

NONDISCRIMINATION IN EMPLOYMENT

The Governing Board is determined to provide district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

The District shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that it is necessary to comply with federal immigration law. (2 CCR 11028)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
 - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
 - b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement

Nondiscrimination in Employment (continued)

- c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
- d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the District or to disclose information about harassment or other unlawful employment practices. (Government Code 12964.5)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisory immediately. The district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Nondiscrimination in Employment (continued)

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the district is notified that a complaint has been filed with the California Department of Fair Employment and Housing, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government Code 12946)

Legal Reference (see next page):

Nondiscrimination in Employment (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 Discrimination in employment

11013 Recordkeeping

11019 Terms, conditions and privileges of employment

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee and adoption of grievance procedures

Policy

adopted: 12/10/1991

Revised: 05/14/2002; 12/14/2010; 04/09/2013

Revised: 02/14/2017; 09/24/2019

WEST COVINA UNIFIED SCHOOL DISTRICT

West Covina, California

All Personnel

E 4112.9(a)
4212.9
4312.9

EMPLOYEE NOTIFICATIONS

To All Employees

When/Whom to Notify: At the beginning of school year or upon employment
Education or Other Legal Code: Education Code 231.5, Govt. Code 12950, 2 CCR 11024
Board Policy/Administrative Regulation #: See AR 4119.11/4219.11/4319.11
Subject: The district's policy on sexual harassment, legal remedies, complaints

When/Whom to Notify: Annually to all employees and 72 hours before pesticide application
Education or Other Legal Code: Education Code 17612
Board Policy/Administrative Regulation #: See AR 3514.2
Subject: Use of pesticide product, active ingredients, Internet address to access information

When/Whom to Notify: To all employees, prior to implementing year-round schedule
Education or Other Legal Code: Education Code 37616
Board Policy/Administrative Regulation #: See BP 6117
Subject: Public hearing on year-round implementing year-round program schedule

When/Whom to Notify: To all employees, prior to implementing alternative schedule
Education or Other Legal Code: Education Code 46162
Board Policy/Administrative Regulation #: See AR 6112
Subject: Public hearing on alternative schedule

When/Whom to Notify: To all employees
Education or Other Legal Code: Education Code 49013; 5 CCR 4622
Board Policy/Administrative Regulation #: See AR 1312.3; See BP 0460; See BP 3260
Subject: Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control accountability plan

When/Whom to Notify: To all employees
Education or Other Legal Code: Education Code 49414
Board Policy/Administrative Regulation #: See AR 5141.21
Subject: Request for volunteers to be trained to administer epinephrine auto-injectors

When/Whom to Notify: At least once per year
Education or Other Legal Code: Education Code 49414.3
Board Policy/Administrative Regulation #: See AR 5141.21
Subject: Request for volunteers to be trained to administer opioid antagonist

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Employee Notifications (continued)

When/Whom to Notify: To all employees

Education or Other Legal Code: Government Code 1126

Board Policy/Administrative Regulation #: See BP 4136/4236/4336

Subject: Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal

When/Whom to Notify: To all employees

Education or Other Legal Code: Govt. Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210

Board Policy/Administrative Regulation #: See BP 4020, See BP 4159/4259/4359

Subject: District's drug- and alcohol-free workplace; actions that will be taken if violated; available employee assistance programs

When/Whom to Notify: Upon employment

Education or Other Legal Code: Government Code 21029

Board Policy/Administrative Regulation #: None

Subject: Right to purchase PERS service credit for military service prior to public employment

When/Whom to Notify: Upon placement of automated external defibrillator (AED) in school, annually thereafter

Education or Other Legal Code: Health and Safety Code 1797.196

Board Policy/Administrative Regulation #: See AR 5141

Subject: Proper use of AED; location of all AEDs on campus, sudden cardiac arrest, school's emergency response plan

When/Whom to Notify: To all employees, if the district receives Tobacco-Use Prevention Education funds

Education or Other Legal Code: Health and Safety Code 104420

Board Policy/Administrative Regulation #: See AR 3513.3

Subject: District's tobacco-free schools policy and enforcement procedures

When/Whom to Notify: Annually to all employees, or more frequently if necessary

Education or Other Legal Code: Health and Safety Code 120875, 120880

Board Policy/Administrative Regulation #: See AR 4119.43/4219.43/4319.43

Subject: AIDS and hepatitis B, methods to prevent exposure

When/Whom to Notify: To all employees upon hire and other employees upon request

Education or Other Legal Code: Labor Code 230.1

Board Policy/Administrative Regulation #: See AR 4161.2/4261.2/4361.2

Subject: Rights pertaining to leaves and accommodations for victims of crime or abuse

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Employee Notifications (continued)

When/Whom to Notify: To all employees, with each paycheck

Education or Other Legal Code: Labor Code 246

Board Policy/Administrative Regulation #: See AR 4161.1/4261.1/4361.1

Subject: Amount of sick leave available

When/Whom to Notify: Upon hire, in employee handbook, and upon request for parental leave

Education or Other Legal Code: Labor Code 1034

Board Policy/Administrative Regulation #: See BP 4033

Subject: The district's policy on lactation accommodation

When/Whom to Notify: To covered employees and former employees

Education or Other Legal Code: Labor Code 2800.2

Board Policy/Administrative Regulation #: See AR 4154/4254/4354

Subject: Availability of COBRA/Cal-COBRA continuation and conversion coverage; statement encouraging careful examination of options before declining coverage

When/Whom to Notify: To employees participating in a flexible spending account

Education or Other Legal Code: Labor Code 2810.7

Board Policy/Administrative Regulation #: None

Subject: Deadline to withdraw funds from account before the end of the plan year

When/Whom to Notify: To new employees, either at the time of hire or by first pay period

Education or Other Legal Code: Labor Code 3551

Board Policy/Administrative Regulation #: See BP 4157.1/4257.1/4357.1

Subject: Workers' compensation benefits, how to obtain medical care, role of primary physician, form for reporting personal physician/chiropractor

When/Whom to Notify: Within one day of receiving notice of potential exposure to COVID-19, to employees who were on the premises during the infectious period, the exclusive representative, and the employer of subcontracted employees as applicable

Education or Other Legal Code: Labor Code 6409.6

Board Policy/Administrative Regulation #: See AR 4157/4257/4357

Subject: Potential exposure to COVID-19; benefits employees may be entitled to; available leave options; protection against discrimination and retaliation; district's disinfection safety plan

When/Whom to Notify: Prior to beginning employment

Education or Other Legal Code: Penal Code 11165.7, 11166.5

Board Policy/Administrative Regulation #: See AR 5141.4

Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

Employee Notifications (continued)

When/Whom to Notify: Prior to beginning employment

Education or Other Legal Code: Penal Code 11165.7, 11166.5

Board Policy/Administrative Regulation #: See AR 5141.4

Subject: Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law

When/Whom to Notify: Upon employment, and when employee goes on specified leave

Education or Other Legal Code: Unemployment Insurance Code 2613

Board Policy/Administrative Regulation #: See AR 4154/4254/4354

Subject: Disability insurance rights and benefits

When/Whom to Notify: Employees who directly supervise or report on student's behavior or progress, when principal believes the information is needed for protection of self or others, when Superintendent or designee receives written notification that minor student has committed a felony or misdemeanor involving specified offenses

Education or Other Legal Code: Welfare and Institutions Code 827

Board Policy/Administrative Regulation #: See AR 4158/4258/4358

Subject: Limited exception to juvenile court record confidentiality to ensure rehabilitation of juvenile criminal offenders and protect students and staff

When/Whom to Notify: To all employees and job applicants

Education or Other Legal Code: 2 CCR 11023; 34 CFR 104.8, 106.9

Board Policy/Administrative Regulation #: See BP 0410, See BP 4030

Subject: District's policy on nondiscrimination and related complaint procedures

When/Whom to Notify: To all employees via employee handbook, or to each new employee

Education or Other Legal Code: 2 CCR 11091, 11095; 29 CFR 825.300

Board Policy/Administrative Regulation #: See AR 4161.8/4261.8/4361.8

Subject: Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible

When/Whom to Notify: Annually to all employees

Education or Other Legal Code: 8 CCR 3203

Board Policy/Administrative Regulation #: See AR 4157/4257/4357

Subject: The right and procedure to access the injury and illness prevention program

When/Whom to Notify: To all employees working with homeless families

Education or Other Legal Code: 42 USC 11432

Board Policy/Administrative Regulation #: See AR 6173

Subject: Duties of district liaison for homeless students

Employee Notifications (continued)

When/Whom to Notify: To all employees

Education or Other Legal Code: 34 CFR 106.8

Board Policy/Administrative Regulation #: See AR 4119.11/4219.11/4319.11

Subject: Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office of Civil Rights

When/Whom to Notify: Annually to all employees

Education or Other Legal Code: 40 CFR 763.84, 763.93

Board Policy/Administrative Regulation #: See AR 3514

Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

To Certificated Employees

When/Whom to Notify: To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire

Education or Other Legal Code: Education Code 22455.5

Board Policy/Administrative Regulation #: See AR 4121

Subject: Criteria for membership in retirement system; right to elect membership at any time

When/Whom to Notify: Upon employment of a retired certificated individual

Education or Other Legal Code: Education Code 22461

Board Policy/Administrative Regulation #: See AR 4117.14/4317.14

Subject: Postretirement earnings limitation or employment restriction

When/Whom to Notify: To certificated employees

Education or Other Legal Code: Education Code 35171

Board Policy/Administrative Regulation #: See AR 4115, See BP 4315

Subject: District regulations related to performance evaluations

When/Whom to Notify: 30 days before last day of school year for instructional staff, or by June 30 for non-instructional certificated staff, in any year in which employee is evaluated

Education or Other Legal Code: Education Code 44663

Board Policy/Administrative Regulation #: See AR 4115

Subject: Copy of employee's evaluation

When/Whom to Notify: To a certificated employee with unsatisfactory evaluation, once per year for probationary employee or at least once every other year for permanent employee

Education or Other Legal Code: Education Code 44664

Board Policy/Administrative Regulation #: See AR 4115

Subject: Notice and description of the unsatisfactory performance

Employee Notifications (continued)

When/Whom to Notify: By May 30, if district elects to issue reemployment notices to certificated employees

Education or Other Legal Code: Education Code 44842

Board Policy/Administrative Regulation #: See AR 4112.1

Subject: Request that the employee notify district of intent to remain in service next year

When/Whom to Notify: To certificated employees upon employment and to nonpermanent employees in July of each school year

Education or Other Legal Code: Education Code 44916

Board Policy/Administrative Regulation #: See AR 4112.1, See AR 4121

Subject: Employment status and salary

When/Whom to Notify: To probationary employees by March 15

Education or Other Legal Code: Education Code 44929.21 44929.23, 44948.5

Board Policy/Administrative Regulation #: See AR 4116

Subject: Whether or not employee is reelected for next school year

When/Whom to Notify: When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year

Education or Other Legal Code: Education Code 44934, 44934.1, 44936

Board Policy/Administrative Regulation #: See BP 4118; See AR 4118

Subject: Notice of charges, procedures, and employee rights; intent to dismiss or suspend

When/Whom to Notify: To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: See BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year

Education or Other Legal Code: Education Code 44938

Board Policy/Administrative Regulation #: See BP 4118

Subject: Notice of deficiency and opportunity to correct

When/Whom to Notify: To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings

Education or Other Legal Code: Education Code 44940.5

Board Policy/Administrative Regulation #: See AR 4118

Subject: Notice of intent to dismiss 30 days from notice unless employee demands hearing

Employee Notifications (continued)

When/Whom to Notify: To probationary employees 30 days prior to dismissal during school year, but not later than March 15 for second- year probationary employees

Education or Other Legal Code: Education Code 44948.3

Board Policy/Administrative Regulation #: See AR 4118

Subject: Reasons for dismissal and opportunity to appeal

When/Whom to Notify: By March 15 when necessary to reduce certificated personnel, with final notice by May 15

Education or Other Legal Code: Education Code 44949, 44955

Board Policy/Administrative Regulation #: See BP 4117.3

Subject: Reasons for personnel reduction and employees' right to hearing; final notice of Board decision

When/Whom to Notify: On or before June 30, to temporary employee who served 75 percent of school year but will be released

Education or Other Legal Code: Education Code 44954

Board Policy/Administrative Regulation #: See BP 4121

Subject: District's decision not to reelect employee for following school year

When/Whom to Notify: During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's LCFF apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to any permanent or probationary certificated employee, including an employee holding a position that requires administrative or supervisory credential, whose services are terminated

Education or Other Legal Code: Education Code 44955.5

Board Policy/Administrative Regulation #: See BP 4117.3

Subject: Decrease in the number of permanent employees in accordance with a schedule of notice and hearing adopted by the Board

When/Whom to Notify: To teacher, when a student engages in or is reasonably suspected of specified acts

Education or Other Legal Code: Education Code 49079

Board Policy/Administrative Regulation #: See AR 4158/4258/4358

Subject: Student has committed specified act that constitutes ground for suspension or expulsion

Employee Notifications (continued)

When/Whom to Notify: To teachers of a student who is suspended or expelled, when Superintendent or designee receives transfer student's record regarding acts that resulted in suspension or expulsion

Education or Other Legal Code: Education Code 48201

Board Policy/Administrative Regulation #: See AR 4158/4258/4358

Subject: Student has committed specified act that constitutes grounds for suspension or expulsion

When/Whom to Notify: To certificated employee upon change in employment status due to alleged misconduct

Education or Other Legal Code: 5 CCR 80303

Board Policy/Administrative Regulation #: See AR 4117.7/4317.7

Subject: Contents of state regulation re: report to Commission on Teacher Credentialing

To Classified Employees

When/Whom to Notify: When classified employee is subject to disciplinary action for cause, in non-merit district

Education or Other Legal Code: Education Code 45113

Board Policy/Administrative Regulation #: See AR 4218

Subject: Notice of charges, procedures, and employee rights

When/Whom to Notify: By March 15, when laid off due to lack of work or lack of funds, with final notice by May 15

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: See AR 4217.3

Subject: Notice of layoff, displacement, and reemployment rights, right to hearing; final notice of Board decision regarding termination

When/Whom to Notify: During the time between five days after the enactment of an annual Budget Act and August 15 of the fiscal year to which the Budget Act applies when the Board determines that the district's LCFF apportionment per unit of ADA for that fiscal year has not increased by at least two percent, to classified employees who are laid off due to lack of work or lack of funds

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: See AR 4217.3

Subject: District Statement of Reduction in Force to affected employees in accordance with a schedule of notice and hearing adopted by the Board

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4212.9
4312.9

Employee Notifications (continued)

When/Whom to Notify: To classified employees at least 60 days prior to layoff, or by April 29 if specially funded program that expires at end of school year

Education or Other Legal Code: Education Code 45117

Board Policy/Administrative Regulation #: See AR 4217.3

Subject: Notice of layoff and reemployment rights

When/Whom to Notify: To classified employees upon employment and classification change

Education or Other Legal Code: Education Code 45169

Board Policy/Administrative Regulation #: See AR 4212

Subject: Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek

When/Whom to Notify: To classified permanent employee whose leave is exhausted

Education or Other Legal Code: Education Code 45192, 45195

Board Policy/Administrative Regulation #: See AR 4261.1, See AR 4261.11

Subject: Exhaustion of leave, opportunity to request additional leave

When/Whom to Notify: To school bus drivers and school activity bus drivers prior to expiration of specified documents

Education or Other Legal Code: 13 CCR 1234

Board Policy/Administrative Regulation #: See AR 3542

Subject: Expiration date of driver's license, driver's and/or medical certificate; need to renew

When/Whom to Notify: To school bus drivers and school activity bus drivers upon employment and at least once per year thereafter

Education or Other Legal Code: 13 CCR 2480

Board Policy/Administrative Regulation #: See AR 3542

Subject: Limitations on vehicle idling; consequences of not complying

When/Whom to Notify: To school bus drivers, prior to district drug testing program and thereafter upon employment

Education or Other Legal Code: 49 CFR 382.113, 382.601

Board Policy/Administrative Regulation #: See BP 4112.42/4212.42/4312.42

Subject: Explanation of federal requirements for drug testing program and district's policy

When/Whom to Notify: To school bus drivers, prior to operating a school bus

Education or Other Legal Code: 49 CFR 382.303

Board Policy/Administrative Regulation #: See BP 4112.42/4212.42/4312.42

Subject: Post accident information, procedures, and instruction

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Employee Notifications (continued)

To Administrative/Supervisory Personnel

When/Whom to Notify: To deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract

Education or Other Legal Code: Education Code 35031

Board Policy/Administrative Regulation #: See BP 4312.1

Subject: Decision not to reelect or reemploy upon expiration of contract or term

When/Whom to Notify: Upon request by administrative or supervisory employee transferred to teaching position

Education or Other Legal Code: Education Code 44896

Board Policy/Administrative Regulation #: See AR 4313.2

Subject: Statement of the reasons for the release or reassignment

When/Whom to Notify: By March 15 to employee who may be released/reassigned the following school year

Education or Other Legal Code: Education Code 44951

Board Policy/Administrative Regulation #: See AR 4313.2

Subject: Notice that employee may be released or reassigned the following school year

To Individual Employees Under Special Circumstances

When/Whom to Notify: Upon breach of security of district records to affected employees

Education or Other Legal Code: Civil Code 1798.29

Board Policy/Administrative Regulation #: See BP 3580

Subject: Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies

When/Whom to Notify: Prior to placing derogatory information in personnel file

Education or Other Legal Code: Education Code 44031

Board Policy/Administrative Regulation #: See AR 4112.6/4212.6/4312.6

Subject: Notice of derogatory information, opportunity to review and comment

When/Whom to Notify: To employees who volunteer to administer epinephrine auto-injector

Education or Other Legal Code: Education Code 49414

Board Policy/Administrative Regulation #: See AR 5141.21

Subject: Defense and indemnification from civil liability by the district

Employee Notifications (continued)

When/Whom to Notify: Within 30 days, to employees returning from military leave of absence
Education or Other Legal Code: Government Code 20997
Board Policy/Administrative Regulation #: See AR 4161.5/4261.5/4361.5
Subject: Right to receive PERS service credit for military service; application form

When/Whom to Notify: 24 hours before Board meets in closed session to hear complaints or charges against employee
Education or Other Legal Code: Government Code 54957
Board Policy/Administrative Regulation #: See BB 9321
Subject: Employee's right to have complaints/charges heard in open session

When/Whom to Notify: When taking disciplinary action against employee for disclosure of confidential information
Education or Other Legal Code: Government Code 54963
Board Policy/Administrative Regulation #: See BP 4119.23/4219.23/4319.23
Subject: Law prohibiting disclosure of confidential information obtained in closed session

When/Whom to Notify: When documents identifying employee who is victim of domestic violence is disclosed
Education or Other Legal Code: Labor Code 230
Board Policy/Administrative Regulation #: See AR 4158/4258/4358
Subject: Accommodations and leave for victims of domestic violence

When/Whom to Notify: Within one working day of work-related injury or crime victimization
Education or Other Legal Code: Labor Code 3553, 5401
Board Policy/Administrative Regulation #: See BP 4157.1/4257.1/4357.1
Subject: Potential eligibility for workers' compensation benefits, claim form

When/Whom to Notify: When adverse employment action is based on DOJ criminal history information or subsequent arrest notification
Education or Other Legal Code: Penal Code 11105, 11105.2
Board Policy/Administrative Regulation #: See AR 4112.5/4212.5/4312.5
Subject: Copy of DOJ notification

When/Whom to Notify: To any employee with exposure to blood or potentially infectious materials, upon initial employment and at least annually thereafter
Education or Other Legal Code: 8 CCR 3204, 5193
Board Policy/Administrative Regulation #: See AR 4119.42/4219.42/4319.42
Subject: The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records

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Employee Notifications (continued)

When/Whom to Notify: To any employee assigned to a work area where hazardous chemical are present, upon initial assignment and upon new exposure situation

Education or Other Legal Code: 8 CCR 5191

Board Policy/Administrative Regulation #: See AR 3514.1

Subject: Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material

When/Whom to Notify: To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area

Education or Other Legal Code: 8 CCR 5194

Board Policy/Administrative Regulation #: See AR 3514.1

Subject: Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights

When/Whom to Notify: To employee eligible for military leave

Education or Other Legal Code: 38 USC 4334

Board Policy/Administrative Regulation #: See AR 4161.5/4261.5/4361.5

Subject: Notice of rights, benefits, and obligations under military leave

When/Whom to Notify: Within five days of employee's request for family care and medical leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave

Education or Other Legal Code: 29 CFR 825.300; 2 CCR 11049, 11091

Board Policy/Administrative Regulation #: See AR 4161.8/4261.8/4361.8

Subject: Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice

When/Whom to Notify: Whenever notice of eligibility for FMLA is provided to employee

Education or Other Legal Code: 29 CFR 825.300

Board Policy/Administrative Regulation #: See AR 4161.8/4261.8/4361.8

Subject: Rights and responsibilities; consequences of failure to meet obligations

Policy

adopted: 01/22/2013

Revised: 10/08/2013; 05/23/2017; 06/23/2020

Revised: 06/22/2021

WEST COVINA UNIFIED SCHOOL DISTRICT

West Covina, California

ADMISSION

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulations.

All appropriate staff shall receive training on district admission policies and procedures, including information regarding the types of documentation that can and cannot be requested.

~~The district's enrollment application shall include information about the health care options and enrollment assistance available to families within the district.~~ The district shall not discriminate against any child for not having health care coverage and shall not use any information relating to a child's health care coverage or his/her interest in learning about health care coverage in any manner that would harm the child or his/her family. (Education Code 49452.9)

Verification of Admission Eligibility

Before enrolling any child in a district school, the Superintendent or designee shall verify the child's age, residency within the district, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

The district shall not inquire into or request documentation of a student's social security number or the last four digits of the social security number or the citizenship or immigration status of the student or his/her family members. (Education Code 234.7, 49076.7)

However, such information may be collected when required by state or federal law or to comply with requirements for special state or federal programs. In any such situation, the information shall be collected separately from the school enrollment process and the Superintendent or designee shall explain the limited purpose for which the information is collected. Enrollment in a district school shall not be denied on the basis of any such information of the student or his/her parents/guardians obtained by the district, or the student's or parent/guardian's refusal to provide such information to the district.

Admission (continued)

School registration information shall list all possible means of documenting a child's age for grades K-1 as authorized by Education Code 48002 or otherwise prescribed by the Board. Any alternative document allowed by the district shall be one that all persons can obtain regardless of immigration status, citizenship status, or national origin and shall not reveal information related to citizenship or immigrant status.

The Superintendent or designee shall immediately enroll a homeless student, foster youth, student who has had contact with the juvenile justice system, or a child of a military family regardless of outstanding fees or fines owed to the student's last school, lack of clothing normally required by the school, such as school uniforms, or his/her inability to produce previous academic, medical, or other records normally required for enrollment. (Education Code 48645.5, 48850, 48852.7, 48853.5, 49701; 42 USC 11432)

When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the timelines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for inter-district attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

Legal Reference (see next page):

Admission (continued)

Legal Reference:

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status
46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten
46600 Agreements for admission of students desiring inter-district attendance
48000 Minimum age of admission (kindergarten)
48002 Evidence of minimum age required to enter kindergarten or first grade
48010 Minimum age of admission (first grade)
48011 Admission from kindergarten or other school; minimum age
48050-48053 Nonresidents
48200 Children between ages of 6 and 18 years (compulsory full-time education)
48350-48361 Open Enrollment Act
48645.5 Enrollment of former juvenile court school students
48850-48859 Educational placement of homeless and foster youth
49076 Access to records by persons without written consent or under judicial order
49076.7 Student records; data privacy/ social security numbers
49408 Information of use in emergencies
49452.9 Health care coverage options and enrollment assistance
49700-49703 Education of children of military families

HEALTH & SAFETY CODE

120325-120380 Education and child care facility immunization requirements
121475-121520 Tuberculosis tests for students

CODE OF REGULATIONS, TITLE 5

200 Promotion from kindergarten to first grade
201 Admission to high school

CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements

UNITED STATES CODE, TITLE 5

552a Note Refusal to disclose social security number

UNITED STATES CODE, TITLE 42

11431-11435 McKinney Homeless Assistance Act

Policy

adopted: 12/10/1991

Revised: 06/12/2012; 06/28/2016

Revised: 06/26/2018

WEST COVINA UNIFIED SCHOOL DISTRICT

West Covina, California

ADMISSION**Age of Admittance to Transitional Kindergarten, Kindergarten and First Grade**

At the beginning of each school year, the Superintendent or designee shall enroll any ~~otherwise eligible child who will have his/her fifth or sixth birthday on or before September 1 of that year into kindergarten or first grade,~~ eligible child whose fifth or sixth birthday is on or before September 1 of that year into kindergarten or first grade, as applicable. (Education Code 48000, 48010)

Admission into transitional kindergarten shall be in accordance with law and as specified in BP 6170.1 – Transitional Kindergarten. (Education Code 48000)

~~Any child who will have his/her fifth birthday from September 2 through December 2 of the school year shall be offered a transitional kindergarten (TK) program in accordance with law and Board policy. (Education Code 48000)~~

On a case-by-case basis, a child who will turn five years old in a given school year may be enrolled in kindergarten ~~or TK~~ at any time during that school year with the approval of the child's parent/guardian, provided that: (Education Code 48000)

1. The Governing Board determines that the admittance is in the best interests of the child.
2. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

The Superintendent or designee shall make a recommendation to the Board regarding whether a child should be granted early entry to kindergarten, as appropriate. In doing so, the Superintendent or designee shall consider various factors including the availability of classroom space and any negotiated maximum class size.

Documentation of Age/Grade

Prior to the admission of a child to kindergarten or first grade, the parent/guardian shall present proof of the child's age. (Education Code 48002)

Admission (continued)

Evidence of the child's age may include: (Education Code 48002)

1. A certified copy of a birth certificate or a statement by the local registrar or county recorder certifying the date of birth
2. A duly attested baptism certificate
3. A passport
4. When none of the above documents is obtainable, an affidavit of the parent/guardian
5. Other means prescribed by the Board

Regulation

approved: 12/10/1991

Revised: 02/28/1995; 06/12/2012

Revised: 06/28/2016; 06/26/2018

WEST COVINA UNIFIED SCHOOL DISTRICT

West Covina, California

ABSENCES AND EXCUSES

Average Daily Attendance (ADA) is received only for those days when a student is present in class.

The following guidelines shall be used to determine whether a student's absence is excused and the student will be allowed to make up work missed:

Excused Absence (Make-up work will be given)

1. A student's absence shall be excused legally for the following reasons (Education Code 48205):
 - a. Personal illness, including absence for the benefit of the student's mental or behavioral health (Education Code 48205)
 - b. Quarantine under the direction of a county or city health officer (Education Code 48205)
 - c. Medical, dental, optometric, or chiropractic appointments (Education Code 48205)
 - d. Attendance at funeral services for a member of the immediate family (Education Code 48205)
 - 1 Excused absence in this instance shall be limited to one day if the service is conducted in California or three days if the service is conducted out-of-state.
 - 2 Immediate family shall be defined as the student's parent/guardian, brother or sister, grandparent, or any other relative living in the student's household. (Education Code 48205)
 - e. Exclusion from school attendance by District action, including but not limited to, in and/or out of school suspension or failure to present evidence of immunization.
 - f. Jury duty in the manner provided by law (Education Code 48205)
 - g. The illness or medical appointment of a child to whom the student is the custodial parent (Education Code 48205)
 - h. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)

Absences and Excuses (continued)

- i. To spend time with his/her immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)

Such absence shall be granted for a period of time to be determined at the discretion of the Superintendent or designee. (Education Code 48205)

- j. To attend his/her naturalization ceremony to become a United States citizen (Education Code 48205)
- k. Participation in a cultural ceremony or event which relates to the habits, practices, beliefs, and traditions of a certain group of people (Education Code 48205)
- l. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy, subject to the following conditions: (Education Code 46014)
 1. The student's parent/guardian shall provide written consent for the absence.
 2. The student shall attend at least the minimum school day.
 3. The student shall be excused from school for this purpose on no more than four days per school month.

Absence for student participation in religious exercises or instruction shall not be considered an absence for the purpose of computing average daily attendance if the student attends at least the minimum school day as specified in AR 6112 – School Day, and is not excused from school for this purpose on more than four days per school month. (Education Code 46014)

2. Upon written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to (Education Code 48205):
 - a. Appearance in court.
 - b. Attendance at a funeral service.
 - c. Observation of a holiday, ceremony, or retreat of his/her religion.
 - d. Attendance at religious retreats for no more than four hours per semester.
 - e. Employment interview or conference.

Absences and Excuses (continued)

- f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process.
- g. Work in the entertainment or allied industry (Education Code 48225.5)

Such absence shall be excused provided that the student holds a work permit authorizing such work and is absent for a period of not more than five consecutive days and up to five absences per school year. (Education Code 48225.5)

- h. Participation with a nonprofit performing arts organization in a performance for a public school audience (Education Code 48225.5)

A student may be excused for up to five such absences per school year provided that the student's parent/guardian provides a written explanation of such absence to the school. (Education Code 48225.5)

- i. Other reasons requested in writing by the parent/guardian and considered legitimate by the principal or designee.

Absences described in #2 above shall have prior approval of the principal or designee. When students contemplate absence for reasons listed above, their parents/guardians should write the principal to ask that the expected absence be excused. The request will be considered and approved or disapproved. If the request is denied, reasons will be given.

A request from a parent/guardian that a student's absence be excused shall not be granted if the principal or designee believes that such approval would be educationally harmful to the student or set a poor example in matters of school attendance for the student or other students.

Method of Verification

Student absence to care for a child for whom the student is the custodial parent shall not require a physician's note. (Education Code 48205)

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

Absences and Excuses (continued)

When an absence is planned, the principal or designee shall be notified prior to the date of the absence when possible.

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - Name of student
 - Name of parent/guardian or parent representative
 - Name of verifying employee
 - Date(s) of absence
 - Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification
 - When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
 - If a student shows a pattern of chronic absenteeism due to illness, district staff may require physician verification of any further student absences.

Parental Notifications

At the beginning of each school year, the Superintendent or designee shall:

1. Notify parents/guardians of the right to excuse a student from school in order to participate in religious exercises or to receive moral and religious instruction at their places of worship, or at other suitable places away from school property designated by a religious group, church, or denomination (Education Code 46014, 48980)
2. Notify students in grades 7-12 and the parents/guardians of all students that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian (Education 46010.1)

Absences and Excuses (continued)

3. Notify parents/guardians that a student shall not have his/her grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time, and include the full text of Education Code 48205 in the notice (Education Code 48980)

Unexcused/Truancy

The Director of Pupil Services or designee, a peace officer, or a school administrator or designee may assume temporary custody, during school hours, of any minor student found away from his/her home who is absent from school without a valid excuse. Any person so assuming temporary custody shall deliver the student to the appropriate school and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264)

Upon receiving a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341, the Governing Board or Director of Pupil Services or designee shall make a full and impartial investigation of all charges. If it appears upon investigation that the parent/guardian has violated these laws, the Superintendent or designee shall refer such parent/guardian to the school attendance review board. (Education Code 48290, 48291, 48292)

1. Students absent without a valid excuse for more than three school days or more than 30 minutes tardy on more than three school days in one school year shall be classified as a truant. Each time a student is truant from school, an appropriate district staff member at the school site shall make every effort to hold at least one conference with the student and parent/guardian. Students reported, as truant more than three school days in one school year shall be classified as habitually truant only if such a conference was attempted. The student then may be referred to the SART and eventually to SARB if no change occurs. (Education Code 48262) Such students shall be reported to the principal or designee (Education Code 48260)

The parent/guardian of a student classified, as a truant shall be notified of the following: (Education Code 48260.5)

- a. The student is truant.
- b. The parent/guardian is obligated to compel the student to attend school.
- c. The parent/guardian who fails to meet this obligation may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48260 et seq.

Absences and Excuses (continued)

- d. The parent/guardian has the right to meet with appropriate school personnel to discuss the solution to the student's truancy. This occurs through the Student Attendance Review Team (SART).
 - e. Alternative educational programs are available in the district.
 - f. The student may be subject to arrest by a probation officer, a peace officer, a school administrator, an attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse.
 - g. The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
 - h. It may be recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.
2. Any student who has been reported and classified as truant and who is absent from school without a valid excuse for one or more days or more than 30 minutes tardy on one or more days after such classification shall be reported to Pupil Services. The parent/guardian will be notified again and advised that further unexcused absences or trancies may result in a referral to the School Attendance Review Board. (SARB) (Education Code 48261)

The SART shall consider making use of all available school and district resources, practical program adjustments, alternative education programs and community agency services in order to achieve regular student attendance. Such resources and adjustments may include:

- a. Program changes.
- b. Referral of family to community agency.
- c. Referral to school psychologist.
- d. Conferences with parent/guardian, student and staff.
- e. Modified day.
- f. Vocationally related programs
 - 1. Work-experience education.
 - 2. Regional Occupational Program

Absences and Excuses (continued)

- g. Alternative education.
 - 1. Independent Study
 - 2. Opportunity Program
 - 3. Continuation High School
 - h. Referral for health checkup, medical examination.
3. Upon his/her first truancy, a student may be given a written warning by a peace officer. A record of this warning may be kept at school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)
 4. Upon a student's first truancy, the student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
 5. Upon his/her second truancy within the same school year, a student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to further disciplinary action as described in item #7 below. (Education Code 48264.5)
 6. Upon his/her third truancy within the same school year, a student may be classified as a habitual truant. (Education Code 48262, 48264.5)
 7. Students who are habitual truants, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's attendance supervisor. (Education Code 48263, 48264.5)
 8. Upon making a referral to a school attendance review board, the Superintendent or designee shall provide the student and parent/guardian, in writing, the name and address of the school attendance review board and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the school attendance review board to consider a proper disposition of the referral. (Education Code 48263)

Absences and Excuses (continued)

9. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #10 below. (Education Code 48264.5)
10. Upon his/her fourth truancy within the same school year, the student may be referred to the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)
11. If a student has been judged by the county juvenile court to be a habitual truant, the Superintendent or designee shall inform the juvenile court and the student's probation or parole officer whenever that student is truant one or more days or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be so notified within 10 days of the violation. (Education Code 48267)

Truancy and Excessive Absence Reporting Forms

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263 and 48291. (Education Code 48263.6)

Absences and Excuses (continued)

The following reporting procedure shall be followed to report trancies/excessive absences.

1. When a student is truant or excessively absent from school, contacts should be recorded on the district's student information system.
2. Parents shall be notified in writing of the absences and/or trancies and a conference at the school requested.
3. A Student Study Team shall be convened if the trancies or excessive absences continue. Interventions and follow-up procedures shall be documented.
4. Parents shall be notified by letter from the school site mailed to the parent when the student is excessively absent or truant. When a student receives Excessive Absence Letter 3 or Trancy Letter 3, the school site will inform Pupil Services and request a SART Conference for the student, using the SART Referral Form. Any additional absences without a valid excuse after the SART Conference shall result in the school requesting, using the SARB Referral Form, a SARB Hearing for the student.
5. Schools shall consider excused absences greater than 20% over a period of two months and for which there is no verified major illness as excessive. (Approximately 10 days per school year.)
6. The Superintendent or designee shall annually gather and transmit to the County Superintendent of Schools the number of referrals and types of referrals made to the school attendance review board and the number of requests for petitions made to the juvenile court. (Education Code 48273)

Special Education

Special Education students will have an IEP meeting prior to a SART meeting or SARB hearing to determine if their excessive absences or trancies are part of their handicapping condition. If the absences/trancies are part of their handicapping condition, then a Behavior Intervention Plan or additional services/interventions, if appropriate, will be written and/or established to address their needs. If the absences/trancies are not part of their handicapping condition, then they will follow the process used for regular students.

Regulation

approved: 12/10/1991

Revised: 04/1/1999, 04/24/2001, 10/22/2002

Revised: 12/2010, 02/2011, 01/2012; 05/27/2014

Revised: 05/23/2017; 02/12/2019

WEST COVINA UNIFIED SCHOOL DISTRICT

West Covina, California

DRESS AND GROOMING STANDARDS CODE

In cooperation with teachers, students, and parents/guardians, the principal or designee may establish school rules governing student dress and grooming which are consistent with law, Board policy, and administrative regulations. These school dress code shall be regularly reviewed.

The ~~Board of Education declares that the~~ following guidelines apply to all students who attend school and regular school activities; ~~in the West Covina Unified School District.~~

1. ~~Attire as currently defined or designated as a group (Gang or Tagger) by the West Covina Police Department or School Administration is not permitted. As necessary, the school shall collaborate with the West Covina Police Department to update definitions of gang-related apparel and shall limit this definition to apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus. (Education Code 32282)~~ Clothing, jewelry, and personal items shall be free of writing, pictures, or any other insignia which is vulgar, lewd, obscene, profane, or which promotes the use of alcohol, drugs, tobacco, weapons, or other illegal activity.
2. ~~No undergarments shall be showing. Attire that is sexually suggestive or excessively brief, low cut, or revealing is not allowed. Examples: Clothing that is too tight (spandex, bare midriff, see-through tops). Safe and appropriate shoes must be worn at all times.~~
3. ~~Clothing, hats/caps, jewelry and personal items (backpacks, fanny packs, gym bags, water bottles, etc.) shall be free of writing, pictures, or any other insignia which are vulgar, lewd, obscene, profane or sexually suggestive, which bear drug, alcohol or tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic, or religious prejudice or any illegal activity. Clothes shall be sufficient to conceal undergarments. See-through tops and bare abdomens are prohibited.~~
4. ~~Bandanas, hairnets, shower caps, and "Do Rags" are prohibited. Hats/caps with bills or brims shall be worn with the bill or brim facing forward on the head. Hats, caps, and other head coverings shall not be required to bear the school insignia and shall not be worn indoors.~~
5. ~~Shoes or regular sandals must be worn at all times. Thong type sandals without a back strap are not acceptable. The type of shoe must be hygienic, safely protect the foot, and be appropriate during the activities the student engages in throughout the school day. For hygienic reasons, socks with shoes or tennis shoes are recommended.~~

Dress and Grooming Standards Code (continued)

- ~~6. Jewelry and accessories shall not be worn which have the potential to be dangerous or can be used as a weapon or to indicate group (Gang, Tagger) affiliations. (Examples: chains, wrist bands with studs, bandanas).~~
- ~~7. Pants, shorts, skirts, and skorts will be worn at the waist, above the hip, and fit sufficiently so that a belt is not needed. Overalls must fit and the sides and straps need to be fastened. For safety reasons, outerwear such as jackets and sweaters must not be oversized.~~
- ~~8. PE type clothing such as sweats are appropriate for PE but not necessarily for regular school attire. Team warm up outfits are acceptable on game and spirit days.~~
- ~~9. Staff shall apply the dress standards consistently and equally to all students.~~

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee. In addition, the principal or designee may impose dress requirements to accommodate the needs of special school activities, physical education classes, athletic activities, and other extracurricular and cocurricular activities.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

Students shall be allowed to wear sun-protective clothing, including but not limited to hats, for outdoor use during the school day. (Education Code 35183.5)

Gang-Related Apparel

Apparel that reasonably could be determined to threaten the health and safety of the school environment if it were worn or displayed on a school campus is prohibited. (Education Code 32282)

Uniforms

In schools that require a schoolwide uniform, the principal, staff, and parents/guardians of the school shall jointly select the specific uniform to be worn. (Education Code 35182)

At least six months before a school uniform policy is implemented, the principal or designee shall notify parents/guardians of this policy. (Education Code 35183)

Dress and Grooming Standards Code (continued)

Parents/guardians and students are expected to follow the school "uniform" dress policy. There are a wide variety of reasons why wearing a uniform is beneficial for parents/guardians, students, and schools. (Education Code 35183)

Parents/guardians shall be informed of their right to have their child exempted.

The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting. (Education Code 35183)

~~The legislature expressed a number of concerns and beliefs as codified in Education Code 35183:~~

- ~~1. The children of this state have the right to an effective public school education. Both students and staff on all campuses have a constitutional right to be safe and secure in their persons at school. However, children in many of our schools are forced to focus on violence and the messages of violence contained in many aspects of our society, particularly reflected in gang regalia that disrupts the learning environment.~~
- ~~2. "Gang related apparel" is hazardous to the health and safety of the school environment.~~
- ~~3. Instructing teachers, administrators, and students on the subtleties of identifying constantly changing gang regalia and gang affiliation takes an increasing amount of time away from educating our children.~~
- ~~4. Weapons, including firearms and knives, have become common place upon even our elementary school campuses. Students often conceal weapons by wearing clothing, such as jumpsuits and overcoats, and by carrying large bags.~~
- ~~5. The adoption of a school wide uniform policy is a reasonable way to provide some protection for students. A required uniform may protect students from being associated with any particular gang. Moreover, by requiring school wide uniforms teachers and administrators may not need to occupy as much of their time learning the subtleties of gang regalia.~~
- ~~6. To control the environment in the public schools to facilitate and maintain an effective learning environment and to keep the focus of the classroom on learning and not personal safety, schools need the authorization to implement uniform clothing requirements for our public school children.~~

Dress and Grooming Standards Code (continued)

~~7. Many educators believe that school dress significantly influences pupil behavior. This influence is evident on school dress-up days and color days. Schools that have adopted school uniforms experience a "coming-together feeling," greater school pride, and better behavior in and out of the classroom.~~

~~The Governing Board may adopt or rescind a reasonable dress code policy that requires pupils to wear a school-wide uniform or prohibits pupils from wearing "gang-related" apparel or clothing that is disruptive to the learning environment.~~

~~Enforcement of a reasonable dress code is not a violation of the right of free speech.*~~

~~If a school uniform policy is established, it must comply with all restrictions and the right to opt out of the uniform policy as established in Education Code 35183.~~

~~If it is recognized that there will be some items of clothing that may be acceptable at the high school level that are not at the middle school or elementary levels. Specifies in each school's dress code may vary for that reason.~~

~~Violations of the dress code, resulting in a safety, health, or educational disruption problem will be addressed on an individual basis.~~

* *Adoption and enforcement of a reasonable dress code policy is not a violation of Section 48950 of the Education Code, which discusses Free Speech. School districts operating one or more high schools ...shall not make or endorse any rule subjecting any high school pupil to disciplinary sanctions solely on the basis of conduct that is speech or other communication that, when engaged in outside of the campus, is protected from governmental restriction by the First Amendment to the United States Constitution or Section 2 of Article 1 of the California Constitution. (In *Jeglin v. San Jacinto Unified School District*, the standard or test to be used, was that the school needed to demonstrate that the wearing of the particular clothing would have reasonably caused substantial disruption of, or material interference with, school activities.) Free speech rights are subject to reasonable time, place, and manner restrictions.*

Legal Reference:

EDUCATION CODE

32281 School Safety Plans

35183 School dress codes; uniforms

35183.5 Sun-protective clothing

48907 Student exercise of free expression

CODE OF REGULATIONS, TITLE 5

302 Pupils to be neat and clean on entering school

COURT DECISIONS

Marvin H. Jeglin et al v. San Jacinto Unified School District et al, (C.D. Cal. 1993) 827 F.Supp. 1459

Arcadia Unified School District v. California Department of Education, (1992) 2 Cal. 4th 251

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Regulation

approved: 04/24/2001

Revised: 03/26/2002; 10/08/2013; 09/24/2019

WEST COVINA UNIFIED SCHOOL DISTRICT

West Covina, California

SAFETY

In order to maintain a safe school environment for all students, it is occasionally necessary for the employees of the school district to use reasonable and necessary force and to utilize specific tools to do their job.

Definitions:

Force - Where the individual feels that their liberty or freedom of movement has been restricted.

Necessary Force- Amount of reasonable force necessary to affect the lawful purpose intended,

Reasonable - Taking into consideration a comparison of both individuals as to size, weight, age, gender, and training.

Lawful - Every teacher in the public schools shall hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess. A teacher, assistant principal, principal, or any other certificated employee of a school district shall not be subject to criminal prosecution or criminal penalties for the exercise during the performance of his duties, of the same degree of physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils or to maintain proper and appropriate conditions conducive to learning. The provisions of this section are in addition to and do not supersede the provisions of Section 49000 of the Education Code - Education Code 44807.

Corporal Punishment - The willful infliction of, or willfully causing the infliction of, physical pain on a pupil.

Educators must occasionally use Reasonable and Necessary force to affect the lawful purpose intended, which is the maintenance of a safe learning environment for all students. Force, as used in this context, is not to be confused with the infliction of Corporal Punishment.

It has been determined that the amount of force that is reasonable and necessary for a person employed by or engaged in a public school to quell a disturbance threatening the physical injury to persons or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the pupil, is not and shall not be construed to be corporal punishment [Education Code 49000 and 49001].

All students are to comply with the regulations, pursue the required course of study, and submit to the authority of the teachers of the school [Education Code 48908]. Therefore, when students are ordered to disperse by a teacher, administrator, security, or other school personnel in authority, they must do so or face disciplinary action.

Safety (continued)

After any altercation in which an employee has had to use reasonable and necessary force, a written report should be made and submitted to the Principal of the school and forwarded to the Personnel Office.

Specific Tools to maintain a safe school environment

1. Digital cameras are used for, but not limited to, the following: to take pictures of students when there is no picture on their ID, to record instances of vandalism/graffiti, and to record campus visitors who are found to be trespassers to the school.
2. Metal detecting wands are used primarily when there is a rumor of, or probable cause that a student may have in their possession a weapon. In addition, it may be used to randomly check for weapons during a regular school day or at games. A witness or member of the police department shall be present when the wand is used. At all times when this equipment is used in an extensive manner, special care must be used to insure that no specific gender, race, or group are singled out for attention and spot checks are clearly random in nature. Personnel, who use these wands, must be trained by the West Covina Police Dept. in the proper methods of use.
3. Surveillance cameras are to be used for, but not limited to, the following: graffiti, trespassing, damage to school property, and theft. Notice will be posted that surveillance cameras are in use except when being used to gather evidence for a criminal investigation.
4. The use of police-trained dogs at school to check for drugs can be an effective deterrent for drugs at school. However, at no time are students to be sniffed by the dogs. Lockers, which are the property of the school district and only on loan to students, may be checked manually or by dogs at any time without notice. Classrooms may be checked randomly without notice as well as the backpacks or other types of student belongings in the classroom.

Annually, staff will be trained on the proper method(s) to use to break up fights and maintain peaceful and safe schools. This training will include, but is not limited to, the use of security technology. Staff will use judiciously all methods of maintaining peaceful and safe schools.

Releasing Students During School Hours

After children have arrived at school and are under school jurisdiction:

Safety (continued)

1. No child may be released to go home or to go outside the school to be picked up by an adult because of a telephone call request for such release unless the person calling is well known by the school recipient of the call.
2. When an adult comes to the school and asks to see a child, unless the adult is well known to authorized school personnel and known to be the parent/guardian of the child, have such adult wait in the office and have the child come to the office. Unless you can be satisfied that the adult is who he/she says he/she is and has a legal right to take the child, do not release the child. This may cause some unpleasantness, but not nearly as much as may result by releasing a child to an unauthorized person.
3. Teachers are not authorized to release children to adults who may come to the classroom or to the playground without office clearance.
4. In cases when the adults are well known to authorized school personnel and there is full knowledge of the facts and circumstances surrounding the request, exceptions can be made at the discretion of the principal.
5. It is better to be criticized for being too careful rather than too lax.
6. In grades 9-12, a student may be released to travel on their own to medical or other legitimate appointments so long as the student has a parent or guardian release note and the appointment is verified by school staff with the parent or the place of appointment. An injured or ill student will be released only to an adult listed on the emergency information card and no one else. In no case will an injured or ill student be released on their own.

Teachers are responsible for the safety of students on the playground and within the building. Each teacher must be with his/her class on the playground and in the classroom at all times or must make sure that some other certificated person is in charge. The following guidelines are, therefore, provided to minimize the occurrence of situations in which staff members may incur liability for their acts and relation to students:

1. Never leave class unattended while students are in room.
2. Never leave class with an unqualified person in charge.
3. Accompany a class wherever it is assigned and remain with it until supervision is assumed by another responsible person.
4. Do not use machinery except for the instructional purpose it was provided.

Safety (continued)

5. Do not allow students who are especially prone to accident to use dangerous equipment.
6. Organize classroom materials and equipment so as to minimize danger of injury to students and to self.
7. Exercise good judgment when assigning tasks to children to prevent bodily harm and damage to property.
8. Remain with students at all times during a disaster. Leave them for other duties only if relieved by another responsible adult.
9. Check students out after a disaster to a family member who is listed on the emergency card. Follow the directions in the School Safety Plan.
10. For all other questions in the event of a disaster, Board Policies and Administrative Regulations 3516, 3516.1, 3516.2, 3516.3 as well as site plans and the Standardized Emergency Management System (SEMS) Plan shall be followed.

Students who operate or ride as a passenger on a bicycle, non-motorized scooter or skateboard upon a street, bikeway or any other public bicycle path or trail shall wear a properly fitted and fastened bicycle helmet that meets the standards of law. Students also shall be required to wear such helmets while wearing in-line or roller skates. (Vehicle Code 21212)

To ensure the safety of all students, staff shall exercise extreme care and diligence in selecting students as monitors and/or leaders during school-sponsored activities. Staff shall prohibit students from serving as monitors and/or leaders after official notification of the student's conviction for any felony or misdemeanor involving gambling, alcohol, drugs, tobacco, weapons, assault, battery, larceny, vandalism, graffiti, or sex offense. Student monitors and/or leaders shall have demonstrated positive citizenship and behavior.

Sun Safety

The Superintendent or designee shall recommend appropriate practices to protect students from overexposure to ultraviolet radiation.

Students shall be allowed to use sunscreen during the school day without a physician's note or prescription. (Education Code 35183.5)

Safety (continued)**Supervision of Students**

Teachers shall be present at their respective rooms and shall open them to admit students not less than 30 minutes before the time that school starts. (5 CCR 5570)

Every teacher shall hold students accountable for their conduct on the way to and from school, on the playgrounds, and during recess. (Education Code 44807)

The principal or designee shall require all individuals supervising students to remain alert for unauthorized persons and dangerous conditions, promptly report any such observations to the principal or designee, and file a written report as appropriate.

Playground Safety

Any new playground or any replacement of equipment or modification of components inside an existing playground shall conform to standards set forth by the American Society for Testing and Materials and the guidelines set forth by the U.S. Consumer Product Safety Commission. The Superintendent or designee shall have a playground safety inspector certified by the National Playground Safety Institute conduct an initial inspection to aid compliance with applicable safety standards. (Health and Safety Code 115725)

Activities with Safety Risks

Due to concerns about the risk to student safety, the principal or designee shall not permit the following activities on campus or during school-sponsored events unless the activity is properly supervised, students wear protective gear as appropriate, and each participant has insurance coverage:

1. Trampolining
2. Scuba diving
3. Skateboarding or use of scooters
4. In-line or roller skating or use of skate shoes
5. Sailing, boating, or water skiing
6. Cross-country or downhill skiing
7. Motorcycling

Safety (continued)

8. Target shooting
9. Horseback riding
10. Rodeo
11. Archery
12. Mountain bicycling
13. Rock climbing
14. Rocketeering
15. Surfing
16. Other activities determined by the principal to have a high risk to student safety

Students who operate or ride as a passenger on a bicycle, nonmotorized scooter, or skateboard, or wear in-line or roller skates, upon a street, bikeway, or any other public bicycle path or trail shall wear a properly fitted and fastened bicycle helmet.

Events In or Around a Swimming Pool

When any on-campus event that is not part of an interscholastic athletic program is sponsored or hosted by the district and is to be held in or around a swimming pool, at least one adult with a valid certification of cardiopulmonary resuscitation training shall be present throughout the duration of the event. (Education Code 35179.6)

Laboratory Safety

The principal of each school offering laboratory work shall develop procedures for laboratory safety and designate a trained certificated employee to implement and regularly review these procedures.

Students in a laboratory shall be under the supervision of a certificated employee. Students shall be taught laboratory safety, and safety guidelines and procedures shall be posted in science classrooms. Students shall receive continual reminders about general and specific hazards.

Hazardous materials shall be properly used, stored, and disposed of in accordance with law and the district's chemical hygiene plan.

Safety (continued)

Bloodborne pathogens shall be handled in accordance with the district's exposure control plan.

The district's emergency plan, emergency contact numbers, and first aid supplies shall be readily accessible.

Parents/guardians shall be made aware of the kinds of laboratory activities that will be conducted during the school year.

Regulation
approved: 12/10/1991
Revised: 05/23/2000; 06/2003
Revised: 08/2006; 02/11/2020

WEST COVINA UNIFIED SCHOOL DISTRICT
West Covina, California

PARENTAL NOTIFICATIONS

Note: This exhibit relates to notices which must be provided to parents/guardians. Pursuant to Education Code 48982, notifications which must be sent at the beginning of each academic year must include a request that the parent/guardian sign the notice and return it to the school.

Government Code 17581.5 releases districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2020 (SB 74, Ch. 6, Statutes of 2020) extends the suspension of these requirements through the 2020 – 2021 fiscal year. As a result, certain provisions of the following Exhibit related to scoliosis screening and bus safety instruction may be suspended.

Annually

When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 234.7
BP/AR #:	BP 0410
Subject:	Right to a free public year 234.7 education regardless of immigration status or religious beliefs
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 310
BP/AR#:	BP 6174; AR 6142.2
Subject:	Information on the district's language acquisition programs
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 17611.5, 17612, 48980.3
BP/AR:	AR 3514.2
Subject:	Use of pesticide product, active ingredients, Internet address to access information, and, if district uses certain pesticides, integrated pest management plan
When to Notify:	Annually by February 1
Education or Other Code:	Education Code 35256, 35258
BP/AR #:	BP 0510
Subject:	School Accountability Report Card provided
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 35291, 48980
BP/AR #:	AR 5144; AR 5144.1
Subject:	District and site discipline rules
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 44050
BP/AR #:	BP 4119.21, See BP 4219.21, See BP 4319.21
Subject:	Code of conduct addressing employee interactions with students

Parental Notifications (continued)

When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 46010.1
BP/AR #:	BP 5113
Subject:	Absence for confidential medical services
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48929, 48980
BP/AR#:	BP 5116.2
Subject:	District policy authorizing transfer
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980
BP/AR #:	BP 6111
Subject:	Schedule of minimum days and student-free staff development days
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 231.5; 5 CCR 4917
BP/AR #:	AR 5145.7
Subject:	Copy of sexual harassment policy as related to students, contact information Title IX coordinator
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 32255-32255.6
BP/AR #:	AR 5145.8
Subject:	Right to refrain from harmful or destructive use of animals
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 35160.5, 46600-46611, 48204, 48301, and 48350-48361
BP/AR #:	BP 5111.1; AR 5116.1; AR 5117
Subject:	All statutory attendance options, available local attendance options, options for meeting residency, form for changing attendance, appeals process
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 46014
BP/AR#:	BP/AR 5113
Subject:	Absence for religious exercise or purposes
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 48205
BP/AR #:	BP/AR 6154; AR 5113
Subject:	Excused absences; grade/credit cannot be reduced due to excused absence if work or test has been completed; full text of Education Code 48205

Parental Notifications (continued)

When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 48206.3, 48207, 48208
BP/AR #:	AR 6183
Subject:	Availability of home/hospital instruction for students with temporary disabilities
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 49403
BP/AR #:	
Subject:	School immunization program
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 49423, 49480
BP/AR #:	AR 5141.21
Subject:	Administration of prescribed medication
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 49451; 20 USC 1232h
BP/AR #:	AR 5141.3
Subject:	Right to refuse consent to physical examination
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 48980, 49471, 49472
BP/AR #:	BP 5143
Subject:	Availability of insurance
When to Notify:	Annually
Education or Other Code:	Education Code 49013; 5 CCR 4622
BP/AR #:	AR 1312.3
Subject:	Uniform complaint procedures, available appeals, civil law remedies
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 49063
BP/AR #:	AR 5125; AR 5125.3
Subject:	Challenge, review and expunging of records
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 49063, 49069; 20 USC 1232g; 34 CFR 99.7
BP/AR #:	AR 5125
Subject:	Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine legitimate educational interest, course prospectus availability

Parental Notifications (continued)

When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 49063, 49073; 20 USC 1232g; 34 CFR 99.37
BP/AR #:	AR 5125.1
Subject:	Release of directory information
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 49520, 48980; 42 USC 1758; 7 CFR 245.5
BP/AR #:	AR 3553
Subject:	Eligibility and application process for free and reduced price meals
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 51513, 20 USC 1232h
BP/AR #:	AR 5022; BP 6162.8
Subject:	Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities: inspection rights and procedures
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 56301
BP/AR #:	BP 6164.4
Subject:	Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment
When to Notify:	Beginning of each school year
Education or Other Code:	Education Code 58501, 48980
BP/AR #:	AR 6181
Subject:	Alternative schools
When to Notify:	Beginning of each school year
Education or Other Code:	Health and Safety Code 104855
BP/AR #:	AR 5141.6
Subject:	Availability of dental fluoride treatment; opportunity to accept or deny treatment
When/Whom to Notify:	Annually
Education or Other Code:	5 CCR 852; Education Code 60615
BP/AR #:	AR 6162.51
Subject:	Student's participation in state assessments; option to request exemption from testing
When to Notify:	Beginning of each school year, if district receives Title I funds
Education or Other Code:	20 USC 6312; 34 CFR 200.61
BP/AR #:	BP 4112.2; AR 4222
Subject:	Right to request information re: professional qualifications of child's teacher and paraprofessional

Parental Notifications (continued)

When to Notify: Beginning of each school year
 Education or Other Code: 34 CFR 104.8, 106.9
 BP/AR #: BP 0410; BP 6178
 Subject: Nondiscrimination

When to Notify: Beginning of each school year
 Education or Other Code: 40 CFR 763.84, 40 CFR 763.93
 BP/AR #: AR 3514
 Subject: Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress

When to Notify: Beginning of each school year
 Education or Other Code: USDA SP-23-2017
 BP/AR #: AR 3551
 Subject: District policy on meal payments

When to Notify: Upon a student's enrollment
Education or Other Code: Education Code
BP/AR #: AR 5125
Subject: Specified rights related to student records

At Specific Times During the Student's Academic Career

When to Notify: Beginning in grade 7, at least once prior to course selection and career counseling
 Education or Other Code: Education Code 221.5; 48980
 BP/AR #: BP 6164.2
 Subject: Course selection and career counseling

When to Notify: Upon a student's enrollment
 Education or Other Code: Education Code 310
 BP/AR #: BP 6174; AR 6142.2
 Subject: Information on the district's language acquisition programs

When to Notify: When child first enrolls in a public school, if the school offers a fingerprinting program
 Education or Other Code: Education Code 32390, 48980
 BP/AR #: AR 5142.1
 Subject: Fingerprinting program

When/Whom to Notify: When participating in District driver training courses
 Education or Other Code: Education Code 35211
 BP/AR #: None
 Subject: Civil liability, insurance coverage

Parental Notifications (continued)

When to Notify:	Upon registration in K-6, if students have not previously been transported
Education or Other Code:	Education Code 39831.5
BP/AR #:	AR 3543
Subject:	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
When to Notify:	Beginning of each school year for open campus high school students
Education or Other Code:	Education Code 44808.5, 48980
BP/AR #:	AR 5112.5
Subject:	Open campus
When to Notify:	Beginning of each school year in grades 9-12, if district allows career technical education (CTE) course to satisfy graduation requirement
Education or Other Code:	Education Code 48980, 51225.3
BP/AR #:	AR 6146.1
Subject:	How each high school graduation requirement does or does not satisfy college entrance a-g course criteria; list of districts CTE courses that satisfy a-g course criteria
When to Notify:	Upon a student's enrollment
Education or Other Code:	Education Code 49063
BP/AR #:	AR 5125; AR 5125.3
Subject:	Specified rights related to student records
When to Notify:	When students entering grade 7
Education or Other Code:	Education Code 49452.7
BP/AR #:	AR 5141.3
Subject:	Specified information on type 2 diabetes
When to Notify:	When in kindergarten, or first grade if not previously in public school
Education or Other Code:	Education Code 49452.8
BP/AR #:	AR 5141.32
Subject:	Requirement for oral health assessment, explanation of law, importance of oral health, agency contact, privacy rights
When to Notify:	Beginning of each school year for students in grades 9-12
Education or Other Code:	Education Code 51229, 48980
BP/AR #:	AR 6143
Subject:	College admission requirements, UC and CSU web sites that list certified courses, description of CTE, CDE Internet address, how students may meet with counselors

Parental Notifications (continued)

When to Notify:	Beginning of each school year for students in grades 7-12, or at time of enrollment if after beginning of year
Education or Other Code:	Education Code 51938, 48980
BP/AR #:	AR 6142.1
Subject:	Sexual health and HIV prevention education; right to view A/V materials, who's teaching, request specific Education Code sections, right to excuse
When to Notify:	Within 20 working days of results of standardized achievement tests or, if results not available in school year, within 20 working days of start of next school year
Education or Other Code:	Education Code 60641; 5 CCR 863
BP/AR #:	AR 6162.51
Subject:	Results of tests; test purpose, individual score and intended use
When/Whom to Notify:	By October 15 for students in grade 12
Education or Other Code:	Education Code 69432.9
BP/AR #:	AR 5121; AR 5125
Subject:	Forwarding of student's grade point average to Cal Grant program; timeline to opt out
When to Notify:	When child is enrolled or reenrolled in a licensed child care center or preschool
Education or Other Code:	Health and Safety Code 1596, 7996
BP/AR #:	AR 5148
Subject:	Information on risks and effects of lead exposure, blood lead testing
When to Notify:	When child is enrolled in kindergarten
Education or Other Code:	Health and Safety Code 124100, 124105
BP/AR #:	AR 5141.32
Subject:	Health screening examination
When to Notify:	To students in grades 11-12, early enough to enable registration for fall test
Education or Other Code:	5 CCR 11523
BP/AR #:	AR 6146.2
Subject:	Notice of proficiency examination provided under Education Code 48412
When to Notify:	To secondary students, if district receives Title I funds
Education or Other Code:	20 USC 7908
BP/AR #:	AR 5125.1
Subject:	Request that district not release name, address, phone number of child to military recruiters without prior written consent

Parental Notifications (continued)**When Special Circumstances Occur**

When to Notify: In the event of a breach of security of district records, to affected persons
 Education or Other Code: Civil Code 1798.29
 BP/AR #: BP 3580
 Subject: Types of records affected, date of breach, description of incident, contact information for credit reporting agencies

When to Notify: Upon receipt of a complaint alleging discrimination
 Education or Other Code: Education Code 262.3
 BP/AR #: AR 1312.3
 Subject: Civil law remedies available to complainants

When to Notify: When determining of an English learner should be reclassified as fluent English
 Education or Other Code: Education Code 313; 5 CCR 11303
 BP/AR #: AR 6174
 Subject: Description of reclassification process, opportunity for parent/guardian to participate

When to Notify: When Student is identified as English learner and district receives Title III Funds for English learner programs, not later than 30 days after beginning of school year or within two weeks of placement if identified during school year
 Education or Other Code: Education Code 440; 20 USC 7012
 BP/AR #: AR 6174
 Subject: Reason for classification, level of English proficiency, description of program(s), option to decline program or choose alternate, option to remove student from program at any time, exit requirements of program

When to Notify: Prior to implementing alternative schedule
Education or Other Code: Education Code 46162
BP/AR #: BP 5148.2
Subject: Public hearing on alternative schedule in secondary grades

When to Notify: When homeless or foster youth applies for enrollment in before/after school program
 Education or Other Code: Education Code 8483
 BP/AR #: AR 5148.2
 Subject: Right to priority enrollment; how to requests priority enrollment

Parental Notifications (continued)

When to Notify:	Before high school student attends secondary program on a university campus
Education or Other Code:	Education Code 17288
BP/AR #:	None
Subject:	University campus buildings may not meet Education Code requirements for structural safety
When to Notify:	At least 72 hours before use of pesticide product not on annual list
Education or Other Code:	Education Code 17612
BP/AR #:	AR 3514.2
Subject:	Intended use of pesticide product
When to Notify:	To members of athletic teams
Education or Other Code:	Education Code 32221.5
BP/AR #:	AR 5143
Subject:	Offer of insurance; no-cost and low-cost program options
When to Notify:	Annually to parents/guardians of student athletes before participation in competition
Education or Other Code:	Education Code 33479.3
BP/AR #:	AR 6145.2
Subject:	Information on sudden cardiac arrest
When to Notify:	If school has lost its WASC accreditation status
Education or Other Code:	Education Code 35178.4
BP/AR #:	BP 6190
Subject:	Loss of status, potential consequences
When/Whom to Notify:	When district has contracted for products or services that advertise
Education or Other Code:	Education Code 35182.5
BP/AR #:	BP 3112
Subject:	Advertising will be used in the classroom or learning center
When to Notify:	At least six months before implementing a schoolwide uniform policy
Education or Other Code:	Education Code 35183
BP/AR #:	AR 5132
Subject:	Dress code policy requiring schoolwide uniform
When to Notify:	Before implementing a year-round schedule
Education or Other Code:	Education Code 37616
BP/AR #:	BP 6117
Subject:	Public hearing on year-round schedule

Parental Notifications (continued)

When to Notify:	When inter-district transfer is requested and not approved or denied within 30 days
Education or Other Code:	Education Code 46601
BP/AR #:	AR 5117
Subject:	Appeal process
When to Notify:	Before early entry to <u>transitional kindergarten or kindergarten</u> , if offered
Education or Other Code:	Education Code 48000
BP/AR #:	AR 5111
Subject:	Effects, advantages and disadvantages of early entry
When to Notify:	When student identified as being at risk of retention
Education or Other Code:	Education Code 48070.5
BP/AR #:	AR 5123
Subject:	Student at risk of retention
When to Notify:	When student excluded due to quarantine, contagious or infectious disease, danger to safety or health
Education or Other Code:	Education Code 48213
BP/AR #:	AR 5112.2; BP 5141.33
Subject:	Student has been excluded from school
When to Notify:	Before already admitted student is excluded for lack of immunization
Education or Other Code:	Education Code 48216; 17 CCR 6040
BP/AR #:	AR 5141.31
Subject:	Need to submit evidence of immunization or exemption within 10 school days; referral to medical care
When to Notify:	When a student is classified a truant
Education or Other Code:	Education Code 48260.5, 48262
BP/AR #:	AR 5113.1
Subject:	Truancy, parental obligation, availability of alternative programs, student consequences, need for conference
When to Notify:	When a truant is referred to a SARB or probation department
Education or Other Code:	Education Code 48263
BP/AR #:	AR 5113.1
Subject:	Name and address of SARB or probation department and referral reason
When to Notify:	When a school is identified on the state's Open Enrollment List
Education or Other Code:	Education Code 48354; 5 CCR 4702
BP/AR #:	AR 5118
Subject:	Student's option to transfer to another school

Parental Notifications (continued)

When to Notify:	Within 60 days of application for transfer out of open enrollment school
Education or Other Code:	Education Code 48357; 5 CCR 4702
BP/AR #:	AR 5118
Subject:	Whether student's transfer application is accepted or rejected; and reasons
When/Whom to Notify:	When student requests to voluntarily transfer to continuation school
Education or Other Code:	Education Code 48432.3
BP/AR #:	AR 6184
Subject:	Copy of district policy and regulation on continuation education
When to Notify:	Prior to involuntary transfer to continuation school
Education or Other Code:	Education Code 48432.5
BP/AR #:	AR 6184
Subject:	Right to require meeting prior to involuntary transfer from school
When/Whom to Notify:	To person holding educational rights, prior to recommending placement of foster youth outside school of origin
Education or Other Code:	Education Code 48853.5
BP/AR #:	AR 6173.1
Subject:	Basis for the placement recommendation
When to Notify:	When student is removed from class and teacher requires parental attendance at school
Education or Other Code:	Education Code 48900.1
BP/AR #:	AR 5144.1
Subject:	Parental attendance required; timeline for attendance
When to Notify:	Prior to withholding grades, diplomas, or transcripts
Education or Other Code:	Education Code 48904
BP/AR #:	AR 5125.2
Subject:	Damaged school property
When to Notify:	When withholding grades, diplomas or transcripts from student
Education or Other Code:	Education Code 48904.3
BP/AR #:	AR 5125.2
Subject:	Next school will continue withholding grades, diplomas or transcripts
When to Notify:	When student is released to peace officer
Education or Other Code:	Education Code 48906
BP/AR #:	BP 5145.11
Subject:	Release of student to peace officer for the purpose of removing minor from school, unless taken into custody as victim of suspected child abuse

Parental Notifications (continued)

When to Notify:	At time of suspension
Education or Other Code:	Education Code 48911
BP/AR #:	BP/AR 5144.1
Subject:	Notice of suspension
When to Notify:	When original period of suspension is extended
Education or Other Code:	Education Code 48911
BP/AR #:	AR 5144.1
Subject:	Extension of suspension
When to Notify:	At the time a student is assigned to a supervised suspension classroom
Education or Other Code:	Education Code 48911.1
BP/AR #:	AR 5144.1
Subject:	The student's assignment to a supervised suspension classroom
When to Notify:	Before holding a closed session re: suspension
Education or Other Code:	Education Code 48912
BP/AR #:	AR 5144.1
Subject:	Intent to hold a closed session re: suspension
When to Notify:	When student expelled from another district for certain acts seeks admission
Education or Other Code:	Education Code 48915.1, 48918
BP/AR #:	BP 5119
Subject:	Hearing re: possible danger presented by expelled student
When to Notify:	When readmission is denied
Education or Other Code:	Education Code 48916
BP/AR #:	AR 5144.1
Subject:	Reasons for denial; determination of assigned program
When to Notify:	When expulsion occurs
Education or Other Code:	Education Code 48916
BP/AR #:	AR 5144.1
Subject:	Description of readmission procedures
When to Notify:	At least 10 calendar days before expulsion hearing
Education or Other Code:	Education Code 48918
BP/AR #:	AR 5144.1
Subject:	Notice of expulsion hearing

Parental Notifications (continued)

When to Notify:	When expulsion or suspension of expulsion occurs
Education or Other Code:	Education Code 48918
BP/AR #:	AR 5144.1
Subject:	Decision to expel; right to appeal to county board; obligation to inform new district of status
When to Notify:	Before involuntary transfer of student convicted of certain crime when victim is enrolled at same school
Education or Other Code:	Education Code 48929, 48990
BP/AR #:	BP 5116.2
Subject:	Right to request a meeting with principal or designee
When to Notify:	One month before the scheduled minimum day
Education or Other Code:	Education Code 48980
BP/AR #:	BP 6111
Subject:	When minimum days are scheduled after the beginning of the school year
When to Notify:	When parents/guardians request guidelines for filing complaint of child abuse at a school site
Education or Other Code:	Education Code 48987
BP/AR #:	AR 5141.4
Subject:	Guidelines for filing complaint of child abuse at a school site with local child protective agencies
When to Notify:	When student in danger of failing a course
Education or Other Code:	Education Code 49067
BP/AR #:	AR 5121
Subject:	Student in danger of failing a course
When to Notify:	When student transfers from another district or private school
Education or Other Code:	Education Code 49068
BP/AR #:	AR 5125
Subject:	Right to receive copy of student's record and to challenge its content
When/Whom to Notify:	When parent/guardian's challenge of student record is denied and parent/guardian appeals
Education or Other Code:	Education Code 49070
BP/AR #:	AR 5125.3
Subject:	If board sustains allegations, the correction or destruction of record; if denied, right to submit written objection

Parental Notifications (continued)

When/Whom to Notify:	When district is considering program to gather safety-related information from students' social media activity
Education or Other Code:	Education Code 49073.6
BP/AR #:	BP 5125
Subject:	Opportunity for input on proposed program, gather information, access to records, process for removal or corrections, destruction of records
When/Whom to Notify:	When district adopts program to gather information from students' social media activity, and annually thereafter
Education or Other Code:	Education Code 49073.6
BP/AR #:	AR 5125
Subject:	Information is being gathered, access to records, process for removal or corrections, destruction of records
When to Notify:	Within 24 hours of release of information to a judge or probation officer
Education or Other Code:	Education Code 49076
BP/AR #:	AR 5125
Subject:	Release of student record to a judge or probation officer for conducting truancy mediation program or for presenting evidence at a truancy petition
When to Notify:	Before release of information pursuant to court order or subpoena
Education or Other Code:	Education Code 49077
BP/AR #:	AR 5125
Subject:	Release of information pursuant to court order or subpoena
When to Notify:	When screening results in suspicion that student has scoliosis
Education or Other Code:	Education Code 49452.5
BP/AR #:	AR 5141.3
Subject:	Scoliosis screening
When to Notify:	When test results in discovery of visual or hearing defects
Education or Other Code:	Education Code 49456; 17 CCR 2951
BP/AR #:	AR 5141.3
Subject:	Vision or hearing test results
When to Notify:	Within 10 days of negative balance in meal account
Education or Other Code:	Education Code 49557.5
BP/AR #:	AR 3551
Subject:	Negative balance in meal account; encouragement to apply for free or reduced price meals

Parental Notifications (continued)

When to Notify:	Annually to parents/guardians of student athletes before their first practice or competition
Education or Other Code:	Education Code 49475
BP/AR #:	AR 6145.2
Subject:	Information on concussions and head injuries
When to Notify:	Annually to parents/guardians of student athletes before their first practice or competition
Education or Other Code:	Education Code 49476
BP/AR #:	AR 6145.2
Subject:	Opioid fact sheet
When/Whom to Notify:	To person holding educational rights, within 30 days of foster youth homeless youth, or former juvenile court school student being transferred between high schools
Education or Other Code:	Educational Code 51225.1
BP/AR #:	BP 6146.1; AR 6173; AR 6173.1; AR 6173.3
Subject:	Exemption from local graduation requirements, effect on college admission, option for fifth year of high school
When to Notify:	Before any test/survey questioning personal beliefs
Education or Other Code:	Education Code 51513
BP/AR #:	AR 5022
Subject:	Permission for test, survey questioning personal beliefs
When to Notify:	At least 14 days before HIV prevention or sexual health instruction, if arrangement made for guest speaker after beginning of school year
Education or Other Code:	Education Code 51938
BP/AR #:	AR 6142.1
Subject:	Instruction in HIV prevention or sexual health by guest speaker or outside consultant
When to Notify:	Prior to administering survey regarding health risks and behaviors to students in 7-12
Education or Other Code:	Education Code 51938
BP/AR #:	AR 5022
Subject:	Notice that the survey will be administered
When to Notify:	Within 30 calendar days of receipt of results of assessment or reassessment of English proficiency
Education or Other Code:	Education Code 52164.1, 52164.3; 5 CCR 11511.5
BP/AR #:	AR 6174
Subject:	Results of state test of English proficiency

Parental Notifications (continued)

When to Notify:	When migrant education program is established
Education or Other Code:	Education Code 54444.2
BP/AR #:	BP/AR 6175
Subject:	Parent advisory council membership composition
When to Notify:	When child participates in licensed child care and development program
Education or Other Code:	Health and Safety Code 1596.857
BP/AR #:	AR 5148
Subject:	Parent/guardian right to enter facility
When/Whom to Notify:	When district receives Tobacco-Use Prevention Education Funds
Education or Other Code:	Health and Safety Code 104420
BP/AR #:	AR 3513.3
Subject:	The district's tobacco-free schools policy and enforcement procedures
When to Notify:	When testing by community water system finds presence of lead exceeding specified level
Education or Other Code:	Health and Safety Code 116277
BP/AR #:	AR 3514
Subject:	Elevated lead level at school
When to Notify:	When sharing student immunization information with an immunization system
Education or Other Code:	Health and Safety Code 120440
BP/AR #:	AR 5125
Subject:	Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share
When/Whom to Notify:	When student complains of sexual harassment
Education or Other Code:	34 CFR 106.44, 106.45
BP/AR #:	AR 5145.7
Subject:	Right to file formal complaint, availability of supportive measures, notice of process, reason for dismissal of complaint if applicable
When/Whom to Notify:	At least 14 days prior to sex offender coming on campus as volunteer
Education or Other Code:	Penal Code 626.81
BP/AR #:	AR 1240; BP 1250
Subject:	Dates and times permission granted; information from law enforcement
When to Notify:	When hearing is requested by person asked to leave school premises
Education or Other Code:	Penal Code 627.5
BP/AR #:	AR 3515.2
Subject:	Notice of hearing

Parental Notifications (continued)

When/Whom to Notify:	When responding to complaint re: discrimination, special education, or noncompliance with law
Education or Other Code:	5 CCR 4631
BP/AR #:	AR 1312.3
Subject:	Findings, disposition of complaint, any corrective actions, appeal rights and procedures
When to Notify:	When child participates in licensed child care and development program
Education or Other Code:	5 CCR 18066
BP/AR #:	AR 5148
Subject:	Excused and unexcused absences
When to Notify:	Within 30 days of application for subsidized child care or preschool services
Education or Other Code:	5 CCR 18094, 18118
BP/AR #:	AR 5148; AR 5148.3
Subject:	Approval or denial of services
When to Notify:	Upon recertification or update of application for child care or preschool
Education or Other Code:	5 CCR 18095, 18119
BP/AR #:	AR 5148; AR 5148.3
Subject:	Any change in service, such as fees, amount or termination of service
When to Notify:	Upon child's enrollment in child care program
Education or Other Code:	5 CCR 18114
BP/AR #:	AR 5148
Subject:	Policy on fee collection
When to Notify:	When payment of child care fees is seven days late
Education or Other Code:	5 CCR 18114
BP/AR #:	AR 5148
Subject:	Notice of delinquent fees
When to Notify:	When district substantively changes policy on student privacy rights
Education or Other Code:	20 USC 1232h
BP/AR #:	AR 5022
Subject:	Notice of any substantive change in policy or regulation
When to Notify:	For districts receiving Title I funds, when a child has been assigned or taught for four or more consecutive weeks by a teacher who does not meet state certification requirements for the grade level/subject taught
Education or Other Code:	20 USC 6312
BP/AR #:	AR 4112.24
Subject:	Timely notice to parent/guardian of child's assignment

Parental Notifications (continued)

When to Notify:	For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents/guardians of English learners
Education or Other Code:	20 USC 6312
BP/AR #:	AR 6174
Subject:	Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program
When to Notify:	For schools receiving Title I funds, upon development of parent involvement policy
Education or Other Code:	20 USC 6316
BP/AR #:	AR 6020
Subject:	Notice of policy
When to Notify:	When household is selected for verification of eligibility for free or reduced-price meals
Education or Other Code:	42 USC 1758; 7 CFR 245.6a
BP/AR #:	AR 3553
Subject:	Need to submit verification information; change in benefits; appeals
When/Whom to Notify:	When student is homeless or unaccompanied minor
Education or Other Code:	42 USC 11432; Education Code 48852.5
BP/AR #:	AR 6173
Subject:	Educational and related opportunities; transportation services; placement decision and right to appeal
When to Notify:	When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30
Education or Other Code:	34 CFR 99.34
BP/AR #:	AR 5125
Subject:	Right to review records
When to Notify:	When district receives federal funding assistance for nutrition program
Education or Other Code:	USDA FNS Instruction 113-1
BP/AR #:	BP 3555
Subject:	Rights and responsibilities, nondiscrimination policy, complaint procedures

Special Education Notices

When to Notify:	Prior to conducting initial evaluation
Education or Other Code:	Education Code 56301, 56321, 56321.5, 56321.6, 56329; 20 USC 1415 (d); 34 CFR 300.502, 300.503
BP/AR #:	BP/AR 6159.1; AR 6164.4
Subject:	Proposed evaluation plan, related parental rights, prior written notice, procedural safeguards

Parental Notifications (continued)

When/Whom to Notify:	Before functional behavioral assessment begins
Education or Other Code:	Education Code 56321
BP/AR #:	AR 6159
Subject:	Notification and consent
When to Notify:	24 hours before IEP when district intending to record
Education or Other Code:	Education Code 56341.1
BP/AR #:	AR 6159
Subject:	Intention to audio-record IEP meeting
When to Notify:	Early enough to ensure opportunity for parent to attend IEP meeting
Education or Other Code:	Education Code 56341.5; 34 CFR 300.322
BP/AR #:	AR 6159
Subject:	Time, purpose, location, who in attendance, participation of others with special knowledge, transition statements if appropriate
When to Notify:	When parent/guardian orally requests review of IEP
Education or Other Code:	Education Code 56343.5
BP/AR #:	AR 6159
Subject:	Need for written request
When to Notify:	Within one school day of emergency intervention or property damage
Education or Other Code:	Education Code 56521.1
BP/AR #:	AR 6159.4
Subject:	Emergency intervention
When to Notify:	Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services
Education or Other Code:	20 USC 1415(c); 34 CFR 300.300, 300.503
BP/AR #:	AR 6159; AR 6159.1
Subject:	Prior written notice
When/Whom to Notify:	Upon filing of state complaint
Education or Other Code:	20 USC 1415(d), 34 CFR 300.504
BP/AR #:	AR 6159.1
Subject:	Procedural safeguards notice
When/Whom to Notify:	When disciplinary measures are taken or change in placement
Education or Other Code:	20 USC 1415(k); 34 CFR 300.530
BP/AR #:	AR 5144.2
Subject:	Decision and procedural safeguards notice

Parental Notifications (continued)

When to Notify: Upon requesting a due process hearing
 Education or Other Code: 20 USC 1415(k); 34 CFR 300.508
 BP/AR #: AR 6159.1
 Subject: Child's name, address, school, description of problem, proposed resolution

When to Notify: Eligibility for services under Section 504
 Education or Other Code: 34 CFR 104.32, 104.36
 BP/AR #: AR 6164.6
 Subject: District responsibilities, district actions, procedural safeguards

Classroom Notices

When to Notify: In each classroom in each school
 Education or Other Code: Education Code 35186
 BP/AR #: AR/E 1312.4
 Subject: Complaints re: sufficiency of instructional materials, teacher vacancy and misassignment, maintenance of facilities, right of students who did not pass the exit exam to receive intensive instruction after grade 12, complaints subject to Williams Uniform Complaint Procedures

Exhibit
 adopted: 02/1996
 Revised: 05/2003; 08/09/2011; 05/14/2013
 Revised: 06/28/2016; 05/23/2017
 Revised: 05/08/2018; 02/23/2021

WEST COVINA UNIFIED SCHOOL DISTRICT
 West Covina, California

EDUCATION FOR HOMELESS CHILDREN

The Governing Board recognizes its obligation to ensure that homeless children have access to the same free and appropriate public education provided to other children within the district. The district shall provide homeless students with access to education and other services necessary for these students to meet the same challenging performance standards as other students. Homeless students shall not be segregated into separate schools or programs based on their status as homeless, nor shall homeless students be stigmatized in any way.

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

The Superintendent or designee shall identify and remove any barriers to the identification and enrollment of homeless students and to the retention of homeless students due to absences or outstanding fees or fines.(42 USC 11432)

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

The Superintendent or designee shall designate an appropriate staff person to serve as a liaison for homeless children and youths. The district liaison shall fulfill the duties specified in 42 USC 11432 to assist in identifying and supporting homeless students to succeed in school.

In order to identify district students who are homeless, the Superintendent or designee may give a housing questionnaire to all parents/guardians during school registration, make referral forms readily available, ~~include the district liaison's contact information on the district and school web sites~~, provide materials in a language easily understood by families and students, provide school staff with professional development on the definition and signs of homelessness, and contact appropriate local agencies to coordinate referrals for homeless children and youth and unaccompanied youth.

In addition, the Superintendent or designee shall ensure that the district liaison's contact information and other information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the district and school web sites as specified in the accompanying administrative regulation. (Education Code 48852.6)

Information about a homeless student's living situation shall be considered part of a student's educational record, subject to the Family Educational Rights and Privacy Act and shall not be deemed to be directory information as defined in 20 USC 1232g. (42 USC 11432)

Education for Homeless Children (continued)

The Superintendent or designee shall ensure that placement decisions for homeless students are based on the student's best interest as defined in law and administrative regulation.

Each homeless student shall be provided services that are comparable to services offered to other students in the school, including, but not limited to, transportation, educational programs for which the student meets the eligibility criteria (such as federal Title I services or similar state or local programs, programs for students with disabilities, and educational programs for English learners), career and technical education programs, programs for gifted and talented students, and school nutrition programs. (42 USC 11432)

Homeless students shall not be segregated into a separate school or program based on their status as homeless and shall not be stigmatized in any way. However, the Superintendent or designee may separate homeless students on school grounds as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless students. (42 USC 11432, 11433)

The Superintendent or designee shall coordinate with other agencies and entities to ensure that homeless children and youth are promptly identified, ensure that homeless students have access to and are in reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness. Toward these ends, the Superintendent or designee shall collaborate with local social services agencies, other agencies or entities providing services to homeless children and youth, and, if applicable, transitional housing facilities. In addition, the Superintendent or designee shall coordinate transportation, transfer of school records, and other inter district activities with other local educational agencies. As necessary, the Superintendent or designee shall coordinate, within the district and with other involved local educational agencies, services for homeless students and services for students with disabilities. (42 USC 11432)

District liaisons and other appropriate staff shall participate in professional development and other technical assistance activities to assist them in identifying and meeting the needs of homeless students and to provide training on the definitions of terms related to homelessness, the signs of homelessness, the steps that should be taken once a potentially homeless student is identified, and how to connect homeless students with appropriate housing and service providers. (42 USC 11432)

The Superintendent or designee shall report to CDE the number of homeless children and youths and unaccompanied youths enrolled in the district as identified from the housing questionnaire described above. (Education Code 48851)

Education for Homeless Children (continued)

At least annually, the Superintendent or designee shall report to the Board on outcomes for homeless students, which may include, but are not limited to, school attendance, student achievement tests results, promotion and retention rates by grade level, graduation rates, suspension/expulsion rates, and other outcomes related to any goals and specific actions identified in the LCAP. Based on the evaluation data, the district shall revise its strategies as needed to better support the education of homeless students.

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

*Legal Reference:*EDUCATION CODE*1980-1986 County community schools**2558.2 Use of revenue limits to determine average daily attendance of homeless children 39807.5 Payment of transportation costs by parents*UNITED STATES CODE, TITLE 42*11431-11435 McKinney-Vento Homeless Assistance Act*

Policy

adopted: 01/28/2003

Revised: 11/15/2016

WEST COVINA UNIFIED SCHOOL DISTRICT

West Covina, California

EDUCATION FOR HOMELESS CHILDREN

Definitions

Homeless means students who lack a fixed, regular and adequate nighttime residence and includes: (Education Code 48852.7; 42 USC 11435)

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

School of origin means the school that the homeless student attended when permanently housed or the school in which he/she was last enrolled, including a preschool. If the school the homeless student attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that he/she attended within the preceding 15 months and with which he/she is connected, the district liaison shall determine, in consultation with and with the agreement of the homeless student and the person holding the right to make educational decisions for the student, and in the best interests of the homeless student, which school shall be deemed the school of origin. (Education Code 48852.7; 42 USC 11432)

Best interest means, to the extent feasible, continuing a student's enrollment in the school of origin for the duration of his/her homelessness, except when doing so is contrary to the wishes of his/her parent/guardian. (42 USC 11432)

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

Education for Homeless Children (continued)

District Liaison

The Superintendent or designee shall inform homeless children and youth, their parents/guardians, school personnel, service providers, and advocates working with homeless families of the duties of the district's liaison. He/she shall also provide the name and contact information of the district's liaison to the California Department of Education (CDE) for publishing on the CDE's web site. (42 USC 11432)

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

Foster/Homeless Youth Liaison
2021 Alwood St.
West Covina, CA 91790
agutierrez@wcusd.org
(626) 960-3052 ext. 2224

The district liaison for homeless students shall: (Education Code 48852.5; 42 USC 11432)

Ensure that homeless students are identified by school personnel and through coordination activities with other entities and agencies

Ensure that homeless students enroll in, and have a full and equal opportunity to succeed in, district schools

Ensure that homeless families and students receive educational services for which they are eligible, including services through Head Start and Early Head Start programs, early intervention services under Part C of the federal Individuals with Disabilities Education Act, and other preschool programs administered by the district.

Ensure that homeless families and students receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services.

Inform parents/guardians of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children.

Ensure that school personnel providing services to homeless students, including principals and other school leaders, attendance supervisors, teachers, enrollment personnel, and specialized instructional support personnel, receive professional development and other support

Education for Homeless Children (continued)

Disseminate notice of the educational rights of homeless students in locations frequented by parents/guardians of homeless children and youth and by unaccompanied youth, including schools, family shelters, public libraries, and hunger relief agencies (soup kitchens). The rights shall be presented in a manner and form understandable to the parents/guardians of homeless students and unaccompanied youth.

Mediate enrollment disputes in accordance with law, Governing Board policy, administrative regulation, and the section "Resolving Enrollment Disputes" below.

Fully inform parents/guardians of homeless students and unaccompanied youth of all transportation services, including transportation to the school of origin, and assist them in accessing transportation to the school of choice.

Ensure that school personnel providing services to homeless students receive professional development and other support.

Ensure that unaccompanied youth are enrolled in school, have opportunities to meet the same challenging state academic standards established for other students, and are informed of their status as independent students under 20 USC 1087vv and that they may receive assistance from the district liaison to receive verification of their independent student status for purposes of applying for federal student aid pursuant to 20 USC 1090.

Coordinate and collaborate with state coordinators and community and school personnel responsible for the provision of education and related services to homeless students, including the provision of comprehensive data to the state coordinator as required by law.

Assist, facilitate, or represent a homeless student who is undergoing a disciplinary proceeding that could result in his/her expulsion.

Participate in an individualized education program team meeting to make a manifestation determination regarding the behavior of a student with a disability.

Assist a homeless student obtain records necessary for his/her enrollment into or transfer out of district schools, including immunization, medical, and academic records.

Enrollment

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

Education for Homeless Children (continued)

In determining the best interest of the student, the district shall consider student-centered factors related to the student's best interest, including factors related to the impact of mobility on achievement, education, health, and safety, giving priority to the request of the student's parent/guardian or, in the case of an unaccompanied youth, the youth. (42 USC 11432)

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

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

When making a placement decision for a homeless student, the Superintendent or designee may consider the age of the student, the distance of the commute and the impact it may have on the student's education, personal safety issues, the student's need for special instruction, the length of anticipated stay in the temporary shelter or other temporary location, likely area of future housing, school placement of siblings, and the time remaining in the school year. However, placement decisions shall not be based on whether a homeless student lives with his/her homeless parent/guardian or has been temporarily placed elsewhere. (42 USC 11432)

Once a placement decision has been made, the principal or designee shall immediately enroll the student in the school of choice. The student shall be enrolled even if he/she:

- Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
- Does not have clothing normally required by the school, such as school uniforms
- Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and records of immunization and other required health record
- Has missed application or enrollment deadlines during any period of homelessness

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

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

Education for Homeless Children (continued)

The student may continue attending his/her school of origin for the duration of the homelessness. (Education Code 48852.7; 42 USC 11432)

To ensure that the homeless student has the benefit of matriculating with his/her peers in accordance with the established feeder patterns, the following shall apply: (Education Code 48852.7; 42 USC 11432)

If the student is transitioning between grade levels, he/she shall be allowed to continue in the same attendance area.

If the student is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, he/she shall be allowed to continue to the school designated for matriculation in that district.

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

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

Resolving Enrollment Disputes

If a dispute arises over student eligibility, school selection, or enrollment in a particular school, the matter shall be referred to the district liaison, who shall carry out the dispute resolution process as expeditiously as possible. (42 USC 11432)

The parent/guardian or unaccompanied youth shall be provided with a written explanation of any decisions related to eligibility, school selection, or enrollment and of the right of the parent/guardian or unaccompanied youth to appeal such decisions, which shall be complete, as brief as possible, simply stated, and provided in language that the parent/guardian or student can understand. (42 USC 11432)

The written explanation shall include:

1. A description of the action proposed or refused by the district
2. An explanation of why the action is proposed or refused
3. A description of any other options the district considered and the reasons that any other options were rejected

Education for Homeless Children (continued)

4. A description of any other factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources
5. Appropriate timelines to ensure any relevant deadlines are not missed
6. Contact information for the district liaison and state coordinator, and a brief description of their roles

The district liaison shall work to resolve an enrollment dispute as expeditiously as possible after receiving notice of the dispute. (42 USC 11432)

The district liaison may use an informal process as an alternative to formal dispute resolution procedures, provided that the parents/guardians or unaccompanied youth have access to the more formal process if informal resolution is not successful in resolving the matter.

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

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

When a student's parent/guardian or an unaccompanied youth involved in the enrollment dispute is an English learner, Items #1-5 shall be provided either in the native language of the parent/guardian or unaccompanied youth or through an interpreter, and any additional support needed because of a disability of that parent/guardian or unaccompanied youth shall be made available without a charge.

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

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

Education for Homeless Children (continued)

Pending final resolution of the dispute, including all available appeals, the student shall be immediately enrolled in the school in which enrollment is sought and shall be allowed to attend classes and participate fully in school activities. (42 USC 11432, 11434a)

Transportation

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

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

Transfer of Coursework and Credits

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

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

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

Education for Homeless Children (continued)

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

Applicability of Graduation Requirements

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

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

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

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

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

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

Education for Homeless Children (continued)

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

Eligibility for Extracurricular Activities

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

Notification, and Complaints, and Posting Requirements

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

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

The Superintendent or designee shall ensure that a list of the district's liaison(s) and the contact information for such liaison(s), as well as specific information on homelessness, including, but not limited to, information regarding the educational rights and resources available to persons experiencing homelessness, are posted on the district's web site. (Education Code 48852.6)

Each district school that has a web site shall also post the contact information for the district liaison and the name and contact information of any employee or other person under contract with the school who assists the district liaison in completing the liaison's duties pursuant to 42 USC 11432. (Education Code 48852.6)

Policy
adopted: 01/28/2003
Revised: 11/15/2016

WEST COVINA UNIFIED SCHOOL DISTRICT
West Covina, California

WEST COVINA UNIFIED SCHOOL DISTRICT
EXPLANATION OF DECISION RELATED TO ELIGIBILITY, SCHOOL SELECTION, OR ENROLLMENT

Date: _____

Name of Person Completing Form: _____ Title: _____ Phone number: _____

In accordance with the federal McKinney-Vento Homeless Assistance Act (42 USC 11431-11435), this notification is being provided to either:

Name of parent(s)/guardian(s): _____

Name of unaccompanied student: _____

School requested: _____

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

Action(s) proposed/refused by the district related to eligibility, school selection, or enrollment:

The district's determination regarding eligibility, school selection, or enrollment was based upon the following evidence and for the following reasons:

Other options that the district considered, if any, included the following options which were rejected for the following reasons:

Factors relevant to the district's decision and information related to the eligibility or best interest determination including the facts, witnesses, and evidence relied upon and their sources, if any:

Form continued on next page

You have the right to appeal this decision to the district Superintendent. To do so, contact the district's homeless liaison listed below within the next 10 days to request a Dispute Form. You may provide written or ~~verbal~~ oral documentation to support your position, and may also seek the assistance of social services, advocates, and/or service providers in the dispute process. The Superintendent or designee will review all the evidence and will notify you of his/her decision within 30 days.

If you are not satisfied with the Superintendent's decision, you may appeal to the Los Angeles County Office of Education. If you are not satisfied with the county office's decision, you may then appeal to the California Department of Education. The district's Foster/Homeless Youth Liaison can assist you with this appeal.

The district Foster/Homeless Youth Liaison is one of the primary contacts between homeless families and school or district staff. He/she is responsible for coordinating services to ensure that homeless students enroll in school and have the opportunity to succeed academically, and mediates enrollment disputes as needed. Contact information:

Foster/Homeless Youth Liaison
2021 Alwood St.
West Covina, CA 91790
agutierrez@wcusd.org
(626) 960-3052 ext. 2224

County Liaison: If you appeal the district's decision to the county office of education, the district liaison shall forward all written documentation and related paperwork to the homeless liaison at the county office. The county liaison will review the materials and determine the eligibility, school selection, or enrollment decision within five working days of receiving the materials. He/she will notify you of the decision. Contact information:

Los Angeles County Office of Education
Division of Student Support Services
12830 Columbia Way, Downey CA. 90242
(562) 922-6247

State Coordinator: If you appeal the county office's decision to the California Department of Education, the county homeless liaison shall forward all written documentation and related paperwork to the State Homeless Coordinator. The state coordinator will review the district, county office, and parent/guardian information and will notify you of the decision within ten working days of receiving the materials.

California Department of Education
School Turnaround Office Improvement and Accountability Division
1430 N Street, 6th Floor, Suite 6208 Sacramento, CA 95814
(916) 319-0383

Pending the final resolution of this dispute, including the period of all appeals, the student has the right to immediately enroll in the school requested and to participate fully in school activities at that school.

WEST COVINA UNIFIED SCHOOL DISTRICT
 ELIGIBILITY, SCHOOL SELECTION, OR ENROLLMENT DISPUTE FORM

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

Date Submitted: _____ Name of School Requested: _____
 Student's Name: _____ Name of Person Completing Form: _____
 Relation to Student: _____ Phone Number: _____
 Address: _____

I wish to appeal the eligibility, school selection, or enrollment decision made by:

☐ District Liaison ☐ District Superintendent ☐ County office of education liaison

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

I have been provided with:

- ☐ A written explanation of the district's decision
- ☐ Contact information for the district's homeless liaison
- ☐ Contact information for the county office of education's homeless liaison
- ☐ Contact information for the state homeless coordinator

AGENDA/MEETING MATERIALS

Agenda Content

Each agenda shall state the meeting time and place and shall briefly describe each business item to be transacted or discussed, including items to be discussed in closed session. (Government Code 54954.2)

The agenda shall provide members of the public the opportunity to address the Board on any agenda item before or during the Board's consideration of the item. However, the agenda need not provide an opportunity for public comment when the agenda item has previously been considered at an open meeting of a committee comprised exclusively of Board members, provided that members of the public were afforded an opportunity to comment on the item at that meeting and that the item has not been substantially changed since the committee considered it. (Government Code 54954.3)

The agenda for a regular Board meeting shall also provide members of the public an opportunity to provide comment on matters which are not on the agenda but which are within the subject matter jurisdiction of the Board. (Education Code 35145.5; Government Code 54954.3)

Each agenda for a regular meeting shall list the address designated by the Superintendent or designee for public inspection of documents related to an open session item that have been distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)

The agenda shall include information regarding how, when, and to whom a request should be made if an individual requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting. (Government Code 54954.2)

Agenda Preparation

The Board president and the Superintendent, as secretary to the Board, shall work together to develop the agenda for each regular and special meeting.

Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

Agenda/Meeting Materials (continued)

The Board president and Superintendent shall decide whether a request from a member of the public is within the subject matter jurisdiction of the Board. Items not within the subject matter jurisdiction of the Board may not be placed on the agenda. In addition, before placing the item on the agenda, the Board president and Superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation.

The Board president and Superintendent shall also decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to Board vote or an information item that does not require immediate action.

In order to promote efficient meetings, the Board may bundle a number of items and act upon them together by a single vote through the use of a consent agenda. Consent items shall be items of a routine nature and items for which Board discussion is not anticipated and for which the Superintendent recommends approval. When any Board member requests the removal of an item from the consent agenda, the item shall be removed and given individual consideration for action as a regular agenda item.

The agenda shall provide an opportunity for members of the public to comment on any consent agenda item that has not been previously considered. (Government Code 54954.3)

Any Board action that involves borrowing \$100,000 or more shall be discussed, considered, and deliberated upon as a separate item of business on the meeting agenda. (Government Code 53635.7)

All public communications with the Board are subject to requirements of relevant Board policies and administrative regulations.

Agenda Dissemination to Board Members

At least 72 hours before each regular meeting, each Board member shall be provided a copy of the agenda and agenda packet, including the Superintendent or designee's report; minutes to be approved; copies of communications; reports from committees, staff, and others; and other available documents pertinent to the meeting.

When special meetings are called, Board members shall receive, at least 24 hours prior to the meeting, notice of the business to be transacted. (Government Code 54956)

Agenda/Meeting Materials (continued)

Board members shall review agenda materials before each meeting. Individual members may confer directly with the Superintendent or designee to ask questions and/or request additional information on agenda items. However, a majority of Board members shall not, outside of a noticed meeting, directly or through intermediaries or electronic means discuss, deliberate, or take action on any matter within the subject matter jurisdiction of the Board.

Agenda Dissemination to Members of the Public

Any agenda and related materials distributed to the Board shall be made available to the public upon request without delay. Only those documents which are disclosable public records under the Public Records Act and which relate to an agenda item scheduled for the open session portion of a regular meeting shall be made available to the public. (Government Code 54957.5)

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

In addition, the Superintendent or designee shall post the agenda on the homepage of the district web site. The posted agenda shall be accessible through a prominent direct link to the current agenda or to the district's agenda management platform in accordance with Government Code 54954.2. When the district utilizes an integrated agenda management platform, the link to that platform shall take the user directly to the web site with the district's agendas, and the current agenda shall be the first available. (Government Code 54954.2)

If a document which relates to an open session agenda item of a regular Board meeting is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at a designated location at the same time the document is distributed to all or a majority of the Board. (Government Code 54957.5)

The Superintendent or designee shall mail a copy of the agenda or a copy of all the documents constituting the agenda packet to any person who requests the items. The materials shall be mailed at the time the agenda is posted or upon distribution of the agenda to a majority of the Board, whichever occurs first. (Government Code 54954.1)

The Superintendent or designee shall email a copy of, or a website link to, the agenda or a copy of all the documents constituting the agenda packet to any person who requests such items to be delivered by email. If the Superintendent or designee determines that it is technologically infeasible to do so, a copy of the agenda or a website link to the agenda and a copy of all other documents constituting the agenda packet shall be sent to the person who has made the request in accordance with mailing requirements specified in law. (Government Code 54954.1)

Agenda/Meeting Materials (continued)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

Any document prepared by the district or Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any document prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

*Legal Reference:*EDUCATION CODE*35144 Special meetings**35145 Public meetings**35145.5 Right of public to place matters on agenda*GOVERNMENT CODE*6250-6270 Public Records Act**53635.7 Separate item of business**54954.1 Mailed agenda of meeting**54954.2 Agenda posting requirements; board actions**54954.3 Agenda item allowing public input**54954.5 Closed session item descriptions**54956.5 Special meetings, emergencies**54957.5 Public records**54960.2 Challenging board actions; cease and desist*UNITED STATES CODE, TITLE 42*12101-12213 Americans with Disabilities Act*CODE OF FEDERAL REGULATIONS, TITLE 28*35.160 Effective communications**36.303 Auxiliary aids and services*

Bylaw

adopted: 09/24/1991

Revised: 05/24/1994; 07/23/2013; 09/24/2019

WEST COVINA UNIFIED SCHOOL DISTRICT

West Covina, California