

**LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
2018-2019 Acknowledgement of Receipt and Review of Notification to Parents**

Student ID _____

Please complete, sign, and return this page to your student's school office *within 10 days*.

Student's Name (Print)

School

Teacher (TK – 5 only)

Notice of Parent's Rights

- I have received and read this notice regarding my rights and responsibilities relating to student records, health and safety, instruction, discipline, attendance, and school enrollment options, in accordance with Education Code 48980.

Permission To Use The Electronic Information Services System (EIS) Internet Access

I have read and understand the User Guide To The Electronic Information Services System. I have reviewed the User Guide procedures with my student. I understand that it is impossible for the Livermore Valley Joint Unified School District to completely control and restrict access to all controversial or inappropriate materials that may be accessed through the EIS. I agree to hold the District and its officers, agents, and employees harmless in the event my student obtains access to controversial or inappropriate material while using the EIS.

- I hereby **give** permission for my student to use the Electronic Information Services System.
- I hereby **deny** permission for my student to use the Electronic Information Services System.

Permission To Use Student Photographs, Images and Work Products

I have read and understand that I may restrict the use of my student's photograph, image, and work product in District and Livermore Valley Education Foundation (LVEF) publications, television productions, and on the District and LVEF websites.

- I hereby **give** permission to use my student's photograph, image, voice, and work product in District and LVEF publications, television productions, and on the District and LVEF websites.
- I hereby **deny** permission to use my student's photograph, image, voice, and work product in District and LVEF publications, television productions, and on the District and LVEF websites.

Permission To Receive Automated Telephone Messages Regarding General School Notifications

Do you give permission to receive automated telephone messages regarding General School Notifications (Emergency/Attendance calls are exempt)

- I hereby **give** permission to receive automated telephone messages regarding general school notifications.
- I hereby **deny** permission to receive automated telephone messages regarding general school notifications.

Parent/Guardian Name (Print)

Address

Phone

Parent/Guardian Signature

Date

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

685 East Jack London Blvd., Livermore, CA 94551
Telephone (925) 606-3200 www.livermoreschools.com

**Notice to Parents of
Your Rights Under Law
2018-19** REV. 7/6/18

Español: Esta noticia de los Derechos y Responsabilidades de Padres Tutores está disponible en español. Si usted desea una copia, se ó puede obtener en la oficina de su escuela.

DEAR PARENTS/GUARDIANS, EMPLOYEES, STUDENTS, ADVISORY COMMITTEES PRIVATE SCHOOL OFFICIALS AND OTHER INTERESTED GROUPS:

California law (E.C. 48980) requires that notice be given at the beginning of the first (tri)semester or quarter of the regular school term to the parent or guardian of the minor students in the school District regarding the rights of the parent or guardian under sections 32255, 32390, 35291, 46014, 48205, 48207, 48208, 49403, 49423, 49451, 49472, Article 3 (commencing with section 56080) of Chapter 1 of Part 30, and notice of the availability of the program prescribed by Article 9 (commencing with section 49510) of Chapter 9 and of the availability of individualized instruction under section 48206.3. Section 48982 requires that this Notice be signed and returned by the parent or guardian to the school. Signature and return of the attached form is acknowledgement by the parent or guardian that he or she has been informed of his or her rights but does not indicate that consent to participate in any particular program has either been given or withheld. Accordingly, you are hereby notified as follows (when used in this notification "parent" includes a parent or legal guardian):

School Accountability Report Cards (SARC) are available on the District website at <http://www.livermoreschools.com/sarc>. Hard copies are available by request at your school site or the District Office, 685 East Jack London Blvd, Livermore.

NONDISCRIMINATION, COMPLAINT PROCEDURES AND STUDENT RECORDS

Nondiscrimination

Title IV, Title IX, P.L. 92: The Livermore Valley Joint Unified School District is committed to equal opportunity for all individuals in education. *The District is committed to providing a safe school environment where all individuals in education are afforded equal access and opportunities. The District's academic and other educational support programs, services and activities shall be free from discrimination, harassment, intimidation, and bullying of any individual based on the person's actual race, color, ancestry, national origin, immigration status, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Specifically, state law prohibits discrimination on the basis of gender in enrollment, counseling, and the availability of physical education, athletic activities, and sports. Transgender students shall be permitted to participate in gender-segregated school programs and activities (e.g., athletic teams, sports competitions, and field trips) and to use facilities consistent with their gender identity.* The District assures that lack of English language skills will not be a barrier to admission or participation in District programs. Under federal law, nondiscrimination extends to employment practices as well.

Uniform Complaint Procedures

5 CCR 4622: Any individual, public agency or organization may file a complaint of alleged discrimination or noncompliance with Federal and State laws and regulations governing educational programs. Such complaints must be filed no later than six months after knowledge of the alleged discrimination, harassment, intimidation, or bullying and one year after the alleged pupil fee violation. Contact the Assistant Superintendent of Administrative Services for further information at 925-606-3283. (B.P. 1312.3 attached) Note that a pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. (EC 49011 and B.P. 3260)

Safe Place to Learn Act

EC 234 and 234.1 The Livermore Valley Joint Unified School District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, *immigration status*, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to a school activity or school attendance occurring within a school of the school District may be subject to disciplinary action up to and including expulsion. To report an incidence and/or to receive a copy of the District's antidiscrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact the Director of Student Services.

No Child Left Behind Act of 2001

20 USC §§6301 et seq. Title 1: No Child Left Behind Act of 2001: The law requires Districts that receive Title 1 funds to notify parents of children in schools that fail to meet requirements as specified in the Act. The law adds additional parental rights related to involvement at the school, teacher qualifications, and Program Improvement Status. For specific notification requirements, contact the District Title 1 Coordinator at (925) 606-3202.

Educational Equity: Immigration and Citizenship Status

EC 200, 220, and 234.1 adding Article 5.7 to EC 234.7: All persons in public schools, regardless of their Immigration status, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other specified characteristic, are to be afforded equal rights and opportunities in the schools, and are not to be discriminated against on the basis of these specific characteristics in any program or activity conducted by the school that receives or benefits from state financial assistance or enrolls students who receive state financial aid. School officials are prohibited from collecting information or documents regarding citizenship or immigration status of students or their family members. Schools are to adopt a policy that prohibits and adopt a process for receiving and investigating complaints of discrimination, harassment, intimidation, and bullying based on those actual or perceived specified characteristics. The superintendent of a school district or county office of education and principal of a charter school are to report to the governing board of local educational agency in a timely manner any requests for information or access to the school site by an officer or employee or a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information. Schools are encouraged, when an employee is aware that a student's parent or guardian is not available to care for the student, to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the student's care unless the school is able to arrange for care through the use of emergency contact information or instructions provided by the student's parent or guardian. Governing boards or schools are to provide information to parents and guardians as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs. Schools and school districts will adopt by July 1, 2018 model policies created by the California Attorney General, limiting immigration enforcement at public schools ensuring that public schools remain safe and accessible regardless of immigration status.

Directory Standards, Pupil Records Notice of Privacy

EC 49068 & 49073: Certain groups are permitted directory information without parent's consent. Such information may include student name, birthdate, address, email address, phone number, dates of attendance, major study course, awards and previous school attended. An annual written request will prohibit the District from releasing directory information to news media, employers or prospective employers, parent groups, private schools requesting names of graduates, military recruiters, county welfare, law enforcement agencies, civil service commission, licensed adoption agencies and probation and parole officers. *Directory information regarding a pupil identified as a homeless child or youth shall not be released unless a parent, or pupil given parental rights, has provided written consent that directory information may be released.*

Parents and eligible students will be notified prior to the destruction of any special education records at their last known residency.

Upon written request from the parent of a student age 17 or younger, the District will withhold directory information. A student who is 18 or older or enrolled in a post-secondary institution may also make such a written request. Contact the District Office for more specific information. Requests must be submitted within 30 calendar days of the receipt of this notification.

5 CCR, 431(e), EC 49063, 49069 & 49070: Parents may request to inspect any and all official school records, files, and data related to your child (or yourself if 18 years of age or older). The school has five business days to respond to your request. If information in the file is inaccurate, misleading or inappropriate, you may request removal of the information or include a statement disputing the challenged information. Parents or eligible students may receive a copy of any information in the records at a reasonable cost per page. When a student moves to a new District, records will be forwarded upon request of the new District. You may obtain further information on maintenance of, access to, and challenge of pupil records from the Director of Student Services.

Military Recruitment

E.C. 49073.5: Public Law 107-110 of the "No Child Left Behind Act" requires school Districts to release student names, addresses, and phone numbers when requested by military recruiters. However, the law also allows parents/guardians, and students, 18 years of age and older, to prohibit the release of this information. *(For grades 9-12 only) Please review and complete the form at the end of this notice if you don't want student information released to military recruiters.*

Student Photographs & Work Products

Student photographs and work products are often used to provide information to the community about District and school programs, events and activities. **Parent/Guardian permission is required before the District can use this material. Please review and check the release attached to this notice.**

Release of Student Record/Compliance with Subpoena or Court Order

EC 49076 and 49077: Districts are required to make a reasonable effort to notify parents in advance of disclosing student information pursuant to a subpoena or court order.

Release of Student Records to School Officials and Employees of the District

EC 49076 (a) (1) and 49064 (d): Districts may release educational records, without obtaining prior written parental consent, to any school official or employee.

Custody Issues

Custody disputes must be handled by the courts. The school has no legal jurisdiction to refuse a biological parent access to his/her child and/or school records. The only exception is when signed restraining orders or proper divorce papers, specifically stating visitation limitations, are on file in the school office. Any student release situation that leaves the student's welfare in question will be handled at the discretion of the site administrator or designee. Should any such situation become a disruption to the school, law enforcement will be contacted and an officer requested to intervene. Parents are asked to make every attempt not to involve school sites in custody matters. The school will make every attempt to reach the custodial parent when a parent or any other person not listed on the emergency card attempts to pick up a child.

Visitors/Outsiders (B.P. 1250)

The Board of Education encourages parents/guardians and other interested citizens to visit our schools. Many visitors may normally be expected on the campus of a public school during the school day. The principal and school staffs are responsible for the safety of students and an orderly environment on campus, visitors are asked to register immediately at the office. These visitors may include, among others, District office personnel, substitute teachers, teachers visiting from other schools, parents of pupils, School Board members, law enforcement, Child Protective Services (CPS), Immigration and Customs Enforcement (ICE), invited speakers, maintenance and repair people, salespersons, representatives of the news media, and students not now enrolled in the school. School visitation procedures shall be implemented to insure minimum interruption of the instructional program. See attached policy.

HEALTH & SAFETY

Immunizations, Communicable Diseases

EC 48216, 49403, HSC 120325, 120335, 120338, 120365, 120370, and 120375

Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The school District shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The District may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing. Beginning January 1, 2016, parents of students in any school, will no longer be allowed to submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the next grade span at kindergarten (including transitional kindergarten) or 7th grade. Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs. A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above. Districts shall refer parents or guardians to sources of medical services to obtain immunizations. Please contact the School Nurse for more information.

Entrance Health Screening

HSC 124085, 124100, and 124105: State law requires that the parent or legal guardian of each student provide the school documentary proof that the student has received a health screening examination by a doctor within 90 days after entrance to first grade. Students may be excluded up to 5 days from school for failing to comply or not provide a waiver. Notice will be given to parents/guardians of availability of free health screening through the local health department.

Oral Health Assessment

EC 49452.8: Students are required while enrolled in kindergarten, or while enrolled in first grade, if the student was not previously enrolled in kindergarten in a public school, to no later than May 31st of the school year present proof of having received an oral health assessment that was performed no earlier than 12 months prior to the date of the initial enrollment of the student.

Concussion and Head Injuries

EC 49475: A concussion is a brain injury that can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. Even though most concussions are mild, all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly. AB 2127 (Cooley) places limitations on high school and middle school football teams when conducting full-contact practices during the preseason, regular season and off-season. Clarifies the criteria that must be met in order for an athlete who is suspected of sustaining a concussion or head injury to return to the athletic activity. A school District that elects to offer athletic programs must immediately remove from a school-sponsored athletic activity for the remainder of the

day an athlete who is suspected of sustaining a concussion or head injury during that activity. The athlete may not return to that activity until he or she is evaluated by, and receives written clearance from, a licensed health care provider. On a yearly basis, a concussion and head injury information sheet must be signed and returned by the athlete and the athlete's parent or guardian before the athlete's initiating practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular school day or as part of a physical education course.

Drug Free Campus (Alcohol and Other Drug Use Prevention Education)

Possession, use or sale of narcotics, alcohol, or other controlled substances is prohibited and strictly enforced at all school activities. Records will be forwarded to local law enforcement, and District sanctions will result from violations.

Firearms: Gun-Free School Zone

SB 707 (Wolk) authorizes persons with a valid license to carry a concealed firearm to be allowed in an area within 1,000 feet of school, but not on school grounds. Reassignment of certain appointed peace officers who may carry on campus is described. Ammunition or reloaded ammunition is allowed on campus but only if in locked container in a locked trunk of vehicle. Peace keepers, military, and armored vehicle guards engaged in job duties are also defined and exempt. PC 626.9 and 30310

Vision and Hearing Tests

EC 49452, 49456: School Districts shall provide for the testing of the sight and hearing of each student by qualified employees.

EC 49455: Upon enrollment and every third year thereafter until the child has completed grade 8, the child's vision shall be appraised by the school nurse or other authorized person. This evaluation may be waived, if the parents so desire by presenting a certificate from a physician, surgeon, or an optometrist spelling out the results of the evaluation.

The provisions of this section shall not apply to any child whose parents or guardian file with the principal of the school, in which the child is enrolled, a statement in writing that they adhere to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depend for healing upon prayer in the practice of their religion.

Administration of Prescribed Medication for Students

EC 49423: Any student who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer auto-injectable epinephrine or inhaled asthma medication, if the school receives: (1) a written statement from the student's physician detailing the method, amount and time schedules by which the medication is to be taken; and (2) a written statement from the student's parent/guardian requesting the District to assist the student in taking the medication as prescribed by the physician. These instructions must be renewed each year. For further clarification refer to B.P.5141.21, Administering Medication and Monitoring Health Conditions, available at school offices or on the District's Website.

Required Notice to School for Continuing Medication

EC 49480: Parents must inform the school nurse or a certificated school employee when medication is given to a student on a continuing basis for a non-episodic condition. The type of medication, current dosage, and the name of the supervising physician, is to be given to the certificated person.

Medical and Hospital Services

EC 49472: The Board of Education may provide or make available medical or hospital services for injuries to District students arising out of accidents occurring while in or about buildings of the District during the time such students are required to be there; while being transported by the District to or from school or other place of instruction; or while at any other place as an incident to school-sponsored activities and while being transported to, from and between such places. No student shall be compelled to accept such services without his/her consent, or if a minor, without the consent of a parent.

Insurance Plan

EC 49471 and 49472: Informs parents of District's option to provide parents with student insurance for medical and hospital services needed for student injuries while involved in school-related activities.

Health Care Coverage

For the school years beginning in 2015 and ending in 2018, AB 2706 (Hernández) requires public schools to provide parents/guardians information about health care coverage options and enrollment assistance. The information needs to be included on the school enrollment forms; a factsheet may also be provided to parents/guardians. See attached flyer.

Pupils Insurance for Athletic Teams

EC 32221.5: Under state law school Districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school District offering insurance or other health benefits that cover medical and hospital expenses. Some students may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling 1-888-604-INFO.

Physical Examination Exemption

EC 49451: A parent may file annually with the principal of the school, in which his child is enrolled, a signed statement stating that he will not consent to a physical examination of his child. Thereupon, the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he/she shall be sent home and shall not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist.

Pupil Nutrition Program

EC 49889(b), 49510 and 49558: Needy children may be eligible for free or reduced price meals. Details are available at your child's school. Individual records pertaining to student participation in any free or reduced price meal program, under appropriate circumstances, are used by school District employees to identify students eligible for public school choice and supplemental educational services pursuant to the federal No Child Left Behind Act.

Pupil Meals – Child Hunger Prevention and Fair Treatment Act of 2017

EC 49557.5: Per the United States Department of Agriculture memorandum SP 46-2016, the school district must notify parents, students and staff of the Meal Charge Policy on how students who pay the full or reduced price cost of a reimbursable meal are impacted by having insufficient funds on hand or in their accounts to purchase a meal.

Asbestos Management Plan for School Buildings

Federal Reg. 40 CFR 763.93: Each school must maintain a copy of an asbestos management plan for that school. Plans shall be available for inspection by the public, including parents, teachers and other school personnel, within five working days of a request to inspect a plan.

Sun Protective Clothing/Sunscreen

EC 35183.5: School sites must allow for outdoor use of sun-protective hats and must provide for the use of sunscreen by students during the school day. Students may use sunscreen during the school day without a physician's note or prescription.

Bicycle Helmet Law

No person under 18 years of age shall operate a bicycle, a non-motorized scooter, or a skateboard or ride as a passenger unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

The use of skateboards, roller blades, razors or any wheeled mode of transportation on campus during school operational hours is not permitted.

Pesticide Products

EC 17612: The school District designee shall annually provide to all staff and parents or guardians of students enrolled at a school site a written notification of the name of all pesticide products expected to be applied at the school facility during the upcoming year. The notification shall identify the active ingredient or ingredients in each pesticide product. The notice shall also contain the Internet address used to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to Section 13184 of the Food and Agricultural Code and many contain other information deemed necessary by the school District designee.

Comprehensive School Safety Plan

EC 32280: Each school is required to report on the status of its school safety plan, including a description of its key elements in the annual School Accountability Report Card prepared pursuant to Section 33126, 32286 & 52056. Fire and emergency drills are held periodically at each school.

Notice of Compliance

EC 32289: A complaint of noncompliance with the school safety planning requirements may be filed with the State Department of Education under the Uniform Complaint Procedures (5 CCR 4600 et seq.)

Tobacco-Free Schools (B.P. 3513.3)

Tobacco use is identified as a major health risk for both users and non-users. Education Code 48901 mandates Districts take all steps deemed practical to discourage students from smoking. Adults do not have the District's permission to smoke or use tobacco products on District property. Beginning July 1, 1994, smoking and the use of tobacco products is prohibited on sites and in vehicles owned and/or operated by the Livermore Valley Joint Unified School District. The tobacco-free policy includes buildings, grounds and services provided by employees off campus. (Refer to specific regulations in BP 3513.3)

Megan's Law Notification

Penal Code §290.4: Parents and members of the public have the right to review information regarding registered sex offenders. Contact Livermore Police Department or online at www.meganslaw.ca.gov.

INSTRUCTION

High School Curriculum: Notification Regarding College Preparatory Courses

EC 51229: Districts are required to provide parents or guardians of each minor student enrolled in grades 9 to 12 written notice of college admission requirements and career technical education courses. See attached.

Availability of Prospectus of School Curriculum

EC 49063 and 49091.14: The curriculum of every course offered by the schools of the District is compiled annually by each school in a prospectus. Each school prospectus is available for review upon request at each school site. Copies are available upon request for a reasonable fee not to exceed the actual copying cost.

English Language Education

EC 310: State law requires that all students be taught English by being taught in English. However, this requirement may be waived by parents with prior written informed consent, which shall be provided annually, under specified circumstances.

Math Placement

Prior to the beginning of each school year, the District shall communicate the District's commitment to providing students with the opportunity to complete mathematics courses recommended for college admission, including approved placement protocols and the appeal process, to parents/guardians, students, teachers, school counselors and administrators. **BP 6152**

English Learners Identification Notice

EC 313.2: Parents are to be notified by schools that in addition to the child's English proficiency status, for which they are notified using the English Language Proficiency for Assessments for California (ELPAC), and they are to be notified that their child is a "Long-term English Learner" or is an "English learner at-risk of becoming a Long-term English Learner".

California State Academic Achievement Tests

EC 60601-60618: Requires the District to provide information regarding assessments and student excusal to parents, and guardians in a timely basis. Board Policy 6162.51 State Academic Achievement Tests is available in the Student Services Department at the District Office or on the District's Website.

Foster Youth and Children in Homeless Situations

EC 48853, 49069, and 51225, 42 USC §11431-11435: Each local District shall appoint a liaison for foster and homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. Foster and homeless youth are allowed educational rights, such as: immediate enrollment, remain in school of origin, enrollment in local comprehensive school, partial credits, graduation with state minimum requirements with possible fifth year/exemption from local graduation requirements, and access to academic resources, services and extracurricular activities.

Coursework and graduation requirements: children of military families

EC 51225.1 and 51225.2: Within 30 days of enrollment, the school district shall notify children of military families if they are qualified to be exempted from local graduation coursework requirements that go above and beyond state graduation requirements. The school district makes a finding that the pupil is reasonably able to complete the school district's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school or is reasonably able to complete the school districts graduation requirements within the pupils fifth year of high school. The coursework completed while attending another school is to be issued full or partial credit. "Pupil who is a child of a military family" means a pupil who meets the definition of "children of military families" under Section 49701. If you are a military family, your child may qualify to be exempted from local graduation coursework requirements that are beyond the California state requirements. Please make an appointment with the school counselor to review your child's options for graduation. All coursework that was completed at another school outside of the LVJUSD will be issued full or partial credit.

Promotion/Retention of Pupils

EC 48070.5(e): The District will notify parents when a pupil is identified as being at risk of retention as early in the school year as practicable, if their child is identified as being at risk of retention and of their right to consult with school personnel regarding any decision to promote or retain and to appeal a decision to promote or retain. For further clarification, refer to B.P. 5123 available at school offices or on the District's Website.

Drug Education Courses

EC 51260: Instruction shall be given in the elementary and secondary schools on drug education and the effects of the use of tobacco, alcohol, narcotics, dangerous drugs and other dangerous substances.

Sexual Health and HIV/AIDS Prevention Education

EC 51938 At the beginning of the first semester or quarter of the regular school term, the school District shall notify the parent or guardian of a minor pupil regarding the right or responsibility of the parent or guardian under EC 51938.

The school District, is required, at the beginning of each school year, or at the time of the student's enrollment, if different, to notify the parent or guardian of each pupil about instruction in comprehensive sexual health education and HIV/AIDS prevention education and assessments on pupil health behaviors and risks planned for the school year. Provides that a parent or guardian has the right to excuse their child from all or part of the instruction.

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

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

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. Request a copy of Education Codes 51930 through 51939
4. Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by District personnel or outside consultants
5. When the District chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
 - a. The date of the instruction
 - b. The name of the organization or affiliation of each guest speaker

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

Surveys/Tests on Personal Beliefs

EC 51513, 51938 (b): Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test questionnaire, or survey, and 3) the parent consents in writing

The District may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child no participate.

Excuse from Health Instruction

EC 51240: Whenever any part of the instruction of health, family life or sex education conflicts with the religious training and beliefs or personal moral convictions of the parent of any student, the student shall be excused from such training upon written request by the parent.

Non-Mandatory Programs for Parental/Pupil Participation

EC 49091.18: Schools may not require a student or student's family to submit to or participate in any assessment, analysis, evaluation, or monitoring of the quality or character of student home life, parental screening or testing, nonacademic home-based counseling program, parent training, or prescribed family educational service plan.

Moral Objection to Use of Animals

EC 32255: Any student with moral objection to dissecting or otherwise harming or destroying animals shall notify his/her teacher regarding this objection. The teacher will send a notification to parent and pupil. The measure requires a teacher to develop an alternative education project, if possible.

Career Counseling

EC 221.5 (d): Commencing grade 7, school personnel shall assist students with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the student's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

California High School Exit Exam (CAHSEE)

SB 172 (Liu) suspends the requirement of the CAHSEE as a condition for receiving a diploma for any pupil completing grade 12 through the 2017-18 school year. This is retro-active to 2003-04 school year, and also requires school Districts to grant a diploma to any pupil who completed grade 12 and has met all applicable graduation requirements other than passing the CAHSEE. EC 60840

California High School Proficiency Exam

5 CCR 11523: The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible students who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>.

Advanced Placement Examination Fees

EC 52244: State funds may be available to cover costs of advanced placement examination fees for economically disadvantaged pupils.

School Accountability Report Card (SARC)

EC 35256: Each school shall annually issue a School Accountability Report Card (SARC). Copies are available at each school site and on the District's Website www.livermoreschools.com.

Alternative Schools

EC 58501, 58502, & 51225.3: State law authorizes school Districts to provide for alternative schools as a school or separate class group within a school which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his/her desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects. (d) Maximize the opportunity for teachers, parents, and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process. (e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including, but not limited to, the community in which the school is located. In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this District, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the District to establish alternative school programs in each District. Requirements for graduation and alternative modes for completing the prescribed course of study must be made available to pupils, parents, and the public.

Electronic Information Services (Internet Access)

One of the adopted goals of the Livermore Valley Joint Unified School District is to assist in advancing the use of technology to enhance student learning. Access to LVJUSD's technology is a privilege, not a right, and students enrolled in District programs or activities must follow District guidelines and procedures regarding acceptable use of technology. All LVJUSD students and their parents/guardians shall sign the Electronic Information Services agreement prior to using District technological resources. The Livermore Valley Joint Unified School District shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using District technology. Violation of this policy may result in disciplinary action and the loss of privilege to use the technology and/or civil or criminal liability.

The District's User Guide to The Electronic Information Services System is included with this notice. Parent/Guardian permission is required before a student can use the Internet for instructional purposes. Please review and check the release form attached to this notice.

Special Education

EC 56031, 56301, & IDEA: Individuals with Disabilities Act (IDEA) requires that parents be informed of the Federal law, which requires a free and appropriate education in the least restrictive environment for qualified handicapped pupils. Special education is available to meet the identified needs of students who have one or more handicaps. If the service required is not available in a public school, placement may be made in an approved, private, non-sectarian school. Contact the Director of Special Education for specific information.

Special Education; Child Find System

EC 56301: Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education services through the school principal. Policy and procedures shall include written notification to all parents of their rights pursuant to EC 6300.

Special Education Complaints

5CCR §3080: State regulations require the District to establish procedures to deal with complaints regarding special education. If you believe that the District is in violation of federal or state law governing the identification or placement of a special education student, or similar issues, you may file a written complaint with the District.

Section 504 of the Rehabilitation Act of 1973

Students may be handicapped under Section 504, even though they do not qualify for services pursuant to Special Education Law. Eligible students, such as those with Attention Deficit Disorder (ADD), are entitled to reasonable accommodations in the classroom. Please contact the school principal or the Director of Student Services for further information.

Individual Instruction for Temporarily Disabled Students

EC 48206.3-48208: Home or hospital teachers are available for temporarily disabled students unable to attend their regular instructional program with a doctor's signed note. *When students are hospitalized the parents are responsible to notify the school District where the hospital is located for instruction.*

DISCIPLINE

EC 35291 & 35291.5 & .7: The School Board is required to adopt policies for the government and discipline of the schools. A copy of the school discipline policy (5144.1, 5144.2) and guidelines are available at school offices or on the District's Website.

Suspension and Expulsion

EC 48915, 48900: A student shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the student is enrolled determines that the student has committed an act as defined pursuant to any of subdivisions. Amended by AB 420 (Dickinson), pupils in kindergarten through grade 3 shall not be suspended for any acts described under EC 48900(k). Pupils enrolled in kindergarten through grade 12 shall not be recommended for expulsion solely for committing any acts described under EC 48900(k). See Suspension and Expulsion Laws attached to this document.

Bullying/Cyber Bullying

EC 48900 (r): A student may be suspended or recommended for expulsion if it is determined that the student engaged in an act of bullying by any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an "electronic act" as either the creation or transmission of that communication, and including one or more acts committed by a pupil or group of pupils as defined in Education Code sections 48900.2, 48900.3, or 48900.4 directed at one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following: placing a reasonable pupil or pupils in fear of harm to the pupil or pupils of his/her/their property; causing a reasonable pupil to experience substantial interference with his or her physical or mental health; causing a reasonable pupil to experience substantial interference with his or her academic performance; or causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities or privileges provided by a school.

Conduct of Student

EC 44807: Every teacher in the public schools shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

Withholding Grades, Diploma or Transcripts

EC 48904, BP/AR 5125.2: The parent or guardian of any minor, whose willful misconduct results in damage to any property belonging to the school District, personal property of any school employee, or school property not returned, shall be liable for all damages, to a maximum of \$10,000. The principal or designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and that reparation may be due. This notice shall include a statement that the District may withhold grades, diploma, or transcripts from the student and parent/guardian until reparation is made.

If reparation is not made, the District shall afford the student his/her due process rights in conformance with Education Code expulsion procedures and may withhold the student's grades, diploma or transcripts.

Search of Students

The District is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or District property under their control, and may seize illegal, unsafe and otherwise prohibited items. Metal detectors, contraband detection dogs, and breathalyzers may be used to ensure the safety of all students. A copy of the written policy B.P. 5145.12, Search and Seizure, is included with this notice.

Duties of Students

5 CCR 300: Students shall conform to school regulations; obey all directions, be diligent in study, respectful to teachers and others in authority; and refrain from the use of profane and vulgar language

Hazing Prohibition

EC 48900 (q): Students and other persons in attendance are prohibited from engaging or attempting to engage in hazing.

Attendance of Suspended Student's Parent

EC 48900.1: School Districts are required to adopt a policy that allows a teacher to require the parents of an unruly or disruptive student to spend a portion of the school day in the child's classroom. The measure prohibits an employer from taking action against a parent who attends school in accordance with the provision of this act.

Sexual Harassment

EC 231.5, 48980, 5 CCR §4917: Sexual harassment violates state and federal law and school Discipline Policy. Sexual harassment is unwelcome sexual behavior that makes a student feel uncomfortable or unsafe. Examples include, but are not limited to the following: unwelcome sexual flirtations or propositions; sexual slurs, insults, epithets, threats, verbal abuse, derogatory comments or sexual degrading descriptions; comments about a person's body; sexual jokes, notes, stories, drawings, pictures, or gestures; spreading sexual rumors; touching a person's body or clothes in a sexual way; purposefully cornering or blocking normal movements; displaying sexually suggestive objects; and hugging, grabbing, or pinching someone sexually. If a student believes he/she is a victim of sexual harassment they should tell the harasser to stop; immediately report the harassment to an administrator, teacher, counselor, or any adult supervisor; consider filing a formal complaint against the harasser or talk to their parents so they can contact school officials. A copy of Board Policy 5145.7, Sexual Harassment, can be obtained by contacting the Student Services Department at the District Office or on the District's Website.

Dress Code/Gang Apparel

Dress, grooming, or appearance, which disrupts or tends to disrupt the educational process, or affects the health or safety of individuals, shall be prohibited. A summary of B.P. 5332, Student Dress Code, is included with this notice.

EC 35183: "Gang related apparel" is prohibited on campus. Copies of B.P. 5136, Prohibited Gang Related Behavior, are available in the Student Services Department at the District Office or on the District's Website.

Electronic Communication Devices

Use of communication devices such as cell phones and pagers are permitted on campus and at school sponsored activities under restricted conditions. School administration also has the discretion to impose additional conditions. Standards: (1) Use of cell phones, pagers, and other communication devices on campus is permitted only during the following times: before and after school; during passing periods (grades 9-12 only); and during lunch. (2) At no times are students permitted to use cell phones or pagers during a class or instructional period. All electronic devices (to include, but not limited to cell phones and pagers) **must** be turned off during class time. (3) The schools will not be responsible for the damage or loss of electronic communications devices brought on campus or to school sponsored activities. Violations of these standards will result in consequences consistent with the District's discipline policy BP 5131.2.

Electronic Listening or Recording Device

The use by any person, including a pupil, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the pupil, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation shall be subject to appropriate disciplinary action .EC 5151.2.

Laser Pointers

Penal Code 417.27: Prohibits possession of a laser pointer by any student on any elementary or secondary school premise, unless possession is for valid instruction. Further prohibits directing the beam of a laser pointer into the eyes of another or into a moving vehicle or into the eyes of a guide dog.

Corporal Punishment

EC 49000 & 49001 & California Penal Code 273d: Corporal punishment shall not be administered to a student.

ATTENDANCE

Minimum Age of Admission to Kindergarten

EC 48000 (a): Children must be five years of age on or before September 1 for the 2015-2016 and each school year thereafter.

Residency

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

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

A school District may also deem a student as having complied with the residency requirements for school attendance in the school District if one

or both the parents or legal guardians of the student are physically employed within the boundaries of the school District for a minimum of 10 hours during the school week or in the instance where the pupil's parent or legal guardian resides outside of the boundaries of that school District but is employed and lives with the pupil at the place of his or her employment within the boundaries of the school District for a minimum of 3 days during the school week.

Minimum Day

EC 44579: Districts shall advise parents and guardians of the schedule of minimum days and student-free staff development days. If additional days are scheduled thereafter, parents and guardians of the affected students will be notified no later than one month before the scheduled minimum or student-free day.

Allowed Absences

EC 48205: (A) Notwithstanding Section 48200, a student shall be excused from school when the absence is: (1) due to his/her illness; (2) due to quarantine under the direction of a county or city health officer; (3) for the purpose of having medical, dental, optometric, or chiropractic services rendered; (4) for the purpose of attending the funeral services of a member of his/her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California; (5) for the purpose of jury duty in the manner provided for by law; (6) due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent; (7) for justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of holiday or ceremony of his/her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board; (8) For the purpose of serving as a member of a precinct board for an election, pursuant to Section 12302 of the Elections Code. (9) For the purpose of spending time with a member of the student's immediate family who is an active duty member of the uniformed services, as defined in ED 49701, and has been called to duty for, is on leave from or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school District, (b) A student absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit thereof. The teacher of any class from which a student is absent shall determine that the tests and assignments be reasonably equivalent to, but not necessarily identical to the tests and assignments that the student missed during the absence. (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester. (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments. (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45 194, except that references therein to "employee" shall be deemed to be references to "student."

Avoiding Absences, Written Excuses

The Livermore Valley Joint Unified School District urges parents to make sure their children attend school regularly and to schedule medical and other appointments so that a student misses none or only a small portion of the school day. The District also asks that travel or other absences be avoided during the time school is in session. The higher the District's daily attendance rate, the more a student will learn and the greater the amount of funding that the District will receive from the state for classroom instruction and academic programs. The school calendar is designed to minimize problems for families that plan vacations around traditional holiday periods, and thereby minimize student absences.

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

Absence for Religious Purposes

EC 46014: Students, with written parental consent, under certain conditions, may be excused from school for religious exercises if the governing board adopts a resolution permitting students to be absent from school for religious purposes.

Grade Reduction/Loss of Credit

EC 48980(k): No student shall have his/her grade reduced or lose academic credit for any absence excused pursuant EC 48205 for missed assignments/tests that can reasonably be provided and completed. (See Allowed Absences)

Leaving School Grounds During Lunch

EC 44808.5: Board Policy 5112.5 directs that elementary, middle, and high schools shall have closed campuses and students may not leave school at lunch unless the principal at the site allows an exemption. All exemptions must be reviewed annually and parents will be notified in advance of exemptions that are granted. Per Education Code 44808, the District shall not be liable for the conduct or safety of any students leaving school grounds during the student's lunch period.

School Attendance Review Board Referral

EC 48263: Any minor who is a habitual truant or is irregular in attendance at school may be referred to a School Attendance Review Board (SARB). The minor's parents or guardians shall be notified of the referral.

Truancy

EC 48260, 48262, 48263.6: A student is considered truant after three absences or three tardies of more than 30 minutes each time and the

absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year, the student is considered a habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Unexcused absences are all absences that do not fall within EC48205. The text of EC 48205 is provided on this page under "Allowed Absences".

EC 48260.5: Requires that a letter be sent to the parent or guardian upon student's initial classification as a truant. A truant is defined as "any 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.

Arrest of Truants/School Attendance Review Boards

EC 48263, 48264: The school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from his/her home and who is absent from school without valid excuse within the county, city or school District. A student who is truant may be referred to a School Attendance Review Board (SARB).

Confidential Medical Service

EC 46010.1: Students in grades 7-12 and their parents are notified that the law permits schools to excuse students for the purpose of obtaining confidential medical services without parental consent.

SCHOOL ENROLLMENT OPTIONS

IntraDistrict Transfers

EC 35160.5(b): Allows parent(s) to choose the schools their children will attend, regardless of where the parent/guardian lives in the District. The law limits choice within a school District as follows: (1) Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school's attendance area. (2) In cases in which there are more requests to attend a school than there are openings, the selection process must be "random and unbiased," which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A District cannot use a student's academic or athletic performance as a reason to accept or reject a transfer. (3) Each District must decide the number of openings at each school that can be filled by transfer students. Each District also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a District can deny a transfer request if it would upset this balance or would leave the District out of compliance with a court-ordered or voluntary desegregation program. (4) A District is not required to provide transportation assistance to a student that transfers to another school in the District under these provisions. (5) If a transfer is denied, a parent/guardian does not have an automatic right to appeal the decision.

Each year the Student Services department establishes the open enrollment period for all students and grade levels. Requests submitted after the established dates may not be approved before school begins in the fall. Information on open enrollment dates and procedures is posted on the LVJUSD website each year in January prior to the beginning of open enrollment. LVJUSD Board Policy 5116.1 reviews procedures in more detail.

InterDistrict Transfers

EC 48209 & 46600: The parent or legal guardian of a student may seek release from the home District to attend a school in any other school District. School Districts may enter into agreements for the InterDistrict transfer of one or more students for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a student will not have to reapply for an InterDistrict transfer, and the school board of the District of enrollment must allow the student to continue to attend the school in which he/she is enrolled. An interDistrict attendance agreement shall be initiated by the District of residence and shall require the appropriate signatures of the receiving District. Transportation is the responsibility of the parent/guardian. The Student Services Department shall be responsible for processing interDistrict transfer requests. Once a student has been admitted by an interDistrict agreement, he/she is welcomed and encouraged to continue attending Livermore schools as long as his/her behavior, attendance, and achievement meet District expectations. The parent/guardian of a student who is denied an interDistrict transfer request may appeal the decision to the District Superintendent and the Board of Education under B.P. 9321. Requests that are denied by the Superintendent and/or Board of Education may be appealed within 30 days to the County Board Of Education. Students expelled from other school Districts for certain serious offenses specified in Education Code 48915 (a) or (c) are not eligible for an interDistrict transfer during the period of their expulsion. Prior to considering the transfer request of a student who had a prior expulsion, the Student Services department shall hold a hearing to determine whether the student poses a danger to the students, staff, or the District.

A student who has been determined by personnel of either the home or receiving District to have been the victim of an act of bullying, as defined in EC 48900 (r), shall, at the request of the parent or legal guardian, be given priority for interDistrict attendance under any existing agreement or, in the absence of an agreement, be given additional consideration for the creation of an interDistrict attendance agreement. (AB 1156)

Open Enrollment Act

EC 48350: Whenever a student is attending a school on the Open Enrollment List as identified by the Superintendent of Public Instruction, the

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

Parent Employment in Lieu of Residency (SB140)

EC 48204 (b): The law provides that a school District may deem a student as having complied with the residency requirements for school attendance if one or both parents/guardians of the student are employed within the boundaries of the District. A school District is not required to accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race, ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions of this section include:

- Either the District in which the parent/guardian lives or the District in which the parent/guardian works may prohibit the transfer if it determines there would be a negative impact on its court ordered or voluntary desegregation plan.
- The District in which the parent/guardian works may reject a transfer if it determines that the cost of educating the student would exceed the amount of government funds the District would receive as a result of the transfer.
- There are set limits (based on total enrollment) on the net number of student that may transfer out of a District under this law, unless the District approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the District that declines to admit a student is encouraged to communicate in writing to the parent/guardian the specific reasons for denying the transfer.

This summary of attendance alternatives is intended to provide an overview of the laws applying to each alternative. Anyone interested in finding out more about these options should contact their own school District, or the Districts they may be thinking about transferring into, for more information on the Districts’ policies, procedures, and timeline for applying for transfers.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Community Relations

BP 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

The Board of Education recognizes that the District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

The District's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging District violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, regional occupational centers or programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 6159 - Individualized Education Program)

(cf. 6171 - Title I Programs)

(cf. 6174 - Education for English Language Learners)

(cf. 6178 - Career Technical Education)

(cf. 6178.1 - Work-Based Learning)

(cf. 6200 - Adult Education)

2. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, in District programs and activities against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Community Relations

BP 1312.3(b)

UNIFORM COMPLAINT PROCEDURES

Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610) in any program or activity conducted by the District, which is funded directly by, or that receives or benefits from any State financial assistance.

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging bullying in District programs and activities, regardless of whether the bullying is based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital or parental status, pregnancy, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics.

(cf. 5131.2 - Bullying)

4. Any complaint alleging District non-compliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)

(cf. 5146 – Married/Pregnant/Parenting Students)

5. Any complaint alleging District violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

6. Any complaint alleging that the District has not complied with legal requirements related to the implementation of the Local Control and Accountability Plan (Education Code 52075)

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Community Relations

BP 1312.3(c)

UNIFORM COMPLAINT PROCEDURES

7. Any complaint, by or on behalf of any student who is a foster youth, alleging that the District has not complied with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the District's educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or District, school transfer, or the grant of an exemption from Board-imposed graduation requirements (Education code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

(cf. 6173.1 Education for Foster Youth)

8. Any complaint, by or on behalf of a homeless student as defined in 42 USC 11434a, alleging that the District has not complied with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or District or the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1, 51225.2)

(cf. 6173 – Education for Homeless Children)

9. Any complaint alleging that the District has not complied with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student to a course without educational content for more than one week in any semester or to a course that the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

10. Any complaint alleging that the District has not complied with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 – Physical Education and Activity)

11. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

12. Any other complaint as specified in a District policy

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Community Relations

BP 1312.3(d)

UNIFORM COMPLAINT PROCEDURES

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. One type of ADR is mediation, which shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The District shall protect all complainants from retaliation. In investigating complaints, the confidentiality of all parties involved shall be protected as required by law. As appropriate for any complaint, alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the

Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

The District shall protect all complainants from retaliation. In investigating complaints, the confidentiality of all parties involved shall be protected as required by law. As appropriate for any complaint, alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the District shall refer the non-UCP allegation to the appropriate staff or agency and shall resolve the UCP-related allegation(s) through the District's UCP.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Community Relations

BP 1312.3(e)

UNIFORM COMPLAINT PROCEDURES

The Superintendent or designee shall provide training to District staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and District policy.

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the District's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Community Relations

BP 1312.3(f)

UNIFORM COMPLAINT PROCEDURES

In addition, the District's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments. (Education Code 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

222 Reasonable accommodations; lactating students

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries

32289 School safety plan, uniform complaint procedures

35186 Williams uniform complaint procedures

48853-48853.5 Foster Youth

48985 Notices in language other than English

49010-49013 Student fees

49060-49079 Student records

49069.5 Rights of Parents

49490-49590 Child nutrition programs

51210 Courses of study grades 1-6

51223 Physical education, elementary schools

51228.1-51228.3 Course periods without educational content

52060-52077 Local control and accountability plan, especially

52075 Complaint for lack of compliance with local control and accountability plan requirements

52160-52178 Bilingual education programs

52300-52490 Career technical education

52500-52616.24 Adult schools

52800-52870 School-based program coordination

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56867 Special education programs

59000-59300 Special schools and centers

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Board Policy

Community Relations

BP 1312.3(g)

UNIFORM COMPLAINT PROCEDURES

64000-64001 Consolidated application process

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6577 Title I basic programs

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

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

7201-7283g Title V promoting informed parental choice and innovative programs

7301-7372 Title V rural and low-income school programs

12101-12213 Title II equal opportunity for individuals with disabilities

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

110.25 Notification of nondiscrimination on the basis of age

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Board Policy Community Relations UNIFORM COMPLAINT PROCEDURES

BP 1312.3(h)

Management Resources:

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

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Bullying of Students with Disabilities, August 2013

Dear Colleague Letter: Sexual Violence, April 2011

Dear Colleague Letter: Harassment and Bullying, October 2010

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

WEB SITES

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

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

Family Policy Compliance Office: <http://familypolicy.ed.gov>

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

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

U.S. Department of Justice: <http://www.justice.gov>

Policy: LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Adopted: 4/23/13

Livermore, California

Revised: 6/03/14

Replaced: 2/03/15

Revised: 4/07/15

Revised: 8/23/16

Revised: 6/12/18

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(a)

Except as the Governing Board may otherwise specifically provide in other District policies, these general uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

Compliance Officers

The District designates the individual(s) identified below as the employee(s) responsible for coordinating the District's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding sex discrimination, harassment, intimidation, or bullying. The following compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure District compliance with law:

Deputy Superintendent
685 E. Jack London Blvd.
Livermore, CA 94551

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

The compliance officer who receives a complaint may assign another compliance officer to investigate the complaint. The compliance officer shall promptly notify the complainant if another compliance officer is designated to investigate the complaint.

In no instance shall a compliance officer be designated to investigate a complaint if he/she is mentioned in the complaint or has a conflict of interest that would prohibit him/her from fairly investigating the complaint. Any complaint filed against or implicating a compliance officer may be filed with the Superintendent or designee.

The Superintendent or designee shall ensure that employees designated to

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(b)

investigate complaints receive training and are knowledgeable about the laws and programs which they are assigned to investigate. Training provided to such designated employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating complaints, including those involving alleged discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints, and appropriate corrective measures. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf. 9124 - Attorney)

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

Notifications

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

The Superintendent or designee shall annually provide written notification of the District's UCP to students, employees, parents/guardians, the District advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013, 52075; 5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

(cf. 3260 - Fees and Charges)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

(cf. 5145.6 - Parental Notifications)

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(c)

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

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

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination, harassment, intimidation, or bullying.
4. Include statements that:
 - a. The District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(d)

- c. A complaint alleging retaliation, unlawful discrimination, harassment, intimidation or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination harassment, intimidation, or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
- d. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities.
- e. The Board is required to adopt and annually update a local control and accountability plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
- f. The complainant has a right to appeal the District's decision to the CDE by filing a written appeal within 15 calendar days of receiving the District's decision.
- g. The appeal to the CDE must include a copy of the complaint filed with the District and a copy of the District's decision.
- h. Copies of the District's UCP are available free of charge.

District Responsibilities

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the District's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

The compliance officer shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(e)

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation, unlawful discrimination, or bullying confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

Filing of Complaint

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in accordance with the following:

1. A written complaint alleging District violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630(c)(2))
3. A complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(f)

request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant or alleged victim of unlawful discrimination, harassment, intimidation, or bullying requests confidentiality, the compliance officer shall inform him/her that the request may limit the District's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the District will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, District staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Mediation

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of a sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process. Before initiating the mediation of a complaint alleging retaliation, unlawful discrimination, harassment, intimidation or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

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

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(g)

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

Investigation of Complaint

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

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

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation, shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. To resolve a complaint alleging retaliation, unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the District's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the District shall provide the investigator with access to

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(h)

records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the District to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Report of Findings

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

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the District's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Final Written Decision

The District's decision shall be in writing and shall be sent to the complainant. (5 CCR 4631)

In consultation with District legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(i)

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In other all other instances, the District shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination harassment, intimidation or bullying has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(j)

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the notice may, as required by law, include:

- a. The corrective actions imposed on the individual found to have engaged in the conduct that relate directly to the subject of the complaint
 - b. Individual remedies offered or provided to the subject of the complaint
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's right to appeal the District's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

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

For complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, and bullying, based on state law, the decision shall also

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(k)

include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the District's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination, harassment, intimidation, or bullying complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination, harassment, intimidation, or bullying based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination, harassment, intimidation, or bullying.

Corrective Actions

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

For complaints involving retaliation, unlawful discrimination, harassment, intimidation, or bullying, appropriate corrective actions that focus on the victim may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(I)

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation, unlawful discrimination, harassment, intimidation, or bullying, appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

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

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

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges or any requirement related to the LCAP is found to

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation Community Relations UNIFORM COMPLAINT PROCEDURES

AR 1312.3(m)

have merit, the District shall provide a remedy to all affected students and parents/guardians. (Education Code 49013, 52075)

For complaints alleging noncompliance with the laws regarding student fees, such remedies, where applicable, shall include reasonable efforts to ensure full reimbursement to affected students and parents/guardians, within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the District's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the District's decision. (Education Code 49013, 52075; 5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the District's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the District's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the District, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the District's uniform complaint procedures
7. Other relevant information requested by the CDE

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Administrative Regulation
Community Relations
UNIFORM COMPLAINT PROCEDURES

AR 1312.3(n)

Regulation: LIVERMORE VALLEY JOINT UNIFIED SCHOOL
DISTRICT

Adopted: 4/23/13
Revised: 6/03/14
Replaced: 2/03/15
Revised: 4/07/15
Revised: 8/23/16
Revised: 6/12/18

Livermore, California

Livermore Valley Joint Unified School District

2018/2019 School Calendar

August 2018						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
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September 2018						
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October 2018						
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November 2018						
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December 2018						
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January 2019						
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February 2019						
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March 2019						
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31						

April 2019						
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May 2019						
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June 2019						
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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

July 2019						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

-  Non-student days
-  Teacher Work Days + 1 flex
-  Prof. Development + 1 flex
-  Begin/End of Year
-  End of Trimester
-  Legal/Local Holidays

Trimester 1 August 20 - November 16 62 days
 Trimester 2 November 26 - March 7 61 days
 Trimester 3 March 11 - June 6 57 days

Workdays TK-12 - Aug 17, June 7 + one flex
 Prof Develop TK-12 - Aug 16, Oct 5 + one flex

Fall Conference Days TK-5: Oct 8-9, 11-12, 15-16, 18-19
 Spring Conference Days TK-5: March 11-12, 14-15

Back to School Night; Elem: Aug 30, Middle: Sept 6, HS: Sept 5
 Open House; Elem: May 23, Middle: May 29, HS: TBA

College Admission Requirements and Higher Education Information

University of California/California State University Minimum College Admissions Requirements:

“A-G” Courses	Subject	CSU/UC Requirements
A	History/Social Science	2 years required
B	English	4 years required
C	Mathematics	3 years required (Algebra, Geometry and Intermediate Algebra), 4 years recommended
D	Laboratory Science	2 years required (Biology and Chemistry) 3 years recommended
E	Language Other Than English	2 years required, 3 years recommended
F	Visual and Performing Arts (V P A)	1 year required
G	College Preparatory Electives	1 year required

To learn more about college admission requirements, and for a list of District courses that have been certified by the University of California as satisfying the requirements for admission to the UC and CSU, please refer to: www.csumentor.edu

For a list of District courses that have been certified by the University of California as satisfying the requirements for admission to the UC and CSU, please refer to: www.ucop.edu/doorways

Career Technical Education (CTE): CTE is offered by the District and Tri-Valley ROP as career and workforce preparation for high school students. CTE courses are developed in partnership with business and industry and sequenced in multiple career pathways that provide students with options to explore careers, apply their knowledge and abilities, and make informed choices about their future. CTE provides high school students 16 years of age and older with valuable career and technical education so students can (1) enter the workforce with skills and competencies to be successful and earn more than minimum wage at the entry level; (2) pursue advanced training in postsecondary educational institutions; and/or (3) upgrade existing skills and knowledge. Most CTE courses are articulated with our local community colleges so that high school students can earn college credits. Some CTE classes are UC Approved.

To learn more about the District’s career technical education classes, please visit the District Websites at www.livermoreschools.com and the Tri-Valley ROP website at www.tvrop.org.

Students are encouraged to meet with the high school Career Education Specialist in the Career Center or counselors to help them choose courses at their school that will meet college admission requirements or enroll in career technical education courses, or both.

Please contact your Career Education Specialist
Granada High School 925-606-4800
Livermore High School 925-606-4812

Board Policy

Search And Seizure

BP 5145.12(a)

Students

The Board of Education is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health, safety and welfare of students and staff, school officials may search students, their property and/or District property under their control, and may seize illegal, unsafe and otherwise prohibited items.

- (cf. 0450 - Comprehensive Safety Plan)
- (cf. 3515 - Campus Security)
- (cf. 3515.3 - District Police/Security Department)
- (cf. 5131 - Conduct)
- (cf. 5131.7 - Weapons and Dangerous Instruments)
- (cf. 5144.1 - Suspension and Expulsion/Due Process)

The Board of Education requires that discretion, good judgment and common sense be exercised in all cases of search and seizure. When conducting a search or seizure, employees shall act in accordance with law, Board policy, and administrative regulation.

- (cf. 0410 - Nondiscrimination in District Programs and Activities)
- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall ensure that staff who conduct student searches receive training regarding the requirements of the District's policy and administrative regulation and other legal issues, as appropriate.

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

Individual Searches

School officials may search individual students, their property and District property under their control, when there is a reasonable suspicion that the search will uncover evidence that the student is violating the law, Board policy, administrative regulation, or other rules of the District or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers,

Board Policy

Search And Seizure

BP 5145.12(b)

Students

desks, purses, backpacks, student vehicles parked on District property, cellular phones, or other electronic communication devices.

Any search of a student, his/her property, or District property under his/her control shall be limited in scope and designed to produce evidence related to the alleged violation. Factors to be considered by school officials when determining the scope of the search shall include the danger to the health or safety of students or staff, such as the possession of weapons, drugs, or other dangerous instruments, and whether the item(s) to be searched by school officials are reasonably related to the contraband to be found. In addition, school officials shall consider the intrusiveness of the search in light of the student's age, gender, and the nature of the alleged violation.

Employees shall not conduct strip searches or body cavity searches of any student. (Education Code 49050)

Searches of individual students shall be conducted in the presence of at least two District employees.

The principal or designee shall notify the parent/guardian of a student subjected to an individualized search as soon as possible after the search.

(cf. 5145.11 - Questioning and Apprehension)

Student Lockers/Desks

All student lockers and desks are the property of the District. The principal or designee may conduct a general inspection of school properties that are within the control of students, such as lockers and desks, on a regular, announced basis, with students standing by their assigned lockers or desks. Any items contained in a locker or desk shall be considered to be the property of the student to whom the locker or desk was assigned.

Because lockers and desks are under the joint control of the student and the District, school officials shall have the right and ability to open and inspect any school locker or desk without student permission or prior notice when they have reasonable suspicion that the search will uncover evidence of illegal possessions or activities or when odors, smoke, fire and/or other threats to health, welfare or safety emanate from the locker or desk.

Board Policy

Search And Seizure

BP 5145.12(c)

Students

Use of Metal Detectors

The Board believes that the presence of weapons in the schools threatens the District's ability to provide the safe and orderly learning environment to which District students and staff are entitled. The Board also believes that metal detector searches offer a reasonable means to keep weapons out of the schools and mitigate the fears of students and staff.

The Superintendent or designee shall use metal detectors at District schools as necessary to help provide a safe learning environment. The Superintendent or designee shall establish procedures that ensure that metal detector searches are conducted in a uniform and consistent manner that minimizes or eliminates arbitrary and capricious enforcement by school officials.

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Use of *Contraband-Detection Dogs*

In an effort to keep the schools free of dangerous contraband, the District may use specially trained nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or Board policy. The dogs may sniff the air around lockers, desks, or vehicles on District property or at District-sponsored events as long as dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without their consent.

Use of *Breathalyzers or Similar Devices*

The Board recognizes the significant risk to students, staff, and the community at large whenever students use alcohol on school property or at school-sponsored events. In order to prevent the use of alcohol at school or school-sponsored events, the school officials are authorized to conduct random or suspicionless tests using breathalyzers, or other devices, which have an established scientific basis for accuracy.

(cf. 5131.6 - Alcohol and Other Drugs)

Board Policy

Search And Seizure

BP 5145.12(d)

Students

Legal Reference:

EDUCATION CODE

32280-32288 School safety plans

35160 Authority of governing boards

35160.1 Broad authority of school Districts

49050-49051 Searches by school employees

49330-49334 Injurious objects

PENAL CODE

626.9 Firearms

626.10 Dirks, daggers, knives or razor; bringing into or possession of upon or within public school ground; exception

CALIFORNIA CONSTITUTION

Article I, Section 28(c) Right to Safe Schools

COURT DECISIONS

B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260

O'Connor v. Ortega, (1987) 107 S.Ct. 1492

New Jersey v. T.L.O., (1985) 469 U.S. 325

Horton v. Goose Creek Independent School District, (5th Cir. 1982) 690 F.2d 470

Zamora v. Pomeroy, (10th Cir. 1981) 639 F.2d 662

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 257 (2001)

75 Ops.Cal.Atty.Gen. 155 (1992)

Management Resources:

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999

WEB SITES

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

California Attorney General's Office: <http://caag.state.ca.us>

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

National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

Policy LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

adopted: April 7, 2009

Livermore, California

revised: June 7, 2016

Administrative Regulation

Search And Seizure

AR 5145.12(a)

Students

Use of Metal Detectors

The following procedures shall be followed when making metal detector scans:

1. Before walk-through, students shall be asked to empty their pockets of metallic objects.
2. If an initial activation occurs, students shall be asked to remove other metallic objects they may be wearing (e.g., belt and jewelry) and to walk through a second time.
3. If a second activation occurs, a hand-held metal detector shall be used.
4. If the activation is not eliminated or explained, staff shall escort the student to a private area.
5. In the private area, an expanded search, which should be as limited as possible consistent with the objective of preventing or deterring the presence of weapons on school grounds, shall be conducted by a trained staff member of the same gender as the student, in the presence of another District employee. Any expanded search, such as a request to open purses or backpacks or empty pockets, shall be limited to the detection of weapons.
6. The search shall be limited to the detection of the cause of the activation. If during the search, another illegal substance or article is in plain sight, the school may assert jurisdiction over the student for its possession.

Use of *Contraband*-Detection Dogs

Contraband detection dogs shall not be used in classrooms or other District facilities when the rooms are occupied, except for demonstration purposes, with the handler present. When used for demonstration purposes, the dog shall be separated from the students and not allowed to sniff any individual.

Prior to conducting an inspection, students shall be asked to leave the room that will be subject to the canine sniff. No student shall be forced to leave personal items behind for inspection, unless school officials have reasonable suspicion to search the item.

Administrative Regulation

Search And Seizure

AR 5145.12(b)

Students

Only the dog's official handler shall determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, the student having the use of that item or place, or responsibility for it, shall be called to witness the ~~search~~ **inspection**. If a dog alerts on a locked vehicle, the student who brought the vehicle onto District property shall be asked to unlock it for inspection.

Use of Breathalyzers or Similar Devices

The following procedures shall be followed prior to and during testing for alcohol by breathalyzers or similar devices designed for the detection of alcohol ingestion:

1. The District shall purchase devices for the detection of alcohol ingestion which have a reputation for accuracy and reliability after checking with local law enforcement agencies and/or other appropriate resources.
2. The devices shall be maintained and calibrated in accordance with manufacturer's instructions.
3. Access to and use of the devices shall only be by sworn law enforcement personnel or certificated District employees who have been trained and certified in the proper operation of the devices with such certification records maintained by the District.
4. The devices shall be kept under lock and key when not in use with access permitted only to sworn law enforcement personnel or certificated District employees who have been trained and certified in the proper operation of the devices, who shall sign for units identified by serial number or other distinguishing designations. The District shall maintain the sign-in sheets.
5. Only certified personnel in teams of two shall use the devices to conduct tests on students in accordance with the manufacturer's instructions.
6. In the event of a positive reading showing the ingestion of alcohol, the student shall be afforded an opportunity to provide an explanation for the result and given the choice of a second testing after ten minutes have elapsed.

Administrative Regulation

Search And Seizure

AR 5145.12(c)

Students

7. If the testing team determines that the student has ingested alcohol, his or her parent or guardian shall be contacted to pick up the student and appropriate discipline to follow. Under no circumstances will a student testing positive for alcohol consumption be allowed to leave alone or with other students.

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Notifications

At the beginning of each school year and upon enrollment, the Superintendent or designee shall inform students and parents/guardians about the District's policies and procedures for searches, including notice regarding:

1. The possibility of random searches of students, their belongings, their vehicles parked on District property, and District properties under a student's control, including lockers or desks
2. The District's contraband dog detection program
3. The use of metal detector scans
4. The use of breathalyzers

In addition, the Superintendent or designee shall ensure that signs are posted at all schools at which metal detectors, contraband detection dogs, and breathalyzers are to be used to explain that anyone may be scanned by metal detector for guns, knives, other illegal weapons, or drugs or alcohol when on campus or attending athletic or extracurricular events.

Regulation LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
approved: April 7, 2009 Livermore, California
revised: June 7, 2016

STUDENT DRESS CODE

This regulation specifies standards that promote a positive and safe learning environment for students. Annual notice of this regulation shall be provided to students, parents, and staff. In addition, each school site council or other school committee shall regularly review these standards. District and school dress codes shall be enforced on the school campus and at any school-sponsored activity. Appropriate dress for school dances, graduation activities and other special events will be communicated to parents and students by the school.

Standards

1. Students shall dress appropriately for educational activities in which they will participate so as not to endanger their health, safety, or welfare, or that of others, or cause a disruption to the educational process. The following articles of clothing are not permitted:
 - Back-less or strap-less tops
 - Low-cut tops and dresses
 - Bare-midriff tops
 - Shorts, skirts, pants, and tops that fail to conceal undergarments
 - Shorts, skirts, and dresses that are shorter than thumbs' length when arms are at side
2. Shoes shall be worn at all times unless not required as part of an instructional activity.
3. Clothing, accessories, and jewelry shall be free of writing, pictures, symbols or any other insignia which are crude, vulgar, profane, obscene, libelous, slanderous, or sexually suggestive. Clothing, accessories, or jewelry that degrade any cultural, religious or ethnic values, that advocate racial, ethnic, or religious prejudice or discrimination, or that promote sex, the use of tobacco, drugs, or alcohol or any unlawful acts are prohibited.
4. Sun-protective clothing, including hats, may be worn outdoors during the school day on school campuses.
Hats, caps, and other head coverings shall not be worn in classrooms at middle schools. On elementary and high school campuses, the wearing of hats indoors is left to the discretion of the administration and teaching staff.
5. Dark glasses shall not be worn indoors, except for valid medical reasons authorized by the administration and verified in writing by a physician.
6. Gang-related clothing or accessories, including but not limited to bandannas, or other symbols, emblems, or insignia are prohibited. School officials shall consider student history and information obtained from community agencies and resources when making these judgements.

Any clothing, jewelry or accessories, which create a safety or health concern, or cause or threaten to cause a disruption to the educational process, is prohibited.

Exceptions may be made by the administration for special days, special events, or activities. Repeated violation of the District or school dress code(s) shall be considered a violation of Education Code section 48900 (k): disruption of school activities and/or willful defiance of valid school personnel authority. Appropriate consequences shall be specified and Implemented according to the elementary and secondary discipline policies.

Final determination of what constitutes appropriate dress shall be made by the school administration. Examples of appropriate and inappropriate attire are attached (page 3 of 3).

Discipline Procedures

The following procedures and consequences shall be followed when there have been violations of the Student Dress Code.

First Referral

The student shall be brought to the school office, and a parent/guardian contact shall be made. The student shall receive a warning and shall be reminded of the dress code requirements by the principal or vice-principal. A change of clothes is required. The student shall be sent home if necessary. The violation shall be documented.

Second Referral

The student shall be brought to the school office, and a parent/guardian contact shall be made. . A change of clothes is required. A parent conference may be held as necessary. The student may receive detention and may lose school privileges. The violation shall be documented.

Third Referral

The student shall be brought to the school office, and a parent/guardian contact shall be made. A parent conference is required. The student shall receive detention and lose privileges. Suspension from school and community service may also be required by the school administration.

Legal Reference:
EDUCATION CODE 35183, 48907

TITLE 5 Section 302
PENAL CODE 186.22, 13826-13826.7
(cf. 5333)

Approved 06/05/01 Revised 06/26/01, 11/13/01

Livermore Valley Joint Unified School District

Board Policy

Visitors/Outsiders
Community Relations

BP 1250

The Board of Education encourages parents/guardians and other interested citizens to visit our schools. Visitors may normally be expected on the campus of a public school during the school day. Since the principal and school staff are responsible for the safety of students and an orderly environment on campus, all visitors must register immediately at the office and receive permission by the principal or designee as outlined in board regulations. The exceptions to this policy are specific events as determined by the principal, such as athletics, plays, assemblies, etc. These visitors may include, among others, District office personnel, substitute teachers, temporary employees, teachers visiting from other schools, parents of students, school Board members, interested citizens, invited speakers, maintenance and repair people, salespersons, representatives of the news media, students not now enrolled in the school, and others. The visitor will be granted access to the school site for purposes consistent with the mission of the district.

School visitation procedures shall be implemented to insure minimum interruption of the instructional program.

Legal Reference:

EDUCATION CODE

32210 Willful disturbance of public school or meeting

32211 Threatened disruption or interference with classes; misdemeanor

32212 Classroom interruptions

35160 Authority of governing boards

35292 Visits to schools (board members)

51512 Prohibited use of electronic listening or recording device

EVIDENCE CODE

1070 Refusal to disclose news source

LABOR CODE

230.8 Discharge or discrimination for taking time off

PENAL CODE

626-626.10 Schools

627-627.10 Access to school premises, especially:

627.1 Definitions

627.2 Necessity of registration by outsider

627.7 Misdemeanors; punishment

ATTORNEY GENERAL OPINIONS

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

Policy LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
adopted: October 21, 2008 Livermore, California
revised: September 19, 2017

Administrative Regulation

Visitors/Outsiders

AR 1250(a)

Community Relations

These regulations shall apply to all persons other than District personnel, the school staff and students enrolled in the school. Unless otherwise directed by the principal or designee, a staff member shall accompany visitors while they are on school grounds.

Procedures to Gain Access

The principal and school staff shall be responsible for implementing the following visitor's procedures:

1. At each access point to the school grounds of each school, signs shall be posted specifying the hours during which registration is required, stating where the office of the principal or designee is located, and setting forth the applicable requirements of Penal Code 627.2 and the penalties for violation of BP 1250.
2. No visitor, including a student enrolled at another school, shall enter or remain on school grounds during school hours without having registered with the principal or designee, except to proceed to the office of the principal or designee for the purpose of registering. When registering, the visitor is to provide his/her name, address, age (if under 21), his/her purpose in entering the school grounds, and proof of identity. (Penal Code 627.3) Visitors should receive and display identification confirming they have registered in the office. District personnel should display District identification at all times.
3. School personnel will notify the principal or designee if they observe any unregistered visitors.

Provisions to Gain Access

1. To ensure minimum interruption of the instructional program, visits during school hours should be first arranged with the teacher and principal or designee. When an individual arrives without prior arrangements, the principal or designee will determine if a visitation is appropriate at that time or schedule a time for a future visit.
2. If a conference is desired, an appointment should be set with the teacher during non-instructional time.
3. Visitors shall not use electronic listening or recording devices without prior permission of the principal and teacher, unless sanctioned by the principal for particular school events such as parades, awards assemblies, sporting events, or other performances.
4. A principal or designee may refuse to register a visitor if it is believed that the presence of the visitor would cause a threat of physical injury to teachers, other

Administrative Regulation

Visitors/Outsiders

AR 1250(b)

Community Relations

employees, students, or the purpose of the visit is not consistent with the mission of the district. (Penal Code 627.4)

5. An independent educational assessment by qualified specialists is permissible for special education assessments in accordance with Education Code 56329 and 34 CFR 300.502. If a public education agency observed the student in conducting its assessment and the parent/guardian disagrees with the assessment, an equivalent opportunity shall apply to an independent educational assessment of the student in the student's current educational placement and setting, and the proposed educational placement, if any. The student, classroom teacher and special education staff shall not be interrupted during the observation. The observation will be limited to one hour a week. If a visitation is approved for an independent educational assessment, school District personnel will accompany the private assessor during the observation(s). No electronic or recording devices may be used in the classroom or school without prior approval from the Assistant Director or Director of Special Education.

6. A registered sex offender may not enter the grounds of any school having classes K-12. Exceptions to this regulation are the following:

- a. A student registered at the school.
- b. A parent/guardian of a student registered at the school and the individual, shall be accompanied by the principal or designee at all times.

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

8. Principals may seek the assistance of the police in dealing with or reporting any visitor in violation of BP 1250.

Penalties

1. Every visitor who willfully and knowingly violates the above regulations is guilty of an infraction. (Penal Code 627.2)

Livermore Valley Joint Unified School District

Administrative Regulation

Visitors/Outsiders

AR 1250(c)

Community Relations

2. Every visitor who willfully and knowingly violates these regulations, having been previously convicted of the same offense, is guilty of a misdemeanor punishable by a \$500 fine and/or imprisonment. (Penal Code 627.7)

3. Any parent/guardian or other person whose conduct in a place where a school employee is required to be in the course of his or her duties materially disrupts class work or extracurricular activities or involves substantial disorder is guilty of a misdemeanor which is punishable by a fine not exceeding one hundred (\$100), by imprisonment in the county jail for a period of not more than 10 days, or both. (Education Code 44811)

4. The principal or designee may request that a visitor who has failed to register, or whose registration privileges have been denied or revoked, promptly leave school grounds. When a visitor is directed to leave, the principal or designee shall inform the visitor, in writing, that if he/she re-enters the school within seven days he/she will be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.5)

Regulation LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
approved: October 21, 2008 Livermore, California
revised: September 19, 2017

Board Policy

Sexual Harassment

BP 5145.7

Students

The Board of Education is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the person(s) to whom a report of sexual harassment should be made

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with administrative regulation. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

(cf. 1312.1 - Complaints Concerning District Employees)

Disciplinary Measures

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Discrimination

UNITED STATES CODE, TITLE 42

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

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

COURT DECISIONS

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

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

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Nabozny v. Podlesny, (1996, 7th Cir.) 92 F.3d 446

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

Oona R.-S. etc. v. Santa Rosa City Schools et al, (1995) 890 F.Supp. 1452

Rosa H. v. San Elizario Ind. School District, (W.D. Tex. 1995) 887 F. Supp. 140, 143

Clyde K. v. Puyallup School District #3, (1994) 35 F.3d 1396

Patricia H. v. Berkeley Unified School District, (1993) 830 F.Supp. 1288

Franklin v. Gwinnet County Schools, (1992) 112 S. Ct. 1028

Kelson v. City of Springfield, Oregon, (1985, 9th Cir.) 767 F.2d 651

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS
GENERAL

Protecting Students from Harassment and Hate Crime: A Guide for Schools,
January 1999

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Revised Sexual Harassment Guidance, January 2001

Sexual Harassment Guidance, March 1997

WEB SITES

OCR: <http://www.ed.gov/offices/OCR>

Policy LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
adopted: April 7, 2009 Livermore, California

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

USER GUIDE TO THE ELECTRONIC INFORMATION SERVICES SYSTEM

The Board of Education has established the Electronic Information Services (EIS) system to be used only for the educational and business purposes and goals of the District. Use of the system is a privilege and not a right. The terms under which individuals are permitted to use the system are outlined in this User Guide.

Those who wish to use the EIS are required to:

- Read and understand the information contained in this User Guide
- Sign the signature page indicating understanding of and agreement to abide by these terms and conditions
- Return the signature page to your school principal or program manager prior to using the EIS each year

1. INTRODUCTION

The EIS system provides the ability to view, communicate, transmit, or manipulate information electronically. It consists of hardware, software, and transmission and communication services which the District either owns, leases, or to which the District subscribes. Examples include but are not limited to:

- Voice mail, electronic mail (e-mail), fax machines, modems
- On-line services and Internet service providers
- Computers of all types and related equipment, networks, and fixtures
- Computer software, operating systems, and electronic files of all sorts
- Scanners, still and video cameras, video and audio recorders, and playback units
- Television and radio productions and broadcasts

WARNING - Those who use the EIS system, particularly the services available over the Internet, will have access to an abundance of research and educational opportunities such as local, national, and even international universities, libraries, databases, as well as information available through private and governmental agencies. However, the Internet is not regulated and, as a result, material is also available over the Internet which may be illegal, inaccurate, offensive and completely inappropriate for use in a classroom or public school district. In addition, one's communications, electronic files, and Internet activity can be viewed and accessed by others.

2. SYSTEM USE INFORMATION

Users must be aware of the following:

No Privacy - Users have no privacy with respect to their use of the EIS.

There are a variety of circumstances where a user's EIS activities and transmissions may be observed and even accessed by others.

Do Not Overload The System - The EIS can easily be overloaded causing it to no longer be efficient. To avoid overloads, users should address their communications to small numbers of people related to the purpose at hand, and messages should be as brief as possible. Note: a message posted to multiple recipients should be sent as a single message with multiple addresses rather than as a series of individual messages.

Prohibiting Access To Certain Internet Sites - Users shall not use the EIS to access Internet sites that are not related to the educational and business goals and purposes of the District. The District reserves the right to block user access to such Internet sites.

Etiquette - Users are expected to be polite, professional and respectful of others in their use of the EIS. Message titles shall be descriptive and accurate. Individuals shall not forward another user's communications without his or her express prior consent.

Monitoring EIS For System Abuse - The District reserves the right to monitor all components and individuals' use of the EIS for the purpose of maintaining the system's integrity, efficiency, security, and to prevent system abuse.

Cyber Bullying - Cyber Bullying is the use of any electronic communications system to willfully harm, harass, or threaten a person or persons and will not be tolerated.

Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act. Electronic act means the creation or transmission of a communication originated on or off school site, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.

(cf. 1114 - District-Sponsored Social Media)

(cf. 5131.2 - Bullying)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education under Section 504)

3. PERMITTED USE

Individuals are permitted to use the EIS only for purposes that further and support the District's educational and business goals and purposes. Use for any other purpose is prohibited.

4. PROHIBITED USE

Individuals shall not use the EIS in any way that results in a violation of the law, School Board Policies and Regulations, District procedures, or school rules. Examples of prohibited use include but are not limited to:

- Maliciously accessing, altering, deleting, or damaging the components of the EIS system or using the District's EIS to do the same to another system.
- Moving another user's accounts, changing another user's passwords, or using unauthorized accounts.
- Using the EIS to attempt to make money illegally or for purposes unrelated to the District's educational or business goals and purposes.
- Intentionally disrupting, overloading or damaging any part of the EIS or using the EIS in a manner that intentionally disrupts, overloads or damages someone else's system.
- Using the EIS to violate copyrights, trade secrets, or libel laws or otherwise violate the law.
- Using the EIS in any manner that intentionally creates or spreads computer viruses. Users shall not use the EIS to engage in any form of "hacking". Examples include such activities as attempting to gain access to restricted computer sites and then viewing, copying, downloading, or altering programs, data files, and other materials from that site.
- Using passwords, recognition codes, security access information, or physical locking devices on any part of the EIS without the System Administrator's prior express, written consent. If such permission is given, the user shall provide the District's System Administrator with keys, passwords, access codes and/or other security information to permit the District to obtain access to the user's computer and electronic files prior to using such security devices. The District reserves the right to remove any such device at any time at the District's discretion.
- Using the EIS in any manner that intentionally modifies or alters the EIS in any way except under the express direction and authority of the District's System Administrator. Modification and alteration of the EIS does not include ordinary operations involving the saving and deletion of user generated data files that are created to further District business or educational purposes.

5. CONSEQUENCES OF PROHIBITED USE

Discipline And/Or Loss Of Use Privileges. Use of the EIS is a privilege and not a right. Users who engage in prohibited activities as described in this User Guide may be subject to appropriate discipline, including loss of EIS use privileges.

Procedural Rights. Users accused of violating the terms and conditions of use in this User Guide shall have the same procedural rights to which they are normally entitled.

**LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
OFFICIAL NOTICE OF SUSPENSION**

Student's Name _____ Date of Birth _____ School _____

Student's I.D. # _____ Grade _____ Phone Number _____

Parent/Guardian _____ Address _____ ZIP 94550

Suspension # _____ Number of days _____ Special Education Yes No or 504

Date of Incident _____ From: (Date/Time) _____ Return on: (Date/Time) _____

Total days suspended this year: _____ Ethnicity _____

Reason for Suspension: (Education Code 48900)

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

- a. (1) Caused, attempted to cause, or threatened to cause physical injury to another person. (501)
- a. (2) Willfully used force or violence upon the person of another, except in self defense.(504)
- b. *Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (101)
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.(202)
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant. (203)
- e. *Committed, or attempted to commit robbery or extortion. (600)
- f. Caused or attempted to cause damage to school property or private property (including graffiti)(512)
- g. Stole or attempted to steal school property or private property. (school property includes, but is not limited to electronic files and databases 48900 v) (601)
- h. Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a student of his or her own prescription products. (300)
- i. Committed an obscene act or engaged in habitual profanity or vulgarity. (510)
- j. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code. (204)
- k. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. Except as provided in Section 48910, a pupil enrolled in TK to 3rd grade, inclusive, shall not be suspended for any of the acts enumerated in this subdivision. (511)
- l. Knowingly received stolen school property or private property. "School property" includes, but is not limited to, electronic files and databases.
- m. Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (102)
- n. Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (507)
- p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma. (205)
- q. Engaged in, or attempted to engage in, hazing as defined in Section 32050. (509)
- r. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. (513)
- t. Aided or abetted the infliction or attempted infliction of physical injury to another person.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
OFFICIAL NOTICE OF SUSPENSION

Education Code 48900.2

- (Grades 4 to 12) Committed sexual harassment to another pupil or employee – verbal or physical conduct of a sexual nature; an act which creates an intimidating, hostile, or offensive environment.

Education Code 48900.3

- (Grades 4 to 12) Caused, attempted to cause, threatened to cause, or participated in an act of **hate violence**.

Education Code 48900.4

- (Grades 4 to 12) Intentionally engaged in harassments, threats, or intimidation directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

Education Code 48900.7

- Making terrorist threats against school officials and/or school property.

Education Code 48901.5

- Possession or use of any electronic signal device in violation of District Policy and Regulation 5131.2 (includes cell phones).

Factual Explanation of Incident (must include date incident occurred):

- The student's explanation of the incident was heard and considered before suspension was imposed.

TO THE PARENTS: This suspension has been issued in compliance with Education Code Sections 48900-48915 and 35291. The teacher of any class from which a student is suspended may require the suspended student to complete any assignments and tests missed during the suspension. Supervision of the student is the responsibility of the parent/guardian during the suspension.

During the suspension, your child must not be on or near any school campus and may not participate in any school-sponsored activities.

Principal or Designee Signature

Date

Telephone contact with parent by: _____ Date: _____ Time: _____

A school administrator may schedule a parent/guardian conference regarding your child's behavior. State law requires a parent/guardian to respond to the school administrator without delay.

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT
OFFICIAL NOTICE OF SUSPENSION

Acts Causing Recommendation for Expulsion

48915 (A-E)
The principal or the superintendent of schools shall recommend the expulsion of a student for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance: This includes acts that occur at any time at any school or is related to any school activity off school grounds, going to or from school, lunch period, or any school activity in Livermore or in any other community.

- A Caused serious physical injury to another person, except in self-defense.
- B *Possession of any knife, or other dangerous object of no reasonable use to the pupil.
- C Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 - Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
- D *Robbery or extortion.
- E Committed assault¹ or battery² upon any school employee (Penal Code 240, 242).

48915 (c)
The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

- (c) (1) Possessing, selling, or otherwise furnishing a firearm.
- (c) (2) Brandished a knife at another person.
- (c) (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 - Health and Safety Code.
- (c) (4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900. (Penal Code 240, 242, 261, 266c, 286, 288, 288a, 289, 243.4).
- (c) (5) Possession of an explosive.

PRINCIPAL'S ACTION:

- EXPULSION RECOMMENDED
- DO NOT RECOMMEND EXPULSION

REASON EXPULSION IS INAPPROPRIATE:

Date

Signature of Principal

¹The definition of assault is an unlawful attempt, coupled with a present ability, to commit a violent injury on the person of another.

²The definition of battery is any willful and unlawful use of force or violence upon the person of another.



**HEALTH
CARE
FOR ALL
FAMILIES**

A PROJECT OF THE CHILDREN'S PARTNERSHIP

Enroll. Get Care. Renew. Health Coverage All Year Long

Health Coverage Options

Medi-Cal:

- ▶ Children—regardless of immigration status—foster youth, pregnant women, and legally present individuals—including those with DACA status—may be eligible for no- or low-cost Medi-Cal.
- ▶ Medi-Cal covers immunizations, checkups, specialists, vision and dental services, and more for children and youth at no- or low-cost.
- ▶ Medi-Cal enrollment is available year round.

Covered California:

- ▶ Covered California is where legal residents of California can compare quality health plans and choose the one that works best for them.
- ▶ Based on income and family size, many Californians may qualify for financial assistance.
- ▶ Enroll during Open Enrollment or any time you experience a life-changing event, like losing your job or having a baby. You have 60 days from the event to complete enrollment.



! Immigrant Families visit: www.allinforhealth.org/immigrantfamilies
Immigration status information is kept private, protected, and secure. It will not be used by any immigration agency to enforce immigration laws, but only to determine eligibility for health programs.

You and your family may qualify for financial help:

Household Size	If 2018 household income is less than...		If 2018 household income is between...
1	\$16,644	\$32,081	\$16,644 - \$48,240
2	\$22,412	\$43,199	\$22,412 - \$64,960
3	\$28,181	\$54,318	\$28,181 - \$81,680
4	\$33,949	\$65,437	\$33,949 - \$98,400
5	\$39,717	\$76,556	\$39,717 - \$115,120
6	\$45,486	\$87,675	\$45,486 - \$131,840
▶	Adults may be eligible for Medi-Cal	Children may be eligible for Medi-Cal	May be eligible for financial help to purchase insurance through Covered California

Enroll.

Three ways to enroll in Medi-Cal and Covered California:

-  www.coveredca.com
-  1(800) 300-1506
-  Find in-person help: www.coveredca.com/get-help/local/

Get Care.

- ▶ Find a primary care doctor in your network.
- ▶ Schedule an annual checkup for you and your family.
- ▶ Make sure to take your child to the dentist.
- ▶ Pay your monthly premium if your plan requires it.

Renew.

- ▶ Medi-Cal must be renewed every year. If you receive a renewal notice, complete and return. You can also renew online or by phone. For help, contact your local Medi-Cal office.
- ▶ Health plans through Covered California must be renewed every year. Renewal information will be mailed at the end of the year, or contact Covered California at 1 (800) 300-1506.

For more information go to:
www.allinforhealth.org

March 2018



LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Student Services Department
(For grades 9 – 12 only)

Request to Deny Release of Student Information to Military Recruiters

Public Law 107-110 allows parents/guardians, and students, 18 years of age and older, to prohibit release of student information to military recruiters.

Student Name _____

Date of Birth _____

School _____

_____ I request that this student's name not be released to military recruiters.

Parent/Guardian signature

Date

_____ I am 18 years of age and request my name, address, telephone number and school records not be released to military recruiters or any branch of the Armed Forces.

Student signature

Date

cc: Student Services Department