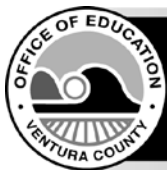


# Ventura County Office of Education



## Parent Rights & Responsibilities Annual Notice for 2014 – 2015 School Year

School districts in California are required to annually notify students, parents, and guardians of their rights and responsibilities. This is the annual notice to parents/guardians of students enrolled in programs operated by the Ventura County Office of Education (hereinafter referred to as VCOE). This notice, which is required by Educational Code 48980, provides important information about federal laws and state education codes, as well as information relating to rights and responsibilities of parents or guardians of children. The abbreviation of "EC" that is found after the title of most sections refers to the California Education Code (EC).

Please review this information carefully as it applies directly to you and your child's participation in our educational programs. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact your school administrator. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Please complete the "Acknowledgment of Receipt and Review" tear-off form on inside of back cover and return it to your child's school.

Best wishes for a productive and successful 2014-2015 school year.

A handwritten signature in cursive script, reading "Stanley C. Mantooth".

Stanley C. Mantooth,  
*The Ventura County Superintendent of Schools*

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### VENTURA COUNTY BOARD OF EDUCATION TRUSTEES

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Rachel Ulrich, Area 1

Dr. Mark Lisagor, Area 3

Marty Bates, Area 2

Dean Kunicki, Area 4

Dr. Ramon Flores, Area 5

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### FOR ALL SCHOOLS AND DISTRICTS

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#### **District-Wide Parental Involvement (CE 11500-11506 and BP 6020)**

The Board and the Superintendent recognize 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.

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

The Superintendent or designee shall regularly evaluate 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.

Each year the Superintendent or designee shall identify specific objectives 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 program.

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.

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. 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.

#### 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.

### **Acceptable Use of Technology**

One of the adopted goals of the Ventura County Office of Education (VCOE) is to assist in advancing the use of technology to enhance student learning. Students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. VCOE students and their parents/guardians shall sign the Acceptable Use of Technology Agreement prior to using District technological resources. VCOE shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and/or civil or criminal liability.

### **Asbestos Management Plan – Title 40 Code of Federal Regulations 763.93**

The Ventura County Office of Education maintains and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact Poul Hanson, VCOE Facilities Director, at (805) 383-1943.

### **Attendance Options/Permits – EC 48980(h)**

The following information is a summary of the attendance alternatives available to parents/guardians and their children and is intended to provide an overview of the laws applying to each alternative. Please note that the following attendance alternatives do not pertain to the pupils or the pupil's parent/guardian served by the VCOE. The attendance alternatives outlined in the remainder of this section pertain to local school districts, and not VCOE.

#### Residency – EC 48200 and 48204

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; a pupil who is a foster child who remains in his or her school of origin; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; or a pupil residing in a state hospital located within the boundaries of the school district.

A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a minimum of ten (10) hours during the school week.

#### Intradistrict Open Enrollment – EC 35160.5(b)

Residents of the School District may apply to other schools within the District for their child to attend on a space available basis. Information on each school within the District is provided on the District website. Parents of high school athletes should check on CIF sports eligibility rules before pursuing open enrollment. Transportation to any other school is the responsibility of the parent.

#### Interdistrict Attendance – EC 46600 *et seq.*

The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other school district. School districts may enter into agreements for the interdistrict transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers, and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a pupil will not have to reapply for an interdistrict transfer, and the school board of the district of enrollment must allow the pupil to continue to attend the school in which he/she is enrolled.

A pupil who has been determined by personnel of either the home or receiving district to have been the victim of an act of bullying, as defined in EC 48900(r), shall, at the request of the parent or legal guardian, be given priority for interdistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interdistrict attendance agreement.

#### District of Choice – EC 48300 *et seq.*

Some school districts may choose to become a district of choice, that is, a district that accepts transfer students from outside the district under the terms of a resolution. A school board that decides to become a district of choice must determine the number of transfers it is willing to accept and make sure that students are selected through a "random and unbiased" process, which generally means a lottery process. Students must request transfer into a district of choice by January 1 of the prior school year. A modified application process is available for relocated military personnel.

#### Open Enrollment Act – EC 48350 *et seq.*

Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the student may seek to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. Parents of high school athletes should check on CIF sports eligibility rules before pursuing a transfer under this option. Transportation to any other school is the responsibility of the parent. School districts are allowed to adopt specific, written standards for acceptance and rejection of applications as long as students are selected through a "random and unbiased" process. Unless the school board waives the deadline, requests for transfers are to be submitted by January 1 of the prior school year. To apply, parents must directly contact the school district to which they seek to transfer their student. The Open Enrollment List can be found on the California Department of Education website at <http://www.cde.ca.gov/sp/eo/op/>.

### **Availability of Prospectus – EC 49063 and 49091.14**

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. Each school site shall make its prospectus available for review upon request.

### **Avoiding Absences, Written Excuses**

The Ventura County Office of Education urges parents to make sure their children attend school regularly and to schedule medical and other appointments after school or during school holidays. The district also asks that travel or other absences be avoided during the time school is in session. The higher the district's daily attendance rate, the more a student will learn and the greater the amount of funding that the district will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families which plan vacations around traditional holiday periods, and thereby minimize student absences.

Following an absence, a student is required to bring a written excuse from home when returning to school. Illnesses, and doctor and dental appointments are considered excused absences. Absences without a written excuse are recorded as unexcused.

#### Tardiness

Children should be encouraged to be prompt as part of their training. They are expected to be at school on time. If a child is late, the child should bring an excuse from home to the school office. Frequent tardiness without a valid excuse may be considered truancy under state law.

#### Truancy Definitions – EC 48260, 48262 and 48263.6

A student is considered truant after three absences or three tardies of more than 30 minutes each time and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the school days in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC 48205. The text of EC 48205 is provided on page 5.

#### Arrest of Truant/School Attendance Review Boards – EC 48263 and 48264

The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from his/her home and who is absent from school without valid excuse within the county, city or school district. A student who is truant may be referred to a School Attendance and Review Board (SARB).

### **Child Abuse and Neglect Reporting – Penal Code 11164 *et seq.***

Ventura County Office of Education staff members are required by law to report cases of child abuse and neglect whenever staff have a reasonable suspicion. Staff may not investigate to confirm the suspicion. Both the staff name and the report itself are confidential and cannot be disclosed except to authorized agencies.

VCOE is committed to protecting all students in its care. All employees are considered mandated reporters, required by law to report cases of child abuse and neglect whenever there is reasonable suspicion abuse or neglect has occurred. District employees may not investigate to confirm a suspicion.

All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (i.e. Police or Sheriff's Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents and guardians of students also have a right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; you may also notify VCOE of an incident by contacting,

VCOE Director of Human Resources  
Michele Ortiguerra  
Administrative Services Center  
5189 Verdugo Way Camarillo, CA 93012 (805) 383-1910

Child abuse does not include an injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:

1. To stop a disturbance threatening physical injury to people or damage to property;
2. For purposes of self-defense;
3. To obtain possession of weapons or other dangerous objects within control of a student;
4. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of pupils, and maintain proper and appropriate conditions conducive to learning.

### **Child Find System – EC 56301**

Each school district, special education local plan area (SELPA), or county office shall establish written policy and procedures for continuous child find system including children with disabilities who are migrant or homeless or wards of the state and children with disabilities attending private schools. Policy and procedures shall include written notification to all parents of their rights regarding identification, referral, assessment, instructional planning, implementation, review, and procedures for initiating referral for assessment.

### **Children with Diabetes**

Through a cooperative agreement with the American Diabetes Association (ADA), the California Department of Education ensures that all California students who are classified as disabled because of diabetes will have access to legally required care during the school day. Under the agreement, each local education agency will manage the delivery of this care in the best possible way for those students who are Individualized Education Programs or 504 plans require administration of insulin and related services during the school day. A Legal Advisory spells out who may administer insulin at a school, and it requires that the local education agency must provide training in diabetes management to a volunteer, non-licensed staff member in cases when a school nurse or other licensed professional is

not available.

## **Concussion and Head Injuries – EC 49475**

School districts that elect to offer athletic programs must require, on a yearly basis, a concussion and head injury information sheet to be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This does not apply to an athlete engaged in an athletic activity during the regular schoolday or as part of a physical education course.

A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. A school district, charter school, or private school that elects to offer an athletic program must immediately remove from a school-sponsored athletic activity for the remainder of the day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular schoolday or as part of a physical education course.

## **Confidential Medical Services – EC 46010.1**

School authorities may excuse any pupil in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. Notification of this code section is required; however, governing board implementation is permissive. Per Ventura County Board Policy 5141, students being released for health care and emergency reasons must be checked out of the school through the school office by the parent/guardian or their designee. In addition, Ventura County Board of Education Policy 5141 states that unemancipated minor students shall not be released from school for the purposes of obtaining confidential medical services without the consent of the student's parent or guardian.

## **Dangerous Objects**

Laser Pointer – Penal Code 417.27

It is a crime for any student to possess a laser pointer on any elementary or secondary school premise, unless the possession is for a valid instructional or other school-related purpose.

Imitation Firearm – Penal Codes 12550 and 12556

A BB device can be considered an imitation firearm. The Penal Code makes it a criminal offense to openly display or expose any imitation firearm in a public place, including a public school.

## **Directory Information – EC 49073**

"Directory Information" includes one or more of the following items: student's name, address, telephone number, email address, date of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the student. School districts determine in advance which individuals, officials, or organizations may receive directory information.

No information may be released to a private profit making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil's directory information. Directory information regarding a pupil identified as a homeless child or youth shall not be released unless a parent, or pupil given parental rights, has provided written consent that directory information may be released.

## **Disaster Preparedness Educational Materials – EC 32282.5**

Each school has a disaster preparedness plan and conducts regular fire, earthquake and disaster drills. For a copy of your school's plan, contact your principal.

The California Department of Education (CDE) is now required to electronically distribute disaster preparedness educational materials to school districts and county offices of education in, at least, the three most dominant primary

## **Disruption in a Public School or Public School Meeting – EC 32210**

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500).

## **Dress Code – EC 35183**

Schools may adopt and enforce a reasonable dress code policy that requires pupils to wear a schoolwide uniform or prohibits the wearing of “gang-related clothing” if it is determined that it is necessary for the health and safety of the school environment.

## **Electronic Listening or Recording Device – EC 51512**

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action.

## **Electronic Nicotine Delivery Systems (e-cigarettes)**

The Ventura County Office of Education prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all County property and in County vehicles at all times. ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin.

Section 119405 of the Health and Safety Code prohibits the sales of e-cigarettes to minors which means that students should not be in possession of any such devices. Students using, in possession of, or offering, arranging or negotiating to sell ENDS can be subject to disciplinary action, particularly because ENDS are considered drug paraphernalia, as defined by 11014.5 of the Health and Safety Code.

## **Electronic Signaling Device – EC 48901.5**

By policy or practice the Ventura County Office of Education may regulate the right of pupils to possess or use electronic signaling devices, including cell phones and pagers, during the school day or at school functions. No student may be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician to be essential for the health of the pupil and the use of which is limited to the pupil’s health.

## **Excused Absences – EC 46014 and 48205**

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction.

No pupil shall have his or her grade reduced or lose academic credit for any excused absence or absences, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
  - (1) Due to his or her illness.
  - (2) Due to quarantine under the direction of a county or city health officer.
  - (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  - (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  - (5) For the purpose of jury duty in the manner provided for by law.
  - (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
  - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, attendance at an employment conference, or

attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.

- (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

## **Rights of Parents and Guardians to Information – EC 51101**

The parents and guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

- (1) Within a reasonable period of time after making the request, to observe their child's classroom(s).
- (2) Within a reasonable time of their request, to meet with their child's teacher(s) and the principal.
- (3) To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher.
- (4) To be notified on a timely basis if their child is absent from school without permission.
- (5) To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of their child's school on standardized statewide tests.
- (6) To request a particular school for their child, and to receive a response from the school district.
- (7) To have a school environment for their child that is safe and supportive of learning.
- (8) To examine the curriculum materials of their child's class (is).
- (9) To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
- (10) To have access to the school records of their child.
- (11) To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
- (12) To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
- (13) To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
- (14) To participate as a member of a parent advisory committee, school site council, or site-based management leadership team.
- (15) To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
- (16) To be notified, as early in the school year as practicable, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

## **Family Educational Rights and Privacy Act (FERPA)**

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

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

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

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

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

3. The right to privacy of personally identifiable information in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

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

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

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

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

For additional information, you may call 1-800-USA-Learn (1-800-872-5327).

### **Free and Reduced-price Meals – EC 49510 *et seq.***

Free or reduced-price lunches are available at school for pupils whose parents or legal guardians qualify, based on annual household income, and complete the required application form. Application forms may be obtained at the school office.

### **Foster Youth Educational Placement – EC 48850 *et seq.***



All pupils in foster care are entitled to a meaningful opportunity to meet the challenging state pupil academic achievement standards to which all pupils are held. They shall be placed in the least restrictive educational programs and have access to the same academic resources, services, and extracurricular and enrichment activities that are available to all pupils. Each local educational agency is required to designate a foster care educational liaison. The liaison serves as an advocate for all foster youth that reside within his/her district, and ensures that every foster youth has a proper school placement, transfer of records, and immediate enrollment in school. School enrollment is not contingent upon receipt of a student's academic or medical records. Because school stability is extremely important to a child living in foster care, a foster child is allowed to remain in his or her school of origin, even if the child's home placement changes, for the duration of the school year. Students who do change schools during the school year are able to receive practical credit for coursework that is satisfactorily completed. If any dispute arises as to the school placement of a foster child, the student has the right to remain in his or her school of origin pending the resolution of the dispute. Each local educational agency is required to have a dispute resolution process in place that relates to the enrollment of foster youth within their school jurisdiction. The local liaison can assist parents or students in the dispute resolution process.

### **Harm or Destruction of Animals – EC 32255 *et seq.***

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

### **Homeless Youth Education – 42 United States Codes 11432**

Requires school district homeless liaisons to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children and are provided with meaningful opportunities to participate in education of their children.

The federal McKinney-Vento Homeless Assistance Act ensures educational rights and protections for children and youth experiencing homelessness. This includes children and youth who are living with a friend, relative or someone else because the family has lost their housing; children and youth staying in a motel or hotel due to lack of adequate alternative accommodations; children and youth living in an emergency or transitional shelter or a domestic violence shelter; and children and youth who are living in cars, parks, public spaces abandoned buildings, etc. It is the policy of Congress that students in homeless situations shall have access to the education and other services they need to ensure they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

Services provided to students identified as homeless include:

Every local education agency designates a staff person to act as the educational liaison for students in homeless situations.

Students have the option of remaining in their school of origin to the extent feasible or transferring to the local school in the current attendance area when moving to a different address or community. The parent/guardian determines which school is in the child's best interest.

Students are immediately enrolled in school even if they do not have the documents required. The Liaison can request the necessary documents from previous schools or help to schedule required immunizations.

Students will be provided transportation to and from school at the parent's request.

Students will be provided free/reduced lunch.

Students will be provided Title 1 services.

School districts will establish a dispute resolution process to resolve disagreements between parents and the district. Families living in homeless situations may contact the Liaison to help them put the disagreement into writing.

### **Grounds for Suspension and Expulsion – EC 48900**

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an 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, a 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 a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a 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 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) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell 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 so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (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 a 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. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
    - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
    - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
    - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - (2) (A) "Electronic act" means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - (i) A message, text, sound, or image.
    - (ii) A post on a social network Internet Web site, including, but not limited to:
      - (I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
      - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

- (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- (3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
  - (1) While on school grounds.
  - (2) While going to or coming from school.
  - (3) During the lunch period whether on or off the campus.
  - (4) During, or while going to or coming from, a school sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5.
- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

## **Sexual Harassment - EC48900.2**

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.

## **Hate Violence - EC 48900.3**

In addition to the reasons set forth in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 233.

## **Harassment, Threats or Intimidation - EC 48900.4**

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

## **Limitations on Imposing Suspension - EC 48900.5**

Suspension, including supervised suspension as described in Section 48911.1, shall be imposed only when other means of correction fail to bring about proper conduct. A school district may document the other means of correction used and place that documentation in the pupil's record, which may be accessed pursuant to Section 49069. However, a pupil,

including an individual with exceptional needs, as defined in Section 56026, may be suspended, subject to Section 1415 of Title 20 of the United States Code, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.

### **Terroristic Threats - EC 48900.7**

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both. (b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

### **Immunizations – EC 49403 and 48216, Health & Safety Codes 120335, 120365 and 120370**

Unless a pupil's parent or legal guardian provides the school with an acceptable signed waiver, a pupil must be immunized against certain communicable diseases. Students are prohibited from attending school until the immunization requirements are met. VCOE shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

Beginning January 1, 2014, the signed waiver to exempt a pupil from meeting immunization requirements shall include a form prescribed by the State Department of Public Health signed by 1) the health care practitioner who provided information to the parent or legal guardian regarding the benefits and risks of the immunization and the health risks of the communicable diseases; and 2) the parent or legal guardian, indicating that he or she received the information provided by the health care practitioner.

### **Instruction for Pupils with Temporary Disabilities – EC 48206.3, 48207 and 48208**

A pupil with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil's home for one hour a day.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

### **Medical or Hospital Service – EC 49472**

#### Services Not Provided

The Ventura County Office of Education does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance.

#### Services Provided

The Ventura County Office of Education may provide or make available medical or hospital service through nonprofit membership corporations, defraying the cost of medical or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance of injuries to pupils arising out of accidents related to school activity or attendance. No pupil is required to accept such service without the consent of his/her parent or legal guardian.

## **Medication Regimen – EC 49480 and 49423**

The parent or legal guardian of any pupil taking medication on a regular basis must inform the school nurse or school principal of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil.

### Administration of Prescribed Medication for Pupils – EC 49423 and 49423.1

Any pupil who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken.

### Administration of Epilepsy Medication – EC 49414.7

If a pupil with epilepsy has been prescribed an emergency antiseizure medication by his or her health care provider, the pupil's parent or guardian may request the pupil's school to have one or more of its employees receive training in the administration of an emergency antiseizure medication in the event that the pupil suffers a seizure when a nurse is not available.

## **Megan's Law – Penal Code 290 *et seq.***

Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

## **Minimum and Pupil-free Staff Development Days – EC 48980(c)**

Parents and guardians of all pupils are to be informed of the schedule of minimum days and pupil-free staff development days. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school should notify parents and guardians of affected pupils as early as possible, but not later than one month prior to the scheduled day.

## **Missing Children – EC 49370**

It is required that specified persons, including school teachers, administrators, aides, playground workers and bus drivers, report missing children to a law enforcement agency in a timely manner.

## **Nondiscrimination Statement – EC 200 *et seq.***

The Ventura County Office of Education is committed to providing a safe school environment where all individuals in education are afforded equal access and opportunities. The District's academic and other educational support programs, services and activities shall be free from discrimination, harassment, intimidation, and bullying of any individual based on the person's actual 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 expression; 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. Specifically, state law prohibits discrimination on the basis of gender in enrollment, counseling, and the availability of physical education, athletic activities, and sports. Transgender students shall be permitted to participate in gender-segregated school programs and activities (e.g., athletic teams, sports competitions, and field trips) and to use facilities consistent with their gender identity. VCOE assures that lack of English language skills will not be a barrier to admission or participation in District programs. Complaints of unlawful discrimination are investigated through the Uniform Complaint Process. Such complaints must be filed no later than six months after knowledge of the alleged discrimination was first obtained.

For a complaint form or additional information, contact:

VCOE Director of Human Resources

Michele Ortiguerra

Administrative Services Center

5189 Verdugo Way

Camarillo, CA 93012

(805) 383-1910

## **Notice of Alternative Schools – EC 58501**

California state law authorizes all school districts to provide for alternative schools. Education Code 58500 defines

alternative school as a school or separate class group within a school which is operated in a manner designed to:

- (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- (b) Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- (d) Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located.

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

### **Pesticide Products – EC 17612 and 48980.3**

The use of pesticides and chemicals has become increasingly common in our schools when dealing with such problems as pests and weeds. It is the goal of VCOE to provide the safest and lowest risk approach to controlling pest and weed problems while protecting people, the environment, and property. To obtain a copy of all pesticide products and expected use at VCOE school facilities during the year, please contact Pamela Heron, VCOE Risk Manager, at (805) 383-1916. The notice shall identify the active ingredient(s) in each product and contain the Internet access address on information about pesticide use and reduction. For more information on the Integrated Pest Management Program, please refer to the following website: [www.vcoe.org/hr/RiskManagement/tabid/1156/default.aspx](http://www.vcoe.org/hr/RiskManagement/tabid/1156/default.aspx).

### **Physical Examination – EC 49451**

A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists.

### **Property Damage – EC 48904**

Parents or guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the pupil until restitution is paid.

### **Pupil Records – EC 49063 and 49069, Title 34 Code of Federal Regulations 99.7, 20 United States Code 1232g**

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. VCOE will protect the privacy of such records. Parents/guardians have the right to 1) inspect and review the student's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access student records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, VCOE shall disclose educational records without parental consent.

Parents' request to access their student's educational records must be submitted in a written form to the school principal and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of student records are available to parents for a fee of no more than 10 cents per page.

Any challenge to school records must be submitted in writing to the school principal. A parent challenging school

records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the student.

Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-8520.

## **Safe Place to Learn Act - EC 234 and 234.1**

The Ventura County Office of Education is committed to maintaining a learning environment that is free from discrimination, harassment, violence, 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. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within a school of the school district may be subject to disciplinary action up to and including expulsion. To report an incidence and/or to receive a copy of the district's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact: Michele Ortiguerra, VCOE Director of Human Resources at (805) 383-1910.

## **School Rules – EC 35291**

The school district may notify the parent or guardian of all pupils registered in schools of the district of the availability of rules of the district pertaining to student discipline.

## **School Safety Plan – EC 32280 *et seq.***

Each Ventura County Office of Education school site has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office. Fire and emergency drills are held periodically at each school.

## **School Visiting Procedures – EC 51101(a)(12) and Penal Code 627.6**

Parents and guardians of students enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children, to be informed in advance about school rules, including procedures for visiting the school.

PC 627.6: Requires schools to post at every entrance a notice setting forth the visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. Administration has the authority to direct non-students to leave campus. No outsider shall enter or remain on school grounds during school hours without having registered with the principal or designee, except to proceed expeditiously to the school office for the purpose of registering.

## **Sex and HIV/AIDS Education – EC 51938**

The purpose of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act (Education Codes 51930 through 51939) is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

The Ventura County Office of Education will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. Request a copy of Education Codes 51930 through 51939
4. Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be

- taught by district personnel or outside consultants
5. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
    - a. The date of the instruction
    - b. The name of the organization or affiliation of each guest speaker

The Ventura County Office of Education may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate.

### **Sexual Harassment – EC 231.5 and 48980(g)**

It is the policy of the Ventura County Superintendent and the Board of Education to maintain learning and working environment which is free from sexual harassment. Sexual harassment is a form of sex discrimination under Title IX of the Education Amendments of the Civil Rights Act of 1972 and is prohibited by both Federal and State law. Therefore, the Ventura County Board of Education prohibits sexual harassment in all schools and facilities within the organization. VCOE regards sexual harassment as improper, immoral, illegal, and such actions will not be tolerated. This policy is implemented to inform students, staff and parents about what sexual harassment is and the procedures which will be followed by VCOE upon receipt of sexual harassment allegations.

The VCOE sexual harassment policy is intended as a preventive measure to protect against sexual harassment before it occurs. The term “sexual harassment” is intended to mean sexual harassment in the broadest meaning of that term in current popular as well as legal usage. Sexual harassment is deliberate and/or repeated sexual or sex-based behavior that is not welcome and is not requested.

The California Education Code specifies that a pupil may be suspended from school or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment. The VCOE’s educational programs may suspend and/or refer pupils back to their local school district. This policy shall not apply to pupils enrolled in kindergarten and grades one to three.

- A. For purposes of this policy, the conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive as to create an intimidating, hostile, or offensive educational environment or to have a negative impact upon the individual’s academic performance.
- B. Teachers and other school personnel shall discuss this policy with students in age-appropriate ways and will assure students that they need not endure any form of sexual harassment.
- C. Any student who feels that he/she has been the victim of sexual harassment by an employee, student or volunteer of VCOE as defined in this policy and administrative regulations shall immediately report the matter to any school official of the school of attendance. The person receiving the complaint shall immediately report the matter to a school administrator, and an investigation into the complaint will begin.
- D. Any staff member who has knowledge of conduct of VCOE employees, volunteers, students, or other individuals of the school community which may constitute sexual harassment, is expected to report immediately such conduct to an administrator of the school at which the student is in attendance.
- E. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned. All complaints will be taken seriously and confidentiality will be maintained as appropriate. There shall be no retaliation in any form against any complainant or participant in the complaint process.
- F. All employees and pupils shall be notified of this Board Policy on a regular basis.
- G. To promote an environment free of sexual harassment, the school administrator or designee shall provide staff training and ensure student notification.

An appeal of a VCOE decision may be made in court through civil law remedies. Complainants should consult an attorney for more information.

Contact the school principal if you have any questions or would like additional information.



## **Student Conduct – EC 51100**

### Duties of Pupils – Title 5 California Code of Regulations 300

Pupils shall conform to school regulations, obey all directions, be diligent in study and respectful to teachers and others in authority, and refrain from the use of profane and vulgar language.

### Jurisdiction – EC 44807

Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

### Mandatory Expulsion Violations – EC 48915

Schools shall immediately suspend and recommend expulsion for students that commit any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault.
5. Possession of an explosive.

The school board shall order the student expelled upon finding that the student committed the act.

## **Sunscreen and Sun-protective Clothing – EC 35183.5**

Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including but not limited to hats. Pupils may use sunscreen during the school day without a physician's note or prescription.

## **Surveys – EC 51513**

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing.

## **Tobacco-free Campus – Health and Safety Code Sections 104420 and 104495**

In accordance with state and federal law, smoking is prohibited in all VCOE facilities and vehicles.

All school districts and county offices of education that receive Tobacco Use Prevention (TUPE) funds are required to adopt and enforce a tobacco-free campus policy, to communicate this policy to school staff, parents, pupils and community, and to post signs stating "Tobacco Use Prohibited" at all entrances to the school.

Under Health and Safety Code Section 104495, smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground is prohibited, except on a public sidewalk located within 25 feet of the playground.

## **Uniform Complaint Policy and Procedure – Title 5, California Code of Regulations 4622, and EC 234.1, 32289, and 49013**

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 section 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 a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by 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 as 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; and 5) unlawful imposition of pupil fees for participation in educational activities in public schools. A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. Pupil fee complaints shall be filed no later than one year from the date the alleged violation occurred. Complainants are advised that civil law remedies may be

available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to EC § 262.3. VCOE's complaint procedures shall be available free of charge.

The Ventura County Office of Education (District) has established Uniform Complaint Procedures to resolve alleged acts of discrimination, harassment, violence, 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, which apply to all state and federally funded programs. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs. 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 Michele Ortiguerra, VCOE Director of Human Resources, 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 time line. 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 action to comply, then various civil remedies may be available. VCOE is primarily responsible for compliance with federal and state laws and regulations. Contact Michele Ortiguerra, VCOE Director of Human Resources, at (805) 383-1910 for additional information or assistance.

### **Local Control and Accountability Plans - EC 52075**

A complaint that a school district, county superintendent of schools, or charter school has not complied with the requirements of this article or Sections 47606.5 and 47607.3, as applicable, may be filed with a school district, county superintendent of schools, or charter school pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements of this article. A complainant not satisfied with the decision of a school district, county superintendent of schools, or charter school may appeal the decision to the Superintendent and shall receive a written appeal decision within 60 days of the Superintendent's receipt of the appeal. If a school district, county superintendent of schools, or charter school finds merit in a complaint, or the Superintendent finds merit in an appeal, the school district, county superintendent of schools, or charter school shall provide a remedy to all affected pupils, parents, and guardians. Information regarding the requirements of this article shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations or any successor regulation. School districts, county superintendents of schools, and charter schools shall establish local policies and procedures to implement the provisions of this section on or before June 30, 2014.

### **Victim of a Violent Crime – 20 United States Code 7912a**

A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, has the right to transfer to another school within the district. The District has 14 calendar days to offer students the option to transfer. For more information, please contact Dr. Roger Rice, VCOE Deputy Superintendent, Student Services at (805) 383-1920.

### **Walking or Riding a Bike to School – Vehicle Code 21212**

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

### **Williams Complaint Policy and Procedure – EC 35186**

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or misassignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the school office and/or online in the VCOE Student Services area of the [www.vcoe.org](http://www.vcoe.org) webpage. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly

encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns.

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## **ADDITIONAL NOTIFICATIONS FOR ELEMENTARY & MIDDLE SCHOOLS ONLY**

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### **Career Counseling and Course Selection – EC 221.5(d)**

Commencing in grade 7, school personnel shall assist pupils with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

### **Entrance Health Screening – Health & Safety Codes 124085, 124100, and 124105**

State law requires that the parent or legal guardian of each pupil provide the school documentary proof that the pupil has received a health screening examination by a doctor within 90 days after entrance to first grade. Pupils may be excluded up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available through the local health department.

### **Oral Health Assessment – EC 49452.8**

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31<sup>st</sup> of the pupil's first school year.

### **School bus Safety – EC 39831.5**

All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (*i.e.*, a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

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## **ADDITIONAL NOTIFICATIONS FOR HIGH SCHOOLS ONLY**

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### **Access by Military Recruiters – 20 United States Code 7908**

Federal law requires school district to provide military recruiters the same access to secondary school pupils as is provided to post-secondary educational institutions or to prospective employers. Parents may request that the district not release their pupil's name, address and telephone number without prior written consent. Written notice must be submitted to the school if the parent or legal guardian wishes to deny access to this information.

### **Advanced Placement and International Baccalaureate Exam Fees – EC 52244**

Eligible high school students may receive financial assistance to cover the costs of the advanced placement examination fees or the International Baccalaureate examination fees, or both.

### **California High School Exit Exam – EC 60850 *et seq.***

Each pupil completing grade 12 shall successfully pass the California High School Exit Exam (CAHSEE) as a condition of graduation. Each pupil shall take the examination beginning in grade 10 and may take the examination each subsequent administration until he/she passes the examination.

A pupil with an Individualized Educational Plan (IEP) or Section 504 Plan may take the CAHSEE with accommodations that do not fundamentally alter the nature of the test. In addition, for pupils with an IEP or Section

504 Plan there currently exists an exemption to the CAHSEE requirement. For more information, please see: <http://www.cde.ca.gov/ta/tg/hs/>.

### **California High School Proficiency Exam – Title 5, California Code of Regulations 11523**

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education.

A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>.

### **Career Counseling and Course Selection – EC 221.5(d)**

Commencing grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

### **College and Career Technical Education – EC 51229**

This section requires that parents or guardians of students in grades 9 through 12 receive the following information on College Admission Requirements and Higher Education:

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for students who wish to continue their education after high school.

In order to attend a community college you need only be a high school graduate or 18 years of age. In order to attend a CSU you have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if your GPA is 3.0 or above. In order to attend a UC you must meet requirements for coursework, GPA, and test scores, or rank in the top four percent at a participating high school, or qualify by examination alone. You may also transfer to a CSU or UC after attending a community college. For more information on college admission requirements, please refer to the following webpages:

**[www.cccco.edu](http://www.cccco.edu)** – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

**[www.assist.org](http://www.assist.org)** – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

**[www.csumentor.edu](http://www.csumentor.edu)** – This online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

**[www.universityofcalifornia.edu](http://www.universityofcalifornia.edu)** – This website offers information regarding admissions, online application, and links to all UC campuses.

Students may also explore career options through career technical education. These are programs and classes offered by a school that are specifically focused on career preparation and/or preparation for work. The programs and classes are integrated with academic courses and support academic achievement. Students can learn more about career technical education by referring to the following webpage: [www.cde.ca.gov/ds/si/rp](http://www.cde.ca.gov/ds/si/rp).

Students may meet with their school principal and/or school counselor to choose courses at their school that will meet college admission requirements, or enroll in career technical education courses, or both.

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***Please complete form on next page and return it to your child's school.***

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☐ Cut off and return ☐

**Please complete form below and return it to your child's school.**



## Ventura County Office of Education 2014– 2015 Acknowledgement of Receipt and Review

Dear Parent/Guardian:

The Ventura County Office of Education is required to annually notify parents and guardians of rights and responsibilities in accordance with Education Code 48980.

If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact the principal at your child's school. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Please complete the "Acknowledgement of Receipt and Review" form below, and return this page to your child's school.

### Acknowledgement of Receipt and Review

Pursuant to Education Code 48982, the parent/guardian shall sign this notice and return it to the school. Signature on the notice is an acknowledgment by the parent or guardian that he or she has been informed of his or her rights but does not necessarily indicate that consent to participate in any particular program or activity has been given or withheld.

Student Name: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Telephone Number \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent/Guardian (if student is under 18)

\_\_\_\_\_  
Signature of Student (if student is 18 or older)