants or insubordinate students and their parents/guardians solve problems by using community resources. If the SARB determines available community services cannot correct certain attendance or behavioral problems, SARB promotes the development of new public and private community services to meet the need of the affected students.

The SARB will refer students to the Juvenile Court when school and community resources are exhausted. Also, the SARB will refer parents to the District Attorney's Office, Probation Office, Welfare Department, or appropriate court when all alternatives have been attempted.

According to the 2011 penal code citations are as follows:

1st Citation: A fine not more than \$100 plus penalties could amount to as much as \$475

2nd Citation - A fine of not more than \$250 plus penalties could amount to as much as \$1075

3rd Citation - A fine of not more than \$500 plus penalties could amount to as much as \$2075

The fine remains within what is outlined in Ed Code ... the penalties and court fees vary based on what the judge orders.

TARDY POLICY



The only acceptable excuses for being late to school are:

- Illness
- Doctor/Dentist appointment*
- Family medical emergency
- Loss of electricity
- After 7:30 am your student is late. Parent must sign them in at the CDS office.

EMERGENCY CARDS

All students must have a current EMERGENCY card on file in the Attendance Office. Students will not be permitted to leave campus for any reason without having a current emergency card on file in the Attendance Office. Students must submit a new emergency card at the beginning of each school year. In the event of an address change, or employment change, guardianship, doctor, etc., a new card must be submitted.

PARENT ACCESS TO STUDENT RECORDS

Information can be given out on a student once it has been verified that the party is the parent or legal guardian. Verification will be made by asking questions such as birth date, place of birth, middle name, or anything listed on the emergency card.

WITHDRAWAL PROCEDURES

When a student withdraws from Hesperia Community Day School, the parent or guardian should contact the office. On the last day the student is attending all books and school property must be returned.

PUPIL INFORMATION/CHANGE OF ADDRESS

When address or telephone number changes occur during the school year, the parent or guardian should notify the Office *immediately*. This is very important in keeping our records up-to-date and also being able in the ability contact a parent or guardian in case of an emergency.

STUDENT HOMEWORK REQUEST POLICY

1. Students must be absent for at least 3 days (illness or personal necessity only).
2. Students that are going to be out for (5) days or more due to family emergency and preplanned trips need to obtain an Independent Study contract from the Office. A minimum of three-day notice is required. The student will be required to show the signed contract to the teacher in order to receive their homework assignments. When students return to school they must show their completed homework to the Office in order for them to receive attendance credit for their being gone. Once cleared by the office they will then turn it into their teachers to receive their academic credit.
3. Homework will NOT be ordered if the student drops out of school.
4. Administration/counselors may order homework under special circumstances.
5. If absence continues beyond (1) one month, homework is discontinued. Student may be referred to Home Medic Program or Independent Study for extended absences.

AFTER SCHOOL ACTIVITIES

All students are required to leave campus within 20 minutes after the dismissal of school. The only exception to the policy will be those who participate in a sanctioned after school activity.

DISCIPLINE POLICY

PHILOSOPHY STATEMENT

It is the philosophy of the Hesperia Unified School District that each and every student in the district is entitled to an equal opportunity to participate in the educational program. In order to provide this, it is essential that adequate control be maintained in the classroom and educational setting.

No person or student has the right to interrupt, restrict, or prevent other students from being provided with an education that is rightfully theirs. Thus, every student shall have an opportunity to receive an education without fear of intimidation, threats, coercion, disruptions, etc. Any activity that violates this right, by whom so ever, shall be vigorously prevented by any and all legal means.

CALIFORNIA EDUCATION CODE

Suspension from school means the removal of a pupil from ongoing instruction for adjustment purposes (Educational Code 48925). Expulsion means the removal of a student from the immediate or general instructional setting when other means of correction fail or when the student's presence is likely to be dangerous or disruptive to others. Students may be subject to a "period" suspension for no more than two consecutive school days (Education Code 48911), or an "all-day" suspension (Education Code 48910). Administrators have the choice of levying an in-school suspension (ALC), or an at-home suspension, as necessary. According to Education Codes 48900, 48900.2, 48900.3, 48900.4 and 48915, students may be suspended or expelled for the following reasons:

GROUND FORS SUSPENSION OR EXPULSION

California Education Code 48900: (Grades K-12)

- a. (1) Caused, attempted to cause, or threatened to cause physical injury to another person; or
(2) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- c. Unlawfully possessed, used, sold, or otherwise furnished or been under the influence of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage or an intoxicant of any kind, and 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.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stolen or attempted to steal school property or private property.
- h. Possessed or used tobacco, or any products containing tobacco or nicotine products including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- i. Committed an obscene act or engaged in habitual profanity or vulgarity.
- j. Had unlawful possession of, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- l. Knowingly received stolen school property or private property.
 - m. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

GROUNDS FOR SUSPENSION OR EXPULSION (Cont'd.)

- n. Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or 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.
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- q. Engaged in, or attempted to engage in, hazing as defined in Section 32050.
- r. Engaged in the act of bullying, including, but not limited to, bullying committed by means of an electronic act as defined in subdivision (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. For purposes of this subdivision, the following terms have the following meanings:

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

- (a) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupil's person or property.
- (b) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health
- (c) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- (d) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) "Electronic act" means the **creation and transmission, originated on or off the school site by an electronic device** including, but not limited to a message text, sound or image, or a post on a social network web site, including creating a burn page, a credible impersonation, or a false profile toward any pupil by means of an electronic device including, but not limited to, a telephone, wireless communication device, computer or pager.

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

t. A pupil aids or abets as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person.

California Education Code 48900.2 (Grades 4-12)

Committed sexual harassment as defined in Section 212.5 of the Education Code.

California Education Code 48900.3 (Grades 4-12)

Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of Section 233 of the Education Code.

Intentionally engaged 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.

California Education Code 4807.7

Has made terrorist threats against school officials or school property, or both. For the purposes of this section, "terrorist threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person or property damage in excess of one thousand dollars, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property of the person threatened or his or her immediate family.

California Education Code 48915 MANDATORY RECOMMENDATION FOR EXPULSION (Grades K-12)

- (A) 1. Causing serious physical injury to another person, except in self-defense.
- 2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
- 3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
- 4. Robbery or extortion.
- 5. Assault or battery, as defined in Section 240 and 242 of the Penal Code, upon any school employee.

- (C) 1. Possessing, selling, or otherwise furnishing a firearm.
- 2. Brandishing a knife at another person.
- 3. Unlawfully selling controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- 4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- 5. Possession of an explosive.

DRESS CODE GUIDELINES

Students wearing gang attire become targets for violence even though they are not gang members. In addition, the baggy, oversized clothing now identified as gang-related presents a safety hazard since it allows students to more readily conceal dangerous objects such as knives and other weapons or provide hiding places for drugs and drug paraphernalia. Accordingly, the following types of clothing have been identified as **unacceptable dress**.

- Clothing, jewelry, and personal items that a student has including notebooks, folders, book covers, magazines, drawings, pictures, fanny packs, gym bags, water bottles, backpacks, or any other item that disrupts the instructional process
- Hats, hair nets, bandannas, rollers, beanies or “do rags”.
HUSD logo, MHS logo, or plain back hats that are worn properly are acceptable while outside.
- Pants, slacks or shorts that are larger in size than the physique of the student. No sagging or bagging. Pants and shorts must fit at the waist.
- Clothing, jewelry or accessories which are dangerous and/or which may present a safety hazard to the wearer or others. This includes such things as spiked jewelry or wallet chains.
- Visible undergarments. Pajamas. This includes male and females students.
- Clothing, jewelry, belt buckles or other accessories that promote hate, intolerance, violence, suggestive or obscene statements or designs.
- Clothing, jewelry, belt buckles or other accessories with slogans, pictures, insignia or brand names that promote the use of or involvement with drugs alcohol, tobacco or any controlled substance. (such as belt buckles with “13”, marijuana leaves or eight balls.)
- Unsafe footwear including house slippers.
- Shorts that are too long. Shorts must be worn at least five inches above the tops of the socks. No “dressing down” allowed. Shorts and Skirts may not be shorter than the fingertips when standing.
- Any loose fitting shorts, skirts or pants with slits or notches altered in such a way as to expose any part of the body above mid thigh.
- No clothing with profanity, that is too tight, revealing or sexually provocative. This includes, no spaghetti straps, strapless tops or dresses or midriff showing.

- Clothing, jewelry or accessories which by virtue of their color, arrangement, trademark or any other attribute, denotes membership in or affiliation with any gang or denotes drug use, violence or disruptive behavior. Raiders and Kings clothing, "LA" and "Skin" labels, and any additional articles of clothing or accessories identified as being gang or hate group related will be forbidden on campus or any other school function or activity including sporting events.

Any student wearing or carrying overt gang paraphernalia or symbols, or making any gestures that symbolize gang membership shall be referred to the Discipline Office for appropriate disciplinary action.

When a student's apparel is found to be in violation of this policy stated above, the student will be counseled by his/her administrator and a 'dress code' violation warning will be entered into the student's discipline history. In addition, the dress infraction must be corrected before the student may return to class. Should a second dress code violation occur, disciplinary steps will be taken which may include detention, ALC and/or suspension.

Tattoos that depict anything inappropriate must be covered while on school grounds.



Graffiti

Graffiti art, gang symbols, inappropriate writings/symbols in or on school materials including (but not limited to) books, notebooks, note paper, clothing articles, backpacks, etc. Violation of this policy can result in a one to five day suspension under California Education Code 48900 k. In addition, possession of graffiti tools such as markers, sharpies, and spray paint may result in suspension.

HCDS CELL PHONE POLICY

All electronic signaling devices are powered off and collected by the campus aide at the beginning of the day and returned to the student at the end of the day. If seen by school personnel, the device will be confiscated and returned to student on a first offense. Subsequent violations of district or school rules and regulations may be subject to discipline, including, but not limited to, suspension, or termination from the HCDS program. (Per Board Policy 5131)

THEFT DISCLAIMER

The Hesperia Unified School District is not responsible for stolen or lost items. The individual student is responsible for his/her personal property and for textbooks or other school items checked out to him/her. We make every attempt to secure and protect all property at our schools, but we are not responsible for any personal property brought to school including clothing, backpacks, musical instruments and/or other equipment. Students should leave their electronic items and cell phones at home.

Students

SEXUAL HARASSMENT

The Governing Board is committed to maintaining an educational environment that is free from any form of harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. This policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the Superintendent of the school district.

The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of sexual harassment.

Sexual Harassment Prevention

District and school strategies shall focus on prevention of sexual harassment by providing age-appropriate training and information to students and staff, including, but not limited to, the District's anti-harassment policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.

Intervention

Students are encouraged to notify school staff immediately of any incidents of sexual harassment. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness incidents of sexual harassment shall immediately intervene to stop the incident when it is safe to do so.

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

Complaints and Investigation

The following position is the designated Coordinator to handle complaints regarding sexual harassment, and to answer inquiries regarding the District's policies:

DIRECTOR OF STUDENT SERVICES

Any student that feels that he/she is being sexually harassed should immediately contact a teacher, site administrator, or the Director of Student Services. In addition, any student who observes any such incident should report the incident to a teacher, site administrator, or the Director of Student Services, whether or not the victim files a complaint. Any school employee who observes an incident of sexual harassment shall report the incident to a teacher, site administrator, or the Director of Student Services. All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. The Superintendent or designee may also establish other processes for students to submit anonymous reports of discrimination or harassment.

Students

SEXUAL HARASSMENT (continued)

Complaints of sexual harassment shall be investigated immediately and resolved in accordance with site-level grievance procedures specified in AR 5145.7.

When a student is reported to be engaging in sexual harassment off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance. Law enforcement officials will be notified in accordance with the law.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

The Superintendent or designee shall ensure that the student handbook clearly describes the District's anti-harassment policy, procedures for filing a complaint regarding sexual harassment, and the resources that are available to students who witness or are subject to any such behavior. The District's policy shall also be posted on the District web site or any other location that is easily accessible to students, parents, and staff.

Discipline

Any student who engages in sexual harassment, on or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with District Board Policies and Administrative Regulations.

Confidentiality

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.

Legal Reference: EDUCATION CODE

200-262.4

Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term CIVIL CODE 51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor GOVERNMENT CODE 12950.1

Sexual harassment training CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, discrimination UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.71 Nondiscrimination on the basis of sex in education programs COURT DECISIONS

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

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

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

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

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

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

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

Management Resources:

CSBA PUBLICATIONS

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

Providing a Safe, Nondiscriminatory School Environment for All

Students, Policy Brief, April 2010

OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance, January 2001

Students

BP 5145.7 (d)

SEXUAL HARASSMENT (continued)

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>

Policy

HESPERIA UNIFIED SCHOOL DISTRICT

Adopted: May 8, 2013; January 20, 2015

Hesperia, California

Students

SEXUAL HARASSMENT

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, when made on the basis of sex and under any of the following conditions:

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

Examples of types of conduct which are prohibited in the District and which may constitute sexual harassment include, but are not limited to:

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

Students

SEXUAL HARASSMENT (continued)

11. Sexual assault, sexual battery, or sexual coercion.

School-Level Complaint Process/Grievance Procedure

Complaints of sexual harassment, or any behavior prohibited by the District's Nondiscrimination/Harassment policy – BP 5145.3 and Bullying policy - BP 5131.2, shall be handled in accordance with the following procedure:

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment, discrimination, or bullying or who has witnessed sexual harassment, discrimination, or bullying may file a complaint with any school employee. Within twenty-four (24) hours of receiving a complaint, the employee must report it to the Principal or designee at the school site. In addition, any school employee who observes any incident of sexual harassment, discrimination, or bullying involving a student shall, within twenty-four (24) hours, report this observation to the Principal or designee, whether or not the victim files a complaint. If the school employee receives the complaint on a Friday or a holiday, the employee must report it to the Principal the next business day.

In any case of sexual harassment, discrimination, or bullying involving the Principal to whom the complaint would ordinarily be made, the employee who receives the student's complaint or who observes the incident shall instead report to the Superintendent's designee.

2. Initiation of Investigation: The Principal or designee shall initiate an impartial investigation of an allegation of sexual harassment, discrimination, or bullying within five (5) school days of receiving notice of the sexually harassing, discriminatory, or bullying behavior, regardless of whether a formal complaint has been filed. The District shall be considered to have "notice" of the need for an investigation upon receipt of a complaint from a student who believes he/she has been subjected to sexual harassment, discrimination, or bullying, the student's parent/guardian, or an employee who received the complaint, any employee or student who witnessed the behavior, or any student, employee, or parent/guardian who filed an official complaint on the District's official complaint form. The District's official complaint form is attached hereto as Exhibit 5145.7.

If the Principal or designee receives an anonymous complaint or media report about alleged sexual harassment, discrimination or bullying, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

Students

SEXUAL HARASSMENT (continued)

3. **Initial Interview with Student:** When a student or parent/guardian has complained or provided information about sexual harassment, discrimination, or bullying, the Principal or designee shall describe the District's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing on the District's official complaint form. If the student requests confidentiality, he/she shall be informed that such a request may limit the District's ability to investigate.
4. **Investigation Process:** The Principal or designee shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary or appropriate action. (5 CCR 4964)
The Principal or designee shall interview individuals who are relevant to the investigation, including but not limited to, the student who is complaining, the person accused of sexual harassment, discrimination, or bullying, anyone who witnessed the reported sexual harassment, discrimination, or bullying and anyone mentioned as having relevant information. The Principal may take other steps such as reviewing any records, notes, or statements related to the sexual harassment, discrimination, or bullying complaint or visiting the location where the sexual harassment, discrimination, or bullying is alleged to have taken place.
When necessary to carry out his/her investigation or to protect student safety, the Principal or designee also may discuss the complaint with the Superintendent's designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and District legal counsel or the District's risk manager.
5. **Interim Measures:** The Principal or designee shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. **Optional Mediation:** In cases of student-on-student sexual harassment, discrimination or bullying, when the student who complained and the alleged perpetrator so agree, the Principal 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 and both parties agree, and he/she shall be advised of the right to end the informal process at any time.
7. **Factors in Reaching a Determination:** In reaching a decision about the complaint, the Principal or if the complaint is sent to the Superintendent's 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 any past instances of sexual harassment, discrimination, or bullying by the alleged perpetrator.
- e. Evidence of any past sexual harassment, discrimination, or bullying complaints that were found to be untrue.

To judge the severity of the sexual harassment, discrimination, or bullying the Principal or if the complaint is sent to the Superintendent 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 identity, age, and sex of the alleged perpetrator(s) and the student who complained, and the relationship between them.
- d. The number of persons engaged in the sexual harassment, discrimination, or bullying conduct and at whom the sexual harassment, discrimination, or bullying was directed.
- e. The size of the school, location of the incidents, and context in which they occurred.
- f. Other incidents at the school involving different students.

8. Written Report and Findings and Follow-Up: No more than 30 days after receiving the complaint, the Principal, or if the complaint is sent to the Superintendent's designee, shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause.

9. Appeal Process: An appeal process will be afforded to the complainant should he or she disagree with the resolution of the complaint filed pursuant to this policy. The complainant may appeal in writing to the Superintendent within five (5) business days. The Superintendent will review the complaint and any associated documentation and will render a final decision within thirty (30) days.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that sexual harassment, discrimination, or bullying occurred, the report shall also include any corrective actions that have or will be taken to address the sexual harassment, discrimination, or bullying and prevent any retaliation or further sexual harassment, discrimination, or bullying. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Principal, or if the complaint is sent to the Superintendent's designee, shall ensure that the complainant student and his/her parent guardian are informed of the procedures for reporting any subsequent problems. The Principal, or if the complaint is sent to the Superintendent's designee, shall make follow up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

Students

AR 5145.7 (d)

Students

AR 5145.7 (e)

SEXUAL HARASSMENT (continued)

SEXUAL HARASSMENT (Continued)

Enforcement of District Policy

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

1. Removing vulgar or offending graffiti.
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond.
3. Disseminating and/or summarizing the District's policy and regulation regarding sexual harassment.
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community.
5. Taking appropriate disciplinary action.

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

Notifications

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year.
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, including school web sites.
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session.
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct.
5. Be included in the student handbook.
6. Be provided to employees and employee organizations.

Regulation
2013; January 20, 2015

HESPERIA UNIFIED SCHOOL DISTRICT adopted: May 8,
Hesperia, California

Students

AR 5145.7 (f)

Students

BP 5146(a)

SEXUAL HARASSMENT (continued)

MARRIED/PREGNANT/PARENTING STUDENTS

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

(cf. 5113.1 - Chronic Absence and Truancy)

(cf. 5147 - Dropout Prevention)

(cf. 5149 - At-Risk Students)

(cf. 6011 - Academic Standards)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6146.11 - Alternative Credits Toward Graduation)

(cf. 6146.2 - Certificate of Proficiency/High School Equivalency)

(cf. 6164.5 - Student Success Teams)

The district shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 20 USC 1681-1688)

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

(cf. 5127 - Graduation Ceremonies and Activities)

Any education program or activity, including any class or extracurricular activity, that is offered separately to such students shall be comparable to that offered to other district students. A student's participation in such programs shall be voluntary. (34 CFR 106.40)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145 - Extracurricular and Cocurricular Activities)

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

For school-related purposes, a married student under the age of 18 years shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

Students

BULLYING

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student. This policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the Superintendent of the school district.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

Bullying Prevention

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

The District may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, and cafeterias.

BULLYING (continued)**Intervention**

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously. School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

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

Complaints and Investigation**Complaints and Investigation**

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. The Superintendent or designee may establish other processes for students to submit anonymous reports of bullying. Informal, unwritten complaints of bullying or harassment raised by parents and/or students at the school site level, shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7.

Written complaints of bullying shall be investigated under the District's uniform complaint procedures.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance. Law enforcement officials will be notified in accordance with the law.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff or to threaten district property, the investigation shall include, to the extent possible, documentation of the activity, identification of the source, and specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance. When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

Students shall be encouraged to save and print any messages that they feel constitute cyberbullying, whether to themselves or another student, and to notify a teacher, the principal, or other employee so that the matter may be investigated.

BULLYING (continued)

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with District Board Policies and Administrative Regulations. Any employee who engages in bullying or retaliation related bullying is subject to discipline, up to and including termination.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

BP 5131.2(c)

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

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

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

BULLYING (continued)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through
Grade Twelve, 2008

Bullying at School, 2003

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office for Civil

Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy

Adopted: May 8, 2013; January 20, 201

Revised: June 20, 2016

HESPERIA UNIFIED SCHOOL DISTRICT

Hesperia, California

Students

NONDISCRIMINATION/HARASSMENT

This policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the Superintendent of the school district. The Governing Board prohibits at any District school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expressions; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that affects a student's ability to participate in or benefit from an education program or activity; creates an intimidating, threatening, hostile, or offensive education environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities. The Board also prohibits any form of retaliation against any student who files a complaint or report regarding an incident of discrimination, harassment, intimidation, or bullying

Discrimination/Harassment Prevention

District and school strategies shall focus on prevention of discrimination, harassment, intimidation and bullying by providing age-appropriate training and information to students and staff, including, but not limited to, the District's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.

The District may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

Intervention

Students are encouraged to notify school staff immediately of any incidents of discrimination, harassment, intimidation or bullying. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness incidents of discrimination, harassment, intimidation or bullying shall immediately intervene to stop the incident when it is safe to do so.

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

NONDISCRIMINATION/HARASSMENT (continued)

Complaints and Investigation

The following position is designated to handle complaints regarding discrimination, harassment, intimidation, or bullying, and to answer inquiries regarding the District's nondiscrimination policies:

DIRECTOR OF STUDENT SERVICES

Any student that feels that he/she is being harassed, discriminated, intimidated or bullied should immediately contact a teacher, site administrator, or the Director of Student Services. In addition, any student who observes any such incident should report the incident to a teacher, site administrator, or the Director of Student Services, whether or not the victim files a complaint. Any school employee who observes an incident of discrimination, harassment, intimidation, or bullying shall report the incident to a teacher, site administrator, or the Director of Student Services. The Superintendent or designee may also establish other processes for students to submit anonymous reports of discrimination or harassment. Complaints of discrimination, harassment, intimidation, or bullying shall be investigated immediately and resolved in accordance with site-level grievance procedures specified in AR 5145.7.

When a student is reported to be engaging in discrimination or harassment off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance. Law enforcement officials will be notified in accordance with the law.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

The Superintendent or designee shall ensure that the student handbook clearly describes the District's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, or bullying, and the resources that are available to students who witness or are subject to any such behavior. The District's policy shall also be posted on the District web site or any other location that is easily accessible to students, parents, and staff.

Discipline

Any student who engages in discrimination or harassment, on or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with District Board Policies and Administrative Regulations. Any employee who engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including termination.

NONDISCRIMINATION/HARASSMENT (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
 48900.3 Suspension or expulsion for act of hate violence
 48900.4 Suspension or expulsion for threats or harassment
 48904 Liability of parent/guardian for willful student misconduct
 48907 Student exercise of free expression
 48950 Freedom of speech
 48985 Translation of notices
 49020-49023 Athletic program
 51500 Prohibited instruction or activity
 51501 Prohibited means of instruction
 60044 Prohibited instructional materials

CIVIL CODE

1714.1 Liability of parents/guardians for willful misconduct of minor

PENAL CODE

422.55 Definition of hate crime
 422.6 Crimes, harassment

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform Complaint Procedures
 4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 42

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

CODE OF FEDERAL REGULATIONS, TITLE 34

100.3 Prohibition of discrimination on basis of race, color or national origin
 104.7 Designation of responsible employee for Section 504
 106.8 Designation of responsible employee for Title IX
 106.9 Notification of nondiscrimination on basis of sex

COURT DECISIONS Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:**CSBA PUBLICATIONS**

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
 Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

Policy

Adopted: May 8, 2013; January 20, 2015

HESPERIA UNIFIED SCHOOL DISTRICT

Hesperia, California

Uniform Complaint Procedures

The Uniform Complaint Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law or regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code (*EC*) sections 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements specified in Section 7114 of Title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics, accommodations to lactating students on campus, foster youth, homeless children, 200 minutes of physical education instruction each 10 school days, class assignment to a repeat course or a class with no educational content; *** 5) unlawful imposition of pupil fees for participation in educational activities in public schools; and 6) failure to comply with the requirements established through the Local Control Funding Formula related to the Local Control and Accountability Plan as described in EC sections 52060 through 52076 or sections 47606.5 and 47607.3.

A complaint must be filed no later than six months from the date the complainant first obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to Tom Loomis, Director of Curriculum, Instruction, and Student Services at 760-244-4411 extension 7233, who will coordinate an investigation and response within 60 days of receipt of the written complaint, unless the complainant agrees in writing to extend the timeline. If the District finds merit in a complaint, the District shall provide a remedy to all affected pupils, parents/guardians.

A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in Section 4650 of Title 5 of the California Code of Regulations exists, including cases in which the district has not taken action within 60 days of the date the complaint was filed with the district. If a district is found to have violated a state or federal law and/or regulation, and the District does not take corrective actions to comply, then various civil remedies may be available. Contact Tom Loomis, Director of Curriculum, Instruction, and Student Services at 760-244-4411 extension 7233, for additional information or assistance.

Title IX Coordinator: Tom Loomis, Director of Curriculum, Instruction and Student Services 244-4411 ext. 7233.

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Procedimiento Uniforme de Quejas

El Procedimiento uniforme de quejas aplica para la presentación, investigación y resolución de quejas sobre alegatos de: 1) incumplimiento de las leyes o regulaciones estatales o federales aplicables a la educación para adultos, programas consolidados de ayuda categórica, educación para migrantes, educación vocacional, programas de cuidado y desarrollo infantil, programas de nutrición infantil y programas de educación especial, o cualquier otro programa implementado por el distrito que se encuentre enlistado en el Código educativo 64000(a) (5CCR4610; 2) discriminación ilegal de cualquier grupo protegido identificado bajo el Código educativo (EC), secciones 200 y 220 y el Código gubernamental, sección 11135, incluyendo sexo, orientación sexual, género, identificación de grupo étnico, raza, ascendencia, origen nacional, religión color, discapacidad mental o física, o edad percibidas o actuales, o basándose en la asociación de la persona con otra persona o grupo con uno o más de estas características actuales o percibidas, en cualquier programa o actividad dirigida por un organismo local, el cual está financiado directamente por, o recibe beneficios de cualquier programa de ayuda financiera estatal; 3) incumplimiento de los requisitos de planeación de seguridad escolar establecidos en la sección 7114 del Título 20 del Código de Estados Unidos; 4) discriminación, hostigamiento, intimidación y acoso escolar ilegal basados en características actuales o percibidas descritas en la sección 422.55 del Código penal y EC 220, y discapacidad, género, identificación de género, expresión de género, nacionalidad, raza o etnicidad, religión, orientación sexual o asociación con una persona o grupo con una o más de estas características actuales o percibidas, lugares dentro del plantel para alumnas que estén amamantando, jóvenes en hogares de cuidado temporal, niños indigentes, 200 minutos de instrucción académica de educación física cada 10 días escolares, trabajos de la clase para un curso repetido o clase sin contenido pedagógico; *** 5) imposición ilegal de tarifas estudiantiles por la participación en actividades pedagógicas en escuelas públicas; y 6) incumplimiento de los requisitos establecidos a través de la Fórmula de control de financiamiento local relacionada con el Plan de control local y rendimiento de cuentas, como es descrito en EC, secciones 52060 a la 52076 o en las secciones 47606.5 y 47607.3.

Se deberá presentar una queja no más tarde de seis meses a partir de la fecha en que primero se obtuvo conocimiento de la preocupación. Este procedimiento uniforme requiere que el demandante presente una queja por escrito a Tom Loomis, Director de plan de estudios, instrucción académica y servicios estudiantiles en el 15576 Main Street, Hesperia CA 92345 (760) 244-4411, extensión 7233, quien coordinará una investigación y dará respuesta dentro de los siguientes 60 días de haber recibido la queja por escrito, al menos que la queja acuerde por escrito en extender el tiempo. Si el Distrito encuentra merecimiento en una queja, brindará solución a todos los estudiantes, padres/tutores afectados.

Un demandante puede apelar la decisión del Distrito con el Departamento educativo de California (CDE) a través de la presentación de una apelación por escrito dentro de los primeros 15 días después de haber recibido la decisión del Distrito. Es posible que CDE intervenga directamente en la queja sin esperar acción del distrito, cuando exista una de las condiciones enlistadas en la sección 4650 del Título 5 del Código de regulaciones de California, incluyendo casos en los cuales el distrito no haya tomado acción dentro de los primeros 60 días de la fecha en que fue presentada la queja ante el distrito. Si se descubre que el distrito ha violado una ley y/o regulación federal o estatal, el Distrito no toma acciones correctivas para cumplir, entonces pudieran estar disponibles varias soluciones civiles. Para información adicional, comuníquese con Tom Loomis, Director de plan de estudios, instrucción académica y servicios estudiantiles, en el 15576 Main Street, Hesperia CA 92345 (760) 244-4411, extensión 7233.

Coordinador del Título IX: Tom Loomis, Director de plan de estudios, instrucción académica y servicios estudiantiles, en el 15576 Main Street, Hesperia CA 92345 (760) 244-4411, extensión 7233.

PROGRESSIVE DISCIPLINE ACTION PLAN

1. First-time classroom disruption or defiance – 2-hour classroom suspension. Teacher must contact parent.
Multiple referrals may result in suspension, or in-house suspension (Alternative Learning Center). A teacher/parent meeting is recommended.
2. Use of profanity in classroom or on campus – assign ALC/1 – 5 days or at home suspension.
3. Theft/property damage/graffiti (this includes books, backpacks, folders, etc.) – assign 1-5 days of at home suspension.
4. Truancies:
 - 1st offense – Possible SARB 1, and administrative verbal warning.
 - 2nd offense – Possible SARB 2, assigned Saturday school
 - 3rd offense or more – Possible SARB 3, home suspension
5. Cheating/plagiarism – 0% grade on assignment/project or exam and a possible at-home suspension.
6. Dress code violation:
 - 1st offense – verbal warning (cover up if necessary)
 - 2nd offense – Lunch detention (cover up if necessary)
 - 3rd offense or more – at-home suspension or ALC (1 day)
7. Fighting (Physical and/or verbal):
 - 1st offense – At home suspension/referral to HUSD School Police and possible termination
THINK.....
BEFORE YOU FIGHT.....

THE CONSEQUENCES:
 - 2-5 days suspension from school with the possibility of termination
 - Possible citation from school police or local law enforcement
 - Up to a \$500.00 fine
 - 50 hours of additional community service hours
 - 3-6 months summary probation (check in with PO)
 - 6 weeks anger management classes
 - Time off work for student and/or parents to appear in court
9. All California Education Code 48900 infractions: Could result in a 1-5 day at home suspension with possible recommendation for termination from Hesperia Community Day School.
10. Electronic Devices – It is recommended that students not bring their I-pods/electronic devices on campus. HUSD is not responsible in any way for loss or damage of any of these items brought on campus. These items shall not be used during instructional time and will be confiscated if instruction is disrupted. In the event that an item is lost/stolen, it is *not* the responsibility of the school administration to recover the item.

HESEPERIA SCHOOL DISTRICT GRADUATION REQUIREMENTS



	GRADE	CREDITS	COURSE		
ENGLISH (4 years)	9	10	English I	OR	(H)
	10	10	English II	OR	(H)
	11	10	English III	OR	(AP)
	12	<u>10</u>	English IV	OR	(AP)
40			Total Credits Required		

SOCIAL STUDIES (3 years)	10	10	World History	OR	(H)
	11	10	U. S. History	OR	(AP)
Government	12	12	5 American		
	OR 12	<u>5</u>	(AP) Economics	OR	(AP)
30			Total Credits Required		

MATHEMATICS (2 years)	9-12	10	Algebra I
	9-12	<u>10</u>	Geometry
20			Total Credits Required

(Math course placement is determined by test scores, teacher recommendations, and previous math)

SCIENCE (3 years)	9-12	10	Physical Science
	9-12	10	Life Science / Biology
	9-12	<u>10</u>	One (1) additional year of Physical or Biological Science
30			Total Credits Required

PHYSICAL EDUCATION (2 years)	9	10	Freshmen or Athletic Physical Education
	10	<u>10</u>	General or Athletic Physical Education
20			Total Credits Required

(One (1) year of Marching Band or ROTC = one (1) semester of P.E. One (1) year of Cheerleading or Pageantry = One (1) year of P.E.)

FOREIGN LANGUAGE OR FINE/PERFORMING ARTS Performing Arts (1 year)	9-12	<u>10</u>	One year of Foreign Language or One year of Fine / Performing Arts
	10		

(Fine/Performing Arts include: Art, Music and Drama classes. Units may not be split between Foreign Language and Fine/Performing Arts.)

GRADE REPORTING

Report cards for the grading period will be printed approximately one week after the end of the grading period. Report cards will be distributed to the student.

Students who owe for books or supplies, or students who have not returned their emergency cards, should contact the office to receive their report cards. (Ext. 188)

Grading Period

Grading Period

1- Aug.14 – Oct.6	39 days	2- Oct.10 – Dec. 21	47 days
3- Jan.8 – Mar.23	52 days	4- Apr.2 – May 31	42 days



VARIABLE CREDITS

Variable credit is graded for completion of class work at HCDS. Credit is not tied to the semester system. Credit may be earned by testing, by productive seat time, and/or by demonstrated competency. State guidelines provide that one credit is approximately equivalent to 12-15 hours of work. With individualized homework and classroom credit opportunities, credit can be earned at an accelerated rate.

STATE REQUIRED TESTS

9 th Grade	Physical Fitness	February - April 2017
11 th Grade	SBAC	April 11- May 25, 2017

TYPES OF COUNSELING AVAILABLE

*Individual *Crisis *Conflict Resolution *Career/College/Academics

HEALTH OFFICE

The school Health Tech is available to students Wednesdays 9 a.m. through 11 am. Students who feel ill or need medical attention should report to their class first, get a pass from their instructor and then report to the Office. If it is determined that you need to go home, a staff member will contact a parent or guardian and make the proper attendance notations in the computer. It is imperative that you return your **EMERGENCY CARD** so that medical attention can be secured for you in case of illness or injury.

INSURANCE

Student Insurance – Liability Disclaimer

CDS does not provide medical insurance coverage for school accidents. This means that **you are responsible for the medical bills if your child gets hurt during school activities.** Please review the letter your student received regarding information on accident/health insurance plan.

MEDICATIONS



The State of California has strict laws regarding the way medication can be dispensed at school. The guidelines are as follows:

1. Medication must be given to the school nurse by the parent or guardian. Students are not allowed to transport medication to and from school.
2. Prescription medication which needs to be taken at school must be accompanied by the following:
 - a. A written, signed statement from the physician giving the method, amount, and time when the medication is to be given.
 - b. A written statement from the parent giving his/her consent that the school may give the medication as directed by the physician.
3. All medicine must be in the original container in which it was purchased.
4. All medicine will be kept in the Office and will be dispensed by office personnel. Send only the amount to be given at school and keep all other doses at home.
5. If there is a change in the prescription, a new permission slip must be signed by the parent and physician.

HOMEBOUND/HOSPITAL PROGRAM

To participate in this program, students require a doctor's verification of inability to attend regular school due to medical reasons. Enrollment can be for a minimum of four weeks, with no maximum, as determined by a medical doctor. Students receive instruction at home, from one of the Hesperia Unified School District's home teachers. Home/Hospital teaching applications may be obtained from the Office. The doctor must state the diagnosis or the reason for the request of the homebound/hospital program.



Hesperia Unified School District

Student Acceptable Use – Grades 6-12

The students and staff in Hesperia Unified School District are encouraged to make innovative and creative use of information technologies in support of education and research. Use of the HUSD network is intended only for purposes consistent with educational and curricular objectives. The purpose of this policy is to ensure appropriate, responsible, ethical and legal use of technology within our HUSD community. HUSD teachers and instructional support staff are committed to instruct all students about appropriate use of technology, including the need to protect personal information, online behavior with respect to other individuals, and awareness of and response to cyber bullying.

Expectations and Rules

Students and staff should use school and district technology resources in a way that is respectful, honest, and supportive of educational goals. Students are expected to avoid computer activities that interfere in any way with the learning process. Some activities are expressly prohibited by law; other activities are inappropriate as defined by school or district policy. The following rules are intended to clarify expectations for conduct. However, they are not all-inclusive as it is impossible to define every possible student behavior with technology. Students must use technology appropriately and in accordance with all other school rules or policies. The district reserves the right monitor student use of technology at its various sites. Additionally, schools may apply disciplinary consequences for computer-related activities conducted off-campus if such activity adversely affects the safety or well-being of students or other members of the community. (EC 48900-48915)

Guidelines for Student Use of Technology and the Internet

1. Your online behavior may have an impact on your school whenever and wherever you use online communication. This includes, but is not limited to, email, chat, instant-messaging, texting, gaming, and social networking sites. Be courteous and respectful in all online communication with classmates and teachers.
2. You must not reveal personal information such as your home address or phone number, or those of other students. Use the school address and phone number only.
3. Do not share your password(s) with anyone or use anyone else's password. If you become aware of another individual's password, inform that person and a teacher or administrator.
4. Do not use language that is considered offensive or threatening to persons of a particular race, gender, religion, or sexual orientation or to persons with disabilities. Treat others as you would wish to be treated. Do not send, receive, display, or access defamatory, inaccurate, abusive, obscene, profane, threatening, harassing, or illegal materials.
5. Do not use the network to encourage any activity prohibited by law.
6. Use HUSD technology resources only for school-related activities. Do not play games, send messages, or access music/videos at school unless it is part of the curriculum and is authorized by a teacher.
7. Vandalism is any attempt to harm or destroy another person's data or the school's software or hardware. Vandalism will result in discipline and limitation of your privileges.
8. Plagiarism is taking someone else's writing, image, or idea and presenting it as your own. Plagiarism in any form is not accepted by the staff and students of Hesperia Unified School District.

Technology and Online Safety Rules

1. I will not share or post online personally identifying information about myself or other members of my school community.
2. I will not share my school password with anyone else nor use others' school passwords. I will be ethical and respect the privacy of others throughout the district network and on the internet. I will not share nor access others' folders, files, or data without authorization.
3. I will not play games, send messages, or access music and videos at school unless it is part of the curriculum and is authorized by a teacher.
4. I will not use district technology resources for commercial activity or to seek monetary gain.
5. I will not use the network to encourage any activity prohibited by law including promoting the use or sale of controlled substances or spreading offensive, lewd, or pornographic materials.
6. I will not download or search for any material that is offensive, lewd, pornographic or inappropriate in any way. If I mistakenly access inappropriate information, I will notify a teacher or staff member immediately so the material can be blocked.
7. I will not plagiarize from any sources. I will properly cite any resources that I use in my schoolwork. Except for "educational fair use" as defined by a teacher, I will not copy, save or redistribute copyrighted material (files, music, software, etc.).
8. I will not deliberately perform any act which will negatively impact the operation of any computers, printers, or networks.
9. I will not store, transfer, or use software or settings for hacking, eavesdropping, network administration, or network circumvention.
10. I will not install non-approved software or operating systems on HUSD computers or other devices

I have read and understand the guidelines and rules for technology use and agree to follow them. I understand that my choice not to follow any portion of this signed agreement may result in school disciplinary action.

I understand that HUSD has the right to inspect any data, email, logs, or files that exist on its network or on individual devices. I also understand that Hesperia Unified School District will cooperate fully with law enforcement officials in any investigation related to potentially illegal activities conducted through the use of its network.

Student signature _____ Date _____

I have discussed these guidelines and rules with my student. I feel confident that he/she understands them and can abide by them. I understand that any violation of these rules may result in disciplinary action. I further understand that the District will not be responsible for damages suffered by any user resulting from use of, or access to, the District's computer network or the Internet.

Parent/Guardian Signature _____ Date _____

Please print

For office use:

Date Received _____ Date Recorded in SIS _____

STUDENT RIGHTS

Community Day School believes in the positive contributions our students make to their school and community. Our hope is that these contributions continue to be fostered by the school and its progress as well as its procedures.

The duties and responsibilities of students along with the consequences for violating those responsibilities are specified by various codes and policies. The school and district are legally bound to inform all students of these consequences.

Along with the responsibilities that each student must follow come the students' rights, listed as follows:

1. Students have the right to an education which is purposeful, significant, and comprehensive as judged by the educational standards for public schools. Students have the right to participate in their education by being represented on committees that allow them curriculum input that at least partly reflects their concerns and interest.
2. Students have the right to a reasonable expectation of physical safety and protection of personal property on school grounds during normal school hours and during school-sponsored activities.
3. Students have the right to reasonable notification of the rules and policies which govern their school.
4. Students have the right to freedom of association and thus may form political or social organizations as long as these organizations do not infringe on the rights of others and are not secret in nature.
5. Students have the right to organize and create a student government. They also have the right to freely elect or appoint their peers to student government positions under the guidelines of the school constitution.
6. Students have the right to present petitions, complaints or grievances to authorities and the right to speedy judgment regarding the above.
7. Students have the right to the same respect from school personnel that they are asked to show them.
8. Students have the right to the free exercise of silent speech through buttons, arm bands or other Displays on their persons as long as it is nothing slanderous, libelous, obscene or disruptive according to the current legal definitions.
9. Students have the right, on their own campus, to distribute political literature, newspapers, or other printed matter as long as it is not slanderous, libelous or obscene according to current legal definitions. All materials must be submitted for prior review to the ASB office at least 24 hours in advance of the distribution date. There shall be no interruption of classrooms in the exercise of this right.

TEXTBOOKS

Students will be provided with all necessary textbooks. Each student is responsible for giving them proper care. Charges will be made for lost or damaged books. Students need to bring personal supplies (binders, paper, pens, and pencils) to school.

Student Responsibility



The basic philosophy of discipline at HCDS is simple. We ask our students to follow two simple rules:

Use Common Sense. Common sense is defined as knowing the difference between right and wrong, and choosing to do what is right!

SHOW RESPECT TO ALL HUMANS ON OR OFF CAMPUS. Respect is to be shown to all parents, staff members, guests, and most importantly, other students while on the HCDS campus.

Our students agree to abide by the following appropriate penal and educational code stipulations. Students are responsible for making good decisions and following these laws:

- I will follow the directions of staff members without argument or delay.
- In order to keep the campus safe for all students and staff, I will not bring to school, nor have in my possession, a weapon of any kind. This includes, but is not limited to, pocket knives, BB guns, stun guns, lasers, and look-alike weapons.
- I will come to school sober each day, not under the influence of drugs and/or alcohol. I will not bring to school or have in my possession at school, any drug paraphernalia (pipes, bong, roach clips, razor blades, etc.) commonly used to ingest controlled substances. In addition, I will not smoke on campus, in the parking lot, or on school property.
- Recognizing that HCDS is a closed campus I will remain on campus during school hours.
- I will *do* nothing that may cause injury to myself or others. I will *do* nothing that may cause damage (including graffiti), to personal property or school property.
- I will not swear, cuss, tease, sexually or racially harass, or in any way offend, disrespect, or prevent another student from learning, nor prevent any staff member from doing his or her job. Likewise, I will receive assistance and respect from all staff members.
- Recognizing that school is a place for learning, I agree not to bring radios, CD or MP3 players or other electronic equipment to school. If a HCDS student *chooses* to bring the above items, they do so at their own risk. Students may possess cell phones, provided that such devices do not disrupt the educational hours and are turned into HCDS staff before school starts. Cell phones will be returned to students as they exit campus. CDS staff members are not responsible for personal property being lost or stolen prior to or after school or property not turned into staff for safekeeping.
- I will wear appropriate clothing, including shoes, while attending school. No slippers or Hip-flops will be allowed.
- I will be in class on time, ready to work and remain in class until dismissed at the end of the day. I will not leave class unless I am accompanied by a staff member. Furthermore, I will use class time effectively.
- I will not bring visitors on campus. I will not communicate with students in other programs at the Alternative Education Center.
- Any infraction of these rules will result in consequences up to and including dismissal from the HCDS program. Students are reminded that their future and their success is determined by the choices they make!

EDUCATION FOR HOMELESS CHILDREN

The Board of Education desires to ensure that homeless students have access to the same free and appropriate public education provided to other students within the district. The district shall provide homeless students with access to education and other services, as required by law, so that these students can meet the same challenging academic standards as other students.

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way.

The Superintendent or designee shall ensure that placement decisions for homeless students are based on Education code requirements and the student's best interest as defined in law and administrative regulation. A student's homeless status will not supersede any expulsion requirements or restrictions that may apply.

When there are at least 15 homeless students in the district or a district school, the district's local control and accountability plan (LCAP) shall include goals and specific actions to improve student achievement and other outcomes of homeless students. (Education Code 52052, 52060)

Transportation

The district shall provide transportation for a homeless student to and from his/her school of origin when the student is residing within the district and the parent/guardian requests that such transportation be provided. If the student moves outside of district boundaries, but continues to attend his/her school of origin within this district, the Superintendent or district liaison shall consult with the superintendent or district liaison of the district in which the student is now residing to agree upon a method to apportion the responsibility and costs of the transportation. (42 USC 11432)

The district shall not be obligated to provide transportation to students who continue attending their school of origin after they cease to be homeless, unless the formerly homeless student has an individualized education program that includes transportation as a necessary related service for the student. (Education Code 48852.7)

Legal Reference:

EDUCATION CODE

1980-1986 County community schools

2558.2 Use of revenue limits to determine average daily attendance of homeless children

39807.5 Payment of transportation costs by parents

UNITED STATES CODE, TITLE 42

11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

Education for Homeless Children and Youth Program, Non-Regulatory Guidance, July 2004

WEB SITES

California Department of Education, Homeless Children and Youth Education: <http://www.cde.ca.gov/sp/hs/cy>

National Center for Homeless Education at SERVE: <http://www.serve.org/nche>

National Law Center on Homelessness and Poverty: <http://www.nlchp.org>

U.S. Department of Education: <http://www.ed.gov/programs/homeless/index.html>

Policy

adopted: May 2, 2011; May 4, 2015

Revised: September 12, 2016

HESPERIA UNIFIED SCHOOL DISTRICT

Hesperia, California

EDUCATION FOR HOMELESS CHILDREN**Definitions**

Homeless means students who lack a fixed, regular, and adequate nighttime residence and includes: (42 USC 11434a)

1. Children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement
2. Children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as regular sleeping accommodations for human beings
3. Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings
4. Migratory children who qualify as homeless because the children are living in conditions described in (1)-(3) above
5. Unaccompanied youth who are not in the physical custody of a parent or guardian

School of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled. If the school the homeless student attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (Education Code 48852.7)

Best interest means that, in making educational and school placement decisions for a homeless student, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the student's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853; 42 USC 11432)

Unaccompanied youth means a youth not in the physical custody of a parent or guardian. (42 USC 11434a)

District Liaison¹

The Superintendent designates the following staff person as the district liaison for homeless students: (42 USC 11432)

Director — Curriculum, Instruction, and Student Services

15576 Main Street, Hesperia, CA 92345 (760) 244-4411 ext. 7233

EDUCATION FOR HOMELESS CHILDREN (continued)

The district's liaison for homeless students shall ensure that: (42 USC 11432)

1. Homeless students are identified by school personnel and through coordinated activities with other entities and agencies
2. Homeless students enroll in, and have a full and equal opportunity to succeed in, district schools
3. Homeless families and students receive educational services for which they are eligible
4. Parents/guardians are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children
5. Notice of the educational rights of homeless children is disseminated at places where homeless children receive services, such as schools, shelters, and soup kitchens
6. Enrollment disputes are mediated in accordance with law, Board policy, and administrative regulation
7. Parents/guardians are fully informed of all transportation services
8. When notified pursuant to Education Code 48918.1, assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion
9. When notified pursuant to Education Code 48915.5, participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability
10. Assist a homeless student to obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records

Enrollment

Placement decisions for homeless students shall be based on the law and a student's best interest. In determining a student's best interest, a homeless student shall, to the extent feasible, be placed in his/her school of origin, unless his/her parent/guardian requests otherwise. (42 USC 11432)

When making a placement decision, the Superintendent or district liaison may consider how to best help the student make standard academic progress, the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year.

However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

The student may continue attending his/her school of origin for the duration of the homelessness and until the end of any academic year in which he/she moves into permanent housing. (42 USC 11432)

In the case of an unaccompanied youth, the district's homeless liaison shall assist in placement or enrollment decisions, consider the views of the student, and provide notice to the student of his/her appeal rights. (42 USC 11432)

If the student is placed at a school other than his/her school of origin or the school requested by his/her parent/guardian, the Superintendent or district liaison shall provide the parent/guardian with a written explanation of the decision along with a statement regarding the parent/guardian's right to appeal the placement decision. (42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately, as allowed by law, enroll the student in the school of choice, even if (a) the parent/guardian is unable to provide the school with the records normally required for enrollment, including, academic records, proof of residency, medical records, and/or medical history records; (b) the student has outstanding fees, fines, textbooks, or other monies due to the school last attended;

EDUCATION FOR HOMELESS CHILDREN (continued)

or, (c) the student does not have clothing normally required by the school, such as school uniforms. (42 USC 11432)

The principal or designee shall immediately contact the school last attended by the student to obtain the relevant records. If the student needs to obtain immunizations or does not possess immunization or other medical records, the principal or designee shall refer the parent/guardian to the district's liaison for homeless students. The liaison shall assist the parent/guardian in obtaining the necessary immunizations or records for the student. (42 USC 11432)

To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7)

1. If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.
2. If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, he/she shall be allowed to continue to the school designated for matriculation in that district.

If the student's status changes before the end of the school year so that he/she is no longer homeless, he/she shall be allowed to stay in the school of origin: (Education Code 48852.7)

1. Through the duration of the school year if he/she is in grades K-8
2. Through graduation if he/she is in high school

Enrollment Dispute Resolution Process

If a dispute arises over school selection or enrollment in a particular school, the student shall be immediately admitted to the school in which enrollment is sought pending resolution of the dispute. (42 USC 11432) Please note that students under a term of expulsion will be placed per California Education Code, the students' rehabilitation plan, available programs, and school board timelines.

The parent/guardian shall be provided with a written explanation of the placement decision, including an explanation of the parent/guardian's right to appeal the decision. He/she shall also be referred to the district liaison. (42 USC 11432)

The written explanation shall be complete, as brief as possible, simply stated and provided in language that the parent/guardian or student can understand. The explanation may include contact information for the district liaison, a description of the district's decision, notice of the right to enroll in the school of choice pending resolution of the dispute, notice that enrollment includes full participation in all school activities, and notice of the right to appeal the decision to the county office of education and, if the dispute remains unresolved, to the California Department of Education.

The district liaison shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

In working with a student's parents/guardians to resolve an enrollment dispute, the district liaison shall:

1. Inform them that they may provide written and/or oral documentation to support their position
2. Inform them that they may seek the assistance of social services, advocates, and/or service providers in having the dispute resolved
3. Provide them a simple form that they may use and turn in to the school to initiate the dispute resolution process
4. Provide them a copy of the dispute form they submit for their records
5. Provide them the outcome of the dispute for their records

The liaison shall provide the parent/guardian a copy of the district's decision, dispute form, and a copy of the outcome of the dispute.

If a parent/guardian disagrees with the liaison's enrollment decision, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within five working days.

If the parent/guardian wishes to appeal the district's placement decision, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office of education.

Transfer of Coursework and Credits

When a homeless student transfers into a district school, the district shall accept and issue full credit for any coursework that the student has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the student to retake the course. (Education Code 51225.2)

If the homeless student did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the student to retake the portion of the course completed if, in consultation with the holder of educational rights for the student, the district finds that the student is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a homeless student in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

EDUCATION FOR HOMELESS CHILDREN (continued)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a homeless student from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

Applicability of Graduation Requirements

To obtain a high school diploma, a homeless student shall complete all courses required by Education Code 51225.3 and fulfill any additional graduation requirements prescribed by the Governing Board.

However, when a homeless student who has completed his/her second year of high school transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the homeless student's transfer, the Superintendent or designee shall notify the student, the person holding the right to make educational decisions for him/her, and the district liaison for homeless students of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the student is no longer homeless. (Education Code 51225.1)

To determine whether a homeless student is in his/her third or fourth year of high school, the district shall use either the number of credits he/she has earned as of the date of the transfer or the length of his/her school enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any homeless student who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

EDUCATION FOR HOMELESS CHILDREN (continued)

The district shall not require or request a homeless student to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a homeless student, the person holding the right to make educational decisions for the student, or the district liaison on behalf of the student. (Education Code 51225.1)

If a homeless student is exempted from local graduation requirements, the exemption shall continue to apply after the student is no longer homeless or if he/she transfers to another school or school district. (Education Code 51225.1)

If the Superintendent or designee determines that a homeless student is reasonably able to complete district graduation requirements within his/her fifth year of high school, he/she shall: (Education Code 51225.1)

1. Inform the student and, if under 18 years of age, the person holding the right to make educational decisions for him/her, of the option available to the student to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution
2. Provide information to the homeless student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the homeless student or with the person holding the right to make educational decisions for him/her if he/she is under 18 years of age, permit the student to stay in school for a fifth year to complete the district's graduation requirements

Eligibility for Extracurricular Activities

A homeless student who enrolls in any district school shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Notification and Complaints

Information regarding the educational rights of homeless students, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of homeless students, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures.

Policy
adopted: May 2, 2011; May 4, 2015
revised: September 12, 2016

HESPERIA UNIFIED SCHOOL DISTRICT
Hesperia, California

EDUCATION FOR HOMELESS CHILDREN

Instruction

E 6173(a)

DISTRICT EXPLANATION OF ENROLLMENT DECISION

Instructions: The following form is to be used when the district has denied a parent/guardian's enrollment request.

Date: _____ Name of person completing form: _____

Title: _____ Phone number: _____

In accordance with federal law (42 USC 11432), this notification is being provided to:

Name of parent/guardian: _____

Name of student(s): _____

Name of school requested: _____

District's placement decision (name of school): _____

After reviewing your request to enroll your child in the school listed above, your enrollment request has been denied. This determination was based upon:

Being under an active term of expulsion

Other: Explain.

You have the right to appeal this decision to the district Superintendent. If you are not satisfied with the Superintendent's decision, you may appeal to the Superintendent of Schools, San Bernardino County Office of Education. If you are not satisfied with the county office's decision, you may then appeal to the California Department of Education. The district's homeless liaison can assist you with this appeal.

Name of district's homeless liaison: _____

Address: _____

Phone number: _____

Name of County Office of Education homeless liaison: _____

Address: _____

Phone number: _____

EDUCATION FOR HOMELESS CHILDREN (continued)

You also have the following rights:

- Pending resolution of this dispute, your child has the right to immediately enroll in the school you requested and to participate in school activities at that school, unless your child is under an active term of expulsion.
- You may provide written or verbal documentation to support your position. You may use the district's dispute resolution form. A copy of the dispute resolution form can be obtained from the district's liaison for homeless students.
- You may seek the assistance of advocates or attorneys to help you with this appeal.

**EDUCATION FOR HOMELESS CHILDREN
ENROLLMENT DISPUTE FORM**

Instructions: This form is to be completed by a parent/guardian or student when a dispute regarding enrollment has arisen. As an alternative to completing this form, the information on this form may be shared verbally with the district's liaison for homeless students.

Date submitted: _____

Name of person completing form: _____

Student's name: _____

Relation to student: _____

I may be contacted at the following: _____

Address: _____

Phone number: _____

Name of school requested: _____

I wish to appeal the enrollment decision made by: _____

District liaison ____ Superintendent County liaison

EDUCATION FOR HOMELESS CHILDREN (continued)

Reason for the appeal: You may include an explanation to support your appeal in this space or provide your explanation verbally.

I have been provided with:

A written explanation of the district's decision

Contact information for the district's homeless liaison

Contact information for the county office of education's homeless liaison

Instruction**PHYSICAL EDUCATION AND ACTIVITY****Definitions**

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity for developing and *maintaining* physical fitness throughout their lifetimes, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

Physical activity is bodily movement that is produced by the contraction of skeletal muscle and that substantially increases energy expenditure, including exercise, sport, dance, and other movement forms.

Moderate physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, walking briskly, dancing, swimming, or bicycling on level terrain. A person should feel some exertion but should be able to carry on a conversation comfortably during the activity.

Vigorous physical activity is any activity which generally requires sustained, rhythmic movements and refers to a level of effort a healthy individual might expend while, for example, jogging, participating in high-impact aerobic dancing, swimming continuous laps, or bicycling uphill. Vigorous physical activity may be intense enough to result in a significant increase in heart and respiration rate.

Instructional Time

Instruction in physical education shall be provided for at least the following minimum period of time :(Education Code 51210, 51222, 51223)

1. For students in grades 1-6, 200 minutes each 10 school days
2. For students in grades 7-8 attending an elementary school, 200 minutes each 10 school days, exclusive of recesses and the lunch period
3. For students in grades 7-8 attending a middle school or junior high school, 400 minutes each 10 school days
4. For students in grades 9-12, 400 minutes each 10 school days

If the instructional minute requirement cannot be met during any 10-day period due to inclement weather, a school assembly, field trip, student assessment, or other circumstance, the school shall make up those minutes on another day in order to satisfy the instructional minute requirement.

The Superintendent or designee shall determine a method to document compliance with the required number of instructional minutes. Such documentation may include, but not be limited to, a master schedule, teacher roster, or log for staff or students to record the number of physical education minutes completed.

PHYSICAL EDUCATION AND ACTIVITY (continued)

Any complaint alleging noncompliance with the instructional minute requirement for elementary schools may be filed in accordance with the District's procedures in AR 1312.3 - Uniform Complaint Procedures. A complainant not satisfied with the District's decision may appeal the decision to the California Department of Education (CDE). If the District or the CDE finds merit in a complaint, the District shall provide a remedy to all affected students and parents/guardians. (Education Code 51210, 51223; 5 CCR 4600-4687)

(cf. 1312.3 - Uniform Complaint Procedures)

Students exempted from physical education pursuant to Education Code 51241(b)(1) or (c)(1) shall not be permitted to attend fewer total hours of courses and classes than they would have attended if enrolled in a physical education course. (Education Code 51241)

Monitoring Moderate to Vigorous Physical Activity

To monitor whether students are engaged in moderate to vigorous physical activity for at least 50 percent of physical education class or session time, the Superintendent or designee may:

1. Develop methods to estimate the amount of time students spend in moderate to vigorous physical activity or the number of students who are inactive during physical education classes.
2. Provide physical education teachers with staff development, self-monitoring tools, stopwatches, and/or heart rate monitors to assist them in planning and assessing the level of activity in their classes.

(cf. 4115 - Evaluation/Supervision)

Criteria for Enrollment in Alternative Physical Education (Applicable to Grades 9-12)

Any student enrolling in an alternative physical education program shall present to the principal a letter from his/her physician stating that the student needs an alternative physical education program and the reasons why, or documentation certifying that the student meets all of the following criteria:

1. The student is involved in a yearlong program for the purpose of high level competition or dance performance.
2. The student is involved at a training level (minimum five hours weekly), not a recreational level.
3. The off-campus teacher/coach must present evidence of his/her professional certification for the sport or a valid California Teaching Credential in Physical Education.
4. The student must present evidence of his/her membership in a state, national, or international organization for the sport.
5. The student must apply on a semester basis for participation in the off-campus physical education program.

PHYSICAL EDUCATION AND ACTIVITY (continued)

Procedure for Receiving Credit for Alternative Physical Education

1. The student must submit all documentation to the principal and have appropriate signatures on the contract available in the counseling office.
2. The principal will determine if the parent/guardian's request for the student to receive physical education credit for participation in an alternative physical education program conforms to Board policy and administrative regulation.
3. The student must turn in monthly log sheets/competition result sheets signed by the teacher/coach to the designated coordinator by the last day of the month.
4. The maximum credit hours available per semester is 5 credits, regardless of the total number of hours submitted.
5. When the student has earned the 20 credits required for graduation, he/she may no longer participate in the alternative physical education program for credit.
6. The principal shall recommend approval or disapproval and send the completed form to the Director of Student Services.

Parents/guardians and the principal will receive confirmation that the students will/will not receive physical education credit for participation in alternative physical education from the Director of Student Services.

Physical Fitness Testing

During the annual assessment window between the months of February through May, students in grades 5, 7, and 9 shall be administered the physical fitness test designated by the State Board of Education (FITNESSGRAM). (Education Code 60800; 5 CCR 1041)

(cf. 6162.5 - Student Assessment)

The Superintendent or designee may provide a make-up date for students who are unable to take the test based on absence or temporary physical restriction or limitations, such as students recovering from illness or injury. (5 CCR 1043)

On or before November 1 of each school year, the Superintendent may designate an employee to serve as the district's physical fitness test coordinator and so notify the test contractor. The test coordinator shall serve as the liaison between the district and California Department of Education for all matters related to the physical fitness test. His/her duties shall be those specified in 5 CCR 1043.4, including, but not limited to, overseeing the administration of the test and the collection and return of all test data to the test contractor. (5 CCR 1043.4)

PHYSICAL EDUCATION AND ACTIVITY (continued)

Students shall be provided with their individual results after completing the FITNESSGRAM. The test results may be provided in writing or orally as the student completes the testing and shall be included in his/her cumulative record. (Education Code 60800; 5 CCR 1043.10, 1044)

(cf. 5125 - Student Records)

Each student's test results shall also be provided to his/her parents/guardians.

The Superintendent or designee shall report the aggregate results of the FITNESSGRAM in the annual school accountability report card required by Education Code 33126 and 35256. (Education Code 60800)

(cf. 0510 - School Accountability Report Card)

Testing Variations

All students may be administered the FITNESSGRAM with the following test variations: (5 CCR 1047)

1. Extra time within a testing day
2. Test directions that are simplified or clarified

All students may have the following test variations if they are regularly used in the classroom: (5 CCR 1047)

1. Audio amplification equipment
2. Separate testing for individual students provided that they are directly supervised by the test examiner
3. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

1. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor

Students shall be provided with their individual results after completing the FITNESSGRAM. The test results may be provided in writing or orally as the student completes the testing and shall be included in his/her cumulative record. (Education Code 60800; 5 CCR 1043.10, 1044)

(cf. 5125 - Student Records)

PHYSICAL EDUCATION AND ACTIVITY (continued)

Each student's test results shall also be provided to his/her parents/guardians.

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4. Test directions that are simplified or clarified

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4. Audio amplification equipment
5. Separate testing for individual students provided that they are directly supervised by the test examiner
6. Manually Coded English or American Sign Language to present directions for test administration

Students with a physical disability and students who are physically unable to take all of the test shall undergo as much of the test as their physical condition will permit. (Education Code 60800; 5 CCR 1047)

Students with disabilities may be provided the following accommodations if specified in their individualized education program (IEP) or Section 504 plan: (5 CCR 1047)

2. Administration of the test at the most beneficial time of day to the student after consultation with the test contractor

Identified English learners may be allowed the following additional test variations if regularly used in the classroom: (5 CCR 1048)

1. Separate testing with other English learners, provided that they are directly supervised by the test examiner
2. Test directions translated into their primary language, and the opportunity to ask clarifying questions about the test directions in their primary language

PHYSICAL EDUCATION AND ACTIVITY (continued)

Additional Opportunities for Physical Activity

The Superintendent or designee shall implement strategies for increasing opportunities for physical activity outside the physical education program, which may include, but not be limited to:

1. Training recess and lunch supervisors on methods to engage students in moderate to vigorous physical activity

(cf. 1240 - Volunteer Assistance)
(cf 4231 - Staff Development)
(cf 5030 - Student Wellness)

2. Encouraging teachers to incorporate physical activity into the classroom
3. Establishing extracurricular activities that promote physical activity, such as school clubs, intramural athletic programs, dance performances, special events, and competitions

(cf 6145 - Extracurricular and Cocurricular Activities)
(cf 6145.5 - Student Organizations and Equal Access)

4. Incorporating opportunities for physical activity into before- or after-school programs and/or child care and development programs
5. Exploring opportunities for joint use of facilities or grounds in order to provide adequate space for students and community members to engage in recreational activities

(cf 1330.1 - Joint Use Agreements)

PHYSICAL EDUCATION AND ACTIVITY (continued)

6. Developing business partnerships to maximize resources for physical activity equipment and programs

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

7. Developing programs to encourage and facilitate walking, bicycling, or other active transport to and from school

(cf 5192.2 - Safe Routes to School Program)

Policy
adopted : May 4, 2015
Policy revised: March 6, 2017

HESPERIA UNIFIED SCHOOL DISTRICT
Hesperia, California

PARENT INVOLVEMENT

District 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 (20 USC 6318).

The Superintendent or designee may:

a. Establish a District Advisory Council that includes parent/guardian representatives from each school site to review and comment on the LEA plan in accordance with the review schedule established by the Board of Education.

b. Invite input on the LEA plan from the DELAC and other district committees and school site councils.

(cf. 0420 - School Plans/Site Councils
(cf. 1220 - Citizen Advisory Committees)

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 prior to the Board's approval of the plan or revisions to the plan.

e. Ensure that school-level policies on parent involvement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans.

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. (20 USC 6318)

The Superintendent or designee may:

a. Assign person(s) in the district office to serve as a liaison to the schools regarding Title I parent involvement issues.

b. Provide ongoing district-level workshops to assist school site staff and parents/guardians in planning and implementing improvement strategies, and seek input from parents/guardians in developing the workshops.

c. Provide information to schools about the indicators and assessment tools that will be used to monitor progress.

PARENT INVOLVEMENT (continued)

3. Build the capacity of schools and parents/guardians for strong parent involvement. (20 USC 6318)

The Superintendent or designee shall: (20 USC 6318)

- 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.

(cf. 6011 - Academic Standards)

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

- 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.

(cf. 4131/4231/4331 - Staff Development)

- d. To the extent feasible and appropriate, the district's Family Center Resource Specialist will 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.
- g. The district's Parent/Community Liaison will 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.

Parent Involvement

In addition, the Superintendent or designee may:

- a. Provide necessary literacy training using Title I funds.
- b. Train parents/guardians to enhance the involvement of other parents/guardians.
- c. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or other educators who work directly with participating students.
- d. Establish a district-wide advisory council to provide advice on all matters related to parent involvement in Title I programs.
- e. Through the district's Parent/Community Liaison, make referrals to community agencies and organizations that offer literacy training, parent education programs, and/or other services that help to improve the conditions of parents/guardians and families.
(cf. 1020 - Youth Services)

f. Provide information about opportunities for parent involvement through the district web site or other written or electronic means.

g. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions.

(cf. 1230 - School-Connected Organizations)

h. To the extent practicable, the district Language Support Services department will provide translation services to school sites and at meetings involving parents/guardians as needed.

i. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions.

4. Coordinate and integrate Title I parent involvement strategies with Head Start, public preschool, and other programs. (20 USC 6318)

(cf. 6300 - Preschool/Early Childhood Education)

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements.
- b. Involve district and school site representatives from other programs to assist in identifying specific population needs.
- c. Schedule joint meetings with representatives from related programs and share data and information across programs.
- d. Develop a cohesive, coordinated plan focused on student needs and shared goals.

PARENT INVOLVEMENT (continued)

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. (20 USC 6318)

The Superintendent or designee shall:

- a. Ensure that the evaluation includes 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. (20 USC 6318)
- b. Use the evaluation results to design strategies for more effective parent involvement and, if necessary, to recommend changes in the parent involvement policy. (20 USC 6318)
 - c. Assess the district's progress in meeting annual objectives for the parent involvement program, notify parents/guardians of this review and assessment through regular school communication mechanisms, and provide a copy to parents/guardians upon their request. (Education Code 11503)

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups and surveys, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications.
 - b. Gather and monitor data regarding the number of parents/guardians participating in district activities and the types of activities in which they are engaged.
6. Involve parents/guardians in the activities of schools served by Title I. (20 USC 6318) The Superintendent or designee may:
- a. Include information about school activities in district communication to parents/guardians.
 - b. To the extent practicable, Language Support Services will assist schools with translation services or other accommodations needed to encourage participation of parents/guardians with special needs.
 - c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children.

The district's Board 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. (20 USC 6318)

(cf. 5145.6 - Parental Notifications)

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, reviewed annually, and agreed upon by parents/guardians of participating students. This policy will be included in the school's Single Plan for Student Achievement (SPSA). Such a policy shall describe the means by which the school will: (20USC 6318)

PARENT INVOLVEMENT (continued)

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 service 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 schoolwide 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.
 - 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 the district.
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.
- 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 related to the student's achievement.
 - (2) Frequent reports to parents/guardians on their children's progress.
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities.

PARENT INVOLVEMENT (continued)

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 "District 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. (20 USC 6318)

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. (20 USC 6318)

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent involvement policy. Such evaluation may be conducted during the process of reviewing the school's single plan for student achievement in accordance with Education Code 64001.

The principal or designee, jointly with parents/guardians of participating students, shall periodically update the school's policy to meet the changing needs of parents/guardians and the school. (20 USC 6318)

District 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. (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education.
- b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter.
- c. Provide parents/guardians with information about students' class assignments and homework assignments.

PARENT INVOLVEMENT (continued)

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. (Education Code 11502, 11504)

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. (Education Code 11502, 11504)

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 district, school, and/or class newsletters, the district's web site, and other written or electronic communications.
 - d. To the extent practicable, provide notes and information to parents/guardians in a format and language they can understand.
 - e. Develop mechanisms to encourage parent/guardian input on district and school issues.
4. Train teachers and administrators to communicate effectively with parents/guardians. (Education Code 11502, 11504)

The Superintendent or designee may provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy.

- 5. Integrate parent involvement programs into school plans for academic accountability.

The Superintendent or designee may:

- a. Include parent involvement strategies in school reform or school improvement initiatives.
- b. Involve parents/guardians in school planning processes

PARENT INVOLVEMENT

The Governing Board recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. 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.

(cf. 4020 - School Plans/Site Councils)

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.

(cf. 5020 - Parents Rights and Responsibilities
(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district'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.

(cf. 0500 - Accountability)

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. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program. (Education Code 11503)

(cf. 6171 - Title I Programs)

The Superintendent or designee shall ensure that the district'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 the district will carry out each activity listed in 20 USC 6318. (20 USC 6318)

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she 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. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develop a school-level parent involvement policy in accordance with 20 USC 6318.

PARENT INVOLVEMENT (continued)**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. (Education Code 11504)

*Legal Reference: EDUCATION CODE**11500-11506 Programs to encourage parent 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 educational agency plan**6314 Schoolwide programs**6316 School improvement**6318 Parent involvement**CODE OF FEDERAL REGULATIONS, TITLE 28**35.104 Definitions, auxiliary aids and services**35.160 Communications**Management Resources:**CSBA PUBLICATIONS**Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy**Services Policy Briefs, August 2006**STATE BOARD OF EDUCATION POLICIES**89-01 Parent Involvement in the Education of Their Children, rev. 1994**U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE Parental Involvement: Title I, Part A, April 23, 2004**WEB SITES**CSBA: <http://www.csba.org>**California Department of Education, Family, School, Community Partnerships:**<http://www.cde.ca.gov/ls/pf>**California Parent Center: <http://parent.sdsu.edu>**California State PTA: <http://www.capta.org>**National Coalition for Parent Involvement in Education: <http://www.ncpie.org>**National PTA: <http://www.pta.org>**No Child Left Behind: <http://www.ed.gov/nclb>**Parent Information and Resource Centers: <http://www.pirc-info.net> Parents as Teachers National Center:**<http://www.parentsasteachers.org> U.S. Department of Education: <http://www.ed.gov>*

Policy

adopted: April 23, 2001; May 4, 2015

September 22, 2008

HESPERIA UNIFIED SCHOOL DISTRICT

Hesperia, California revised:

Students

BP5146(a)

MARRIED/PREGNANT/PARENTING STUDENTS

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

(cf 5113.1 - Chronic Absence and Truancy)
(cf 6146.1 - High School Graduation Requirements)
(cf 6146.11 - Alternative Credits Toward Graduation)

The District shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. (Education Code 230; 34 CFR 106.40)

(cf 0410 - Nondiscrimination in District Programs and Activities)

For school-related purposes, a married student under the age of 18 years shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. (Family Code 7002)

Education and Support Services for Pregnant and Parenting Students

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child.

(cf 6158 - Independent Study)
(cf 6181 - Alternative Schools/Programs of Choice)
(cf 6200 - Adult Education)

Any education program or activity, including any class or extracurricular activity, that is offered separately to pregnant students shall be equal to that offered to other District students. A student's participation in such programs shall be voluntary. (5 CCR §4950)

(cf 6142.7 - Physical Education and Activity)
(cf 6145 - Extracurricular and Cocurricular Activities)

To the extent feasible, educational and related support services shall be provided, either through the District or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities

(cf 1020 - Youth Services)
(cf 1400 - Relations Between Other Governmental Agencies and the Schools)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

2. Parenting education and life skills instruction

3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 5030 - Student Wellness)

4. Health care services, including prenatal care

(cf. 5141.6 - School Health Services)

5. Tobacco, alcohol, and/or drug prevention and intervention services

(cf. 5131.6 - Alcohol and Other Drugs)

6. Academic and personal counseling

7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

(cf. 6179 - Supplemental Instruction)

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Absences

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

(cf. 5113 - Absences and Excuses)

The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by the student's physician. At the conclusion of the leave, the student shall be reinstated to the status held when the leave began. (34 CFR 106.40)

(cf. 5112.3 - Student Leave of Absence)

A parenting student may request exemption from attendance because of personal services that must be rendered to a dependent. (Education Code 48410)

(cf. 5112.1 - Exemptions from Attendance)

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

Reasonable Accommodation

When necessary, the District shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. As required for other students with physical or emotional conditions or temporary disabilities, the Superintendent or designee may require a student, based on her pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that the student is physically and emotionally able to participate in an educational program or activity. (34 CFR 106.40)

(cf 6183 - Homebound and Hospital Instruction)

Each school with at least one lactating student on campus shall provide reasonable accommodations to lactating student(s) on campus to express breast milk, breastfeed her infant child, or address other needs related to breast feeding. A student shall not incur academic penalty as a result of her use any such reasonable accommodations. A student shall be provided the opportunity to make-up any work missed due to such use. Reasonable accommodations include, but are not limited to:

1. Access to a private and secure room, other than a restroom, to breastfeed or express milk for an infant child
2. Permission to bring on a school campus a breast pump and any other equipment to express breast milk
3. Access to a power source for a breast pump and any other equipment to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant

Complaints

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the District's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures.

(cf 1312.3 - Uniform Complaint Procedures)

Any complaint alleging District noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the District's

MARRIED/PREGNANT/PARENTING STUDENTS (continued)

uniform complaint procedures in AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the District's decision may appeal the decision to the California Department of Education (CDE). If the District or the CDE finds merit in an appeal, the District shall provide a remedy to the affected student. (Education Code 222; 5 CCR 4600-4687)

Program Evaluation

The Superintendent or designee shall periodically report to the Board regarding the effectiveness of District strategies to support married, pregnant, and parenting students, which may include data on participation rates in District programs and services, academic achievement, school attendance, graduation rate, and/or student feedback on District programs and services.

(cf 0500 - Accountability)

(cf 6162.5 - Student Assessment)

Legal Reference:

EDUCATION CODE

230 Sex discrimination

8200-8498 Child Care and Development Services Act

48205 Excused absences

48220 Compulsory education requirement

48410 Persons exempted from continuation classes

49553 Nutrition supplements for pregnant/lactating students

51220.5 Parenting skills and education

51745 Independent study

52610.5 Enrollment of pregnant and parenting students in adult education

54740-54749 Cal-SAFE program for pregnant/parenting students and their children

FAMILY CODE

7002 Description of emancipated minor

HEALTH AND SAFETY CODE

104460 Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4950 Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General licensing requirements for child care centers

101351-101439.1 Infant care centers

UNITED STATES CODE, TITLE 20

1681-1688 Title IX Education Act Amendments

UNITED STATES CODE, TITLE 42

1786 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7

246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34

106.40 Marital or parental status

ATTORNEY GENERAL OPINIONS

87 Ops. Cal. Attv. Gen. 168 (2004)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

