



# **Folsom Cordova Unified School District**



## **Parent's Rights and Responsibilities 2012-2013**

### **Board of Education**

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The information contained in this document is important for you and your child(ren). Please review each section to familiarize yourself with Education Code 48900 pertaining to your rights, responsibilities, and important policies of the Folsom Cordova Unified School District.

You are invited to share your comments and/or request additional information regarding District policies related to these programs, activities, and services from the office of your child's school, or by contacting the District Educational Services Center at 294-9000.

The Board of Trustees, Superintendent, and staff wish you a most enjoyable and successful year.

## **CAMPUS SAFETY**

### **Protection of Students and Staff**

To provide for the protection and the safety of students, teachers, employees, and school property, the public (except those persons exempted) is required to register in the school office prior to entering or remaining on the school premises during school hours. Signs are posted at each school entrance indicating the location of the school office (place of registration) and penalties for failure to comply. Should you have any questions, please contact the school's office.

### **Privacy Rights Regarding Student Records**

As a public school District, we are required by California state law to maintain records on students. The purpose of keeping such information is to provide the best possible conditions for the education of students.

Please be informed that you have the right to inspect your child's records, but only a parent/guardian having legal custody may challenge the content of those records. Written procedures for challenging student records are available

from your school principal. If you desire to inspect or challenge records, please make an appointment during regular school hours. Education Code (EC) 49061

## **Noncustodial Parents**

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the principal or designee upon enrollment or upon a change in circumstances. In the event of an attempted violation of a court order that restricts access to a student, the principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent. Board Policy (BP) 5021

## **Reporting to Parents**

Individual teachers are to communicate in writing to students and parents at the beginning of the school year the classroom grading policy, which includes homework requirements, make-up procedures, and the weighting of course work as it pertains to the calculation of the final grade. Course expectations shall be provided at this time. BP 5124

Federal law allows you to ask for certain information about your child's classroom teachers and paraprofessionals, and requires the District to give you this information if you ask for it. You may ask about the type of state credential a teacher has and the grades and subjects the teacher is licensed to teach. You may also ask about the teacher's college major and any advanced degrees. If a paraprofessional is assigned to assist your child, you may ask about his/her qualifications.

## **Personal Property**

The District is not responsible for loss or theft of personal property. Students are discouraged from bringing non-instructional items to school, such as CD players, cell phones, radios, or skateboards, etc. Refer to the student-parent handbook at each school for more specific rules.

## **Vandalism**

All parents and guardians are asked to help prevent vandalism by impressing upon their child the seriousness of destroying school property. Citizens living near the schools are requested to report any acts of suspected vandalism to the school principal or to the proper authorities - in Rancho Cordova call 874-5115, or in Folsom call 355-7230.

Note: The 911 emergency telephone number will quickly summon *emergency service in a crisis situation*. This number may be used to contact the local fire department, sheriff's office, police department, or the highway patrol.

## **Substance Abuse**

### **Education/Prevention/Intervention**

The intent of the District policy is to establish an atmosphere that will promote understanding of the use, abuse, and misuse of drugs, alcohol, and tobacco. Curricula shall be course-specific, as well as appropriately infused into various content areas.

For the protection of students, school employees will make every effort to prohibit the flow of drugs in the school. When substance abuse incidents occur, school staff will:

1. Provide emergency medical assistance.
2. Require parental involvement.
3. Enforce the laws regarding use and distribution of illegal substances.
4. Discipline students.
5. Provide assistance to student seeking help, according to established rules and regulations.

Anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes or practices may be administered to any pupil in grades 7-12 inclusive. The parent or guardian is given the opportunity to review the test, questionnaire or survey, and to request that his or her child not participate. The California Healthy Kids Survey is administered to students every other year, beginning with the odd year, for students in grades 5, 7, 9, and 11. A pupil may not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent/guardian

declines to permit pupil participation, and an alternative educational activity shall be made available. EC 51937, 51938, 51939

### **Tobacco-Free School Policy**

The use of tobacco products is prohibited at all times on District property and in District vehicles. This prohibition applies to all parents, employees, students, visitors, and other persons.

## **YOUR RIGHTS AND EDUCATIONAL SERVICES**

### **Intra-District School Choice**

Students who reside within the District attendance area may apply for enrollment in any District school, providing the school of choice has space available. A student who currently attends a school and resides within that school's attendance area shall not be displaced by another student who transfers from outside of the attendance area.

EC 35160.5(c)

### **Absences**

Excused absences shall be for health reasons, family emergencies, and justifiable personal reasons, such as an appearance in court, observance of a holiday or ceremony of his or her religion, participation in religious exercises or instruction away from the school site, and attendance at religious retreats. For these justifiable personal reasons, the parent/guardian must submit a request in writing to the school authorities for prior approval. EC 46014 and 48205(7).

No student may have his or her grade reduced or lose academic credit for any absence or absences excused if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. EC 48205

School administrators may excuse any student in grades 7 through 12 from school to obtain confidential medical services without the consent of the student's parent or guardian. EC 46010.1. However, it is the policy of the Folsom Cordova Unified School District that students shall not be released from school without their parents'/guardians' knowledge or consent in the case of medical emergency. BP 5113

### **Students with Disabilities**

If your child is temporarily or permanently disabled, he/she has the right to be educated in facilities and receive services comparable to those provided to students without disabilities, to the maximum extent appropriate. Without discrimination, Section 504 of the Rehabilitation Act provides for qualified students to receive reasonable accommodations allowing for equal access.

### **Americans with Disabilities Notice**

The Folsom Cordova Unified School District welcomes those with disabilities to participate fully in the programs, services, and activities involving their child. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in any program, service, or activity involving your child, please contact the principal of the school where your child attends at least 48 hours before the scheduled event, so that we may make every reasonable effort to accommodate you. Government Code Section 54953.2; Americans with Disabilities Act of 1990, Section 202 (42 U.S.C. Section 12132)

### **Race/Ethnicity Re-Identification**

On October 19, 2007, the United States Department of Education (ED) published its final guidance to states on maintaining, collecting, and reporting race and ethnicity data. Changes in how race and ethnicity data are collected and maintained will affect schools and districts. While re-identification of race/ethnicity using the final guidance is not mandatory, educational institutions are required to provide students who enter an educational institution or program on or after the implementation deadline the opportunity to re-identify.

## **Animal Use**

The provision for animal use requires that the District observe a student's right to refrain from harmful or destructive use of animals, such as dissecting or experimenting on animals. The student must notify the teacher of his/her objection. Education Code 32255.1

## **HEALTH**

### **Physical Examination**

A physical examination may not be required of a child whose parent has filed an objection for that specified school year. However, the child may be sent home if, for good reason, he or she is believed to be suffering from a recognized contagious or infectious disease, until the school authorities are satisfied that any contagious or infectious disease does not exist. EC 49451

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students are encouraged to schedule medical appointments during non-school hours.

### **Medication**

Prescribed medication that is required during the school day may be administered by a school nurse or other designated school personnel, according to physician orders. EC 49423. Written orders from a physician and written consent by the parent or guardian are required on FCUSD form, *Parent/Physician Release for Medication at School*. BP 5140

Over-the-counter medication, required during the school day, may also be administered following a written request by the parent or guardian on FCUSD form, *Parent Release for Non-Prescription Over-the-Counter Medication in School*. BP 5140

All medication must be in its original pharmacy or manufacturer's container. Prescription medication must be properly labeled with the name of the student, name of the prescribing physician, name of the dispensing pharmacy, name of the drug, strength of the medication, dosage, method of administration, frequency of administration, duration of administration, and expiration date. Over-the-counter medication must be labeled with the name of the student, name of the medication, dosage, method and frequency of administration, and expiration date. BP 5140

### **Consent to Immunize**

A parent or guardian may consent in writing for their student to be immunized for communicable diseases, including pertussis, by a licensed physician or registered nurse, acting under the direction of a supervising physician. EC 49403

### **Accident Insurance**

The District does not insure students for injury sustained while at school. The District provides a voluntary student insurance application, available at school sites at the beginning of each school year. EC 49472. If students wish to participate in athletics (grades 7-12), they must show evidence of medical insurance, as well as having had a physical exam within the last twelve months.

### **Nutritious Meals are Served Each School Day**

Breakfast is served at selected schools. Lunches will be provided free or at a reduced cost for those students who are determined to be in need. EC 49510. Applications may be obtained at your school office.

### **Home and Hospital Instruction**

Services may be provided to students who are temporarily disabled, unable to attend regular classes or alternative education programs, and are confined to their residences due to verified physical, mental, or emotional disability. Parents may apply in writing for Home Hospital Instruction. EC 48206.3. Parental consent, medical verification, and authorization for exchange of information are required, and may be obtained at the student's school site. BP 6183

For students who have a disability qualifying them for Special Education services, home and hospital instruction may be considered through the IEP process. When a student is hospitalized or in a residential health facility located outside

the school District, it shall be the primary responsibility of the parent to apply for instruction at the School District in which the hospital is located. EC 48207, 48208

## **Mandated Screening**

Pursuant to Education Code Section 49452, the District will provide testing for the sight and hearing of students. Pursuant to Education Code Section 49452.5, the District will provide for the screening of every female student in grade 7 and every male student in grade 8 for the condition known as scoliosis. These screenings will be done by credentialed School Nurses. A report of abnormal screening results will be sent to the parent. A parent/guardian may submit a request annually in writing, to the principal of the school, that his/her child be excluded from any of these screening programs.

## **Family Life**

The District is required at the beginning of each school year, or at the time of enrollment for a new student, to inform each parent about instruction in comprehensive sexual health education and HIV/AIDS prevention education planned for the coming year. The Family Life program includes a comprehensive sexual health education and HIV/AIDS prevention education program taught by District personnel in which reproductive organs and their functions are described, illustrated, and discussed. Written and audiovisual materials are available for inspection.

A parent or guardian of a pupil may request in writing that his or her child be excused from all or part of the comprehensive sexual health education, HIV/AIDS prevention instruction, and any assessments related to that education. A pupil may not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent/guardian declines to permit pupil participation, and an alternative activity shall be made available. The parent or guardian may request a copy of Chapter 5.6 of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act. EC 51937, 51938, 51939

## **Pesticide Application and Notification**

The Healthy Schools Act of 2000 requires that parents be provided with written notification of expected use of pesticides or herbicides on school sites during the school year. The following may be used at school sites:

<b>Name of Pesticide</b>	<b>Active Ingredient(s)</b>
Photoxin (Rodent Bait)	Aluminum Phosphide
Roundup (Weed Control)	Glyphosate
Surflan (Weed Control)	Oryzalin
Merit (Insect Spray for trees/shrubs)	Imidacloprid
Rodent Bait (Gophers)	Chlorophacinone
Tempe SC Ultra (Landscape Insect Spray)	Cyfiuthrin Cyano

Parents/guardians may request prior notification of each application at their child's school site. Upon completion of the *Request for Individual Pesticide Application Notification*, you will be contacted 72 hours prior to the intended application. In an emergency, pesticides may be applied without prior notice, but you will be provided notice following any such application. The form requesting notification is available in your child's school office or on our website, [www.fcusd.org](http://www.fcusd.org)

## **PRIVACY NOTIFICATION AND TESTING**

### **Student Use of the Internet and Online Services**

The District provides student access to the Internet as an educational tool. Because the Internet is uncensored and can be misused, no student shall be allowed to use the District's access to the Internet unless the student and the student's parent/guardian first sign the District's *Student Technology Use Agreement*. As part of that agreement, parents will have the option of electing not to allow their students to use the Internet at school. If such election is made and an assignment is due that requires Internet use, an appropriate alternative assignment will be provided to the student with no penalty. Students who use District resources agree to abide by all District policies and guidelines for their legal use. BP 6118.01

The District will provide reasonable supervision of students using its access to the Internet, and will attempt to do what is technologically reasonable with filtering software to prevent students from obtaining access to pornographic or harmful matter as defined by state and federal law.

Students using the District's Internet access and technology resources shall have no right of privacy in their use of those systems. Staff may monitor or examine all system activities a student takes part in to ensure proper use of the system. Students who fail to abide by District policies and guidelines may be subject to disciplinary action, revocation of their privilege to use the systems, or legal action as appropriate.

### **Promotion, Acceleration and Retention**

Decisions to promote students shall be made on the basis of achievement of grade-level standards, test scores, and other indicators of academic achievement designated by the Board of Education.

Retention will be considered for students who do not meet minimum grade-level standards in reading/language arts, and math. Principals and teachers will determine which students must be retained. EC 48070.5 Students who have special needs or whose teachers have determined that retention is not the appropriate intervention may be exempt if so determined by a team of the student's parents/guardians and educators.

In special situations, acceleration may be appropriate when the decision is in the best interest of the student. Considerations for the decision to accelerate will depend on academic grades, achievement test scores, social and emotional development, teacher's opinion, and the parents/ guardian recommendation.

### **California High School Exit Exam (CAHSEE)**

California Education Code 60851 states that each student completing Grade 12 shall successfully pass the exit exam as a condition of receiving a diploma of graduation from high school. A student is required to take the CAHSEE in grade 10, and may take the exam annually when administered until each section of the mathematics and language arts exam has been passed. Students will only be required to retake the sections not passed.

All California public school students, except eligible students with a disability, must satisfy the CAHSEE requirement, as well as all other state and local requirements, to receive a high school diploma. The CAHSEE requirement can be satisfied by passing the examination or for students with disabilities, meeting an alternative means requirement, or receiving a local waiver pursuant to California Education Code.

### **Privacy Notification**

This District is participating with the California School Information Services (CSIS) Program in the electronic transfer of student data for state reporting to the California Department of Education and to Districts and/or public postsecondary institutions to which the student is transferring or applying for admission. All data maintained by the CSIS Program is in compliance with federal and state privacy and confidentiality requirements. Student information is encoded in a way that no personally-identifiable information is retained by CSIS. The data being transferred is specific to the state reports and records transfer requirements, and no additional data is reported.

The benefits of participation to the student and parent are that student records can be transferred much more promptly, and that information about student assessment and academic placement will be available at the time of transfer. Schools and Districts will benefit from the streamlining and reduction of required state reporting.

### **Student Testing**

Parents/guardians may request in writing that their student not participate in the statewide tests. EC 60615. In addition, parents/guardians have the right to be notified of their child's performance on standardized and statewide tests and the school's ranking on these tests. EC 60640

# **POLICY & PROCEDURES FOR STUDENT SAFETY & DISCIPLINE**

## **Nondiscrimination**

The Board of Education is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination, including harassment, with respect to a student's actual or perceived sex, sexual orientation, age, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability. For nearly all of these characteristics, the prohibition applies as well to discrimination based on a perception of the characteristic or association with a person or group with the actual or perceived characteristic. District programs and facilities, viewed in their entirety, shall be readily accessible to individuals with disabilities.

## **Sexual Harassment**

The Governing Board is committed to maintaining a learning environment that is free of harassment. Board Policy 5145.7 prohibits the unlawful sexual harassment of any student by any employee, student, or other person at school or at any school-related activity. The District is committed to taking serious, immediate and appropriate action with respect to violations of sexual harassment policy. Students shall be assured that they need not endure any form of sexual harassment. They shall further be assured that they need not endure, for any reason, any harassment that impairs the educational environment or a student's emotional well being at school. Should a student believe that he/she has been subjected to sexual harassment, he/she shall file a complaint in accordance with the guidelines outlined under the Uniform Complaint Procedures. Students can be assured that the District will not tolerate retaliation as a result of the filing of a complaint. Any student who engages in the sexual harassment of anyone at school or a school related activity shall be subject to disciplinary action.

## **Uniform Complaint Procedure**

The Board of Education recognizes that parents, guardians, students, employees, advisory committee members, or other members of the community may have questions, seek information, desire to make requests, and express complaints regarding District policies and procedures of state and federal programs. A complaint in this sense is a request for action to resolve a conflict. The complainant is the person affected or represents the person affected.

A parent complaint about a student should first be discussed with the teacher and then with the principal. If the complaint is not satisfactorily resolved, the next step is to file an official complaint with the District Compliance Officer through the Uniform Complaint Procedure. Direct the complaint to 1965 Alabama Avenue, Rancho Cordova, CA 95742, phone 916-294-9000.

A discrimination complaint must be written and filed within six months of the occurrence or when first acknowledged. District staff will resolve the complaint through mediation or will investigate and provide a written report to the complainant. If resolution is not reached at the staff level, the matter may be taken to the District Board of Education.

The time period for the District staff and/or Board response may not exceed 60 days. If the written report still does not resolve the complaint, the complainant may appeal to the California Department of Education within 15 days of issuance of the District report. If the Department of Education is unable to resolve the complaint, complainants may seek local civil law remedies. Uniform Complaint Procedures have been established, BP 1312.3, and may be obtained from the Human Resources Department.

Programs and services covered by Uniform Complaint Procedures include general and basic education, Adult Education, Special Education, preschool, state and federal programs, ROP, \*textbooks and instructional materials, nondiscrimination, gender equity requirements, and civil rights guarantees.

\*Pursuant to *California Education Code*, Section 35186 you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a textbook or instructional material, or both, to use in class and to take home in order to complete required homework assignments.
2. School facilities must be clean, safe, and maintained in good repair. Good repair means that the facility is maintained in a manner that assures that it is clean, safe, and functional as determined by the Office of Public School Construction.
3. There should be no teacher vacancies or mis-assignments as defined in EC 35186(h)(1) and (2). Mis-assignment means the placement of a certificated employee in a teaching or services position for which the

employee does not hold a legally recognized certificate or credential, or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. A teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

4. Pupils, including English learners, who have not passed one or both parts of the high school exit examination by the end of grade 12, are to be provided the opportunity to receive intensive instruction and services for up to two consecutive academic years, after completion of grade 12.
5. To file a complaint regarding the above matters, complaint forms can be obtained at the site principal's office, District Educational Services Center, or can be downloaded from the Folsom Cordova Unified School District's or California Department of Education's website.

This notice is provided annually to parents and students, school and District advisory committee members, all District employees, and other interested parties. This notice is provided in English and is also available in Spanish and Russian on our District website [www.fcusd.org/AdminWeb/complaints.htm](http://www.fcusd.org/AdminWeb/complaints.htm).

## **Discipline Procedures**

In accordance with California Education Code, section 35291, the Board of Education's adopted procedures governing student discipline are available in your child's school office upon request. These provisions include, but are not limited to: detention, parent conferences, suspension, transfer, expulsion, and other educational alternatives. EC 48900(a-t). The *Student Conduct Code* shall be available to all students at the beginning of each school year, and may be distributed in print version for discussion in individual classes at each site. Parents may also access the *Student Conduct Code* online at [www.fcusd.org](http://www.fcusd.org).

## **Parent Liability**

Parents or guardians are liable for all damages caused by the willful misconduct of their minor children which result in injury or death to other students or school personnel, or damages caused to school property. Parents are also liable for any school property loaned to a student and not willfully returned. The District may withhold the grades, diplomas, or transcripts of the student until such damages are paid or the property returned, or until completion of a voluntary work program in lieu of payment of money. EC 48904; Civil Code 1714.1

## **Causes for Suspension**

A student may be suspended or expelled for acts which are enumerated below, and are related to school activity or attendance which occur anytime, including but not limited to: 1) while on school grounds; 2) while going to and from school; 3) during the lunch period, whether on or off campus; and 4) during, or while going to or coming from a school sponsored activity.

- a.
  - 1.) Caused, attempted to cause, or threatened to cause physical injury to another person; or
  - 2.) Willfully used force or violence upon the person of another, except in self defense.
- b. Possessed, sold, or furnished any firearm\*, knife, explosive, bomb or other dangerous object.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance\*, as defined in Section 11053 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance, as defined in Chapter 2, Section 11053, of Division 10, of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material, and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- e. Committed or attempted to commit
  - 1.) Robbery\*, defined as the taking of property in possession of another, from his person or immediate presence, and against his will, accompanied by means of force or fear.
  - 2.) Extortion, defined as the obtaining of property from another, without his consent, accompanied by means of force or fear.
- f. Caused or attempted to cause damage (vandalism) to school property, student property, or employee property.
- g. Stole or attempted to steal school property, student property, or employee property.
- h. Possessed or used tobacco or any products containing tobacco or nicotine products, including, but not limited to cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.
- i. Committed an obscene act or engaged in habitual profanity and vulgarity.
- j. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

- k. 1.) 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 including but not limited to racial slurs, violation of closed campus, falsification/forgery of parent notification/ verification, or defiant/disruptive behavior.
  - 2.) Engaged in any activity, behavior, or display which, when evaluated individually and/or cumulatively and collectively, denotes group affiliation that threatens a safe and orderly environment, or which is likely to cause a disruption of school activities.
  - l. Knowingly received stolen school property, student property, or employee property.
  - m. Possessed an imitation firearm (a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm).
  - n. Committed or attempted to commit a sexual assault, as defined in Section 261, 266 (c), 286, 288, 288 (a), or 289 of the Penal Code or committed sexual battery as defined in Section 243.4 of the Penal Code.
  - o. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness, or both.
  - p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
  - q. Engaged in, or attempted to engage in, hazing as defined in EC 32050.
  - 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.
  - s. A pupil may not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal, or occurring within any other school District. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
    - 1.) While on school grounds.
    - 2.) While going to or coming from school.
    - 3.) During the lunch period whether on or off the campus.
    - 4.) During, or while going to or coming from, a school sponsored activity.
  - t. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury on another person may suffer suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed or aided/abetted in a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
  - u. As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- 48900.2 Committed sexual harassment, as defined in EC, Article 4, Section 212.5.
- 48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of EC, subdivision, Section 233.
- 48900.4 Students enrolled in grades 4-12 who intentionally engaged in harassment, threats, or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that student or group of students by creating an intimidating or hostile educational environment.
- 48900.7 Threatened to carry out an act of terrorism against school officials or school property, or both. An act of terrorism is defined as any statement, written or oral, by a person who willfully threatens to commit a crime that will result in death or bodily injury to another person, or property damage.

\*Requires a police report.

Legal References: EC 48900.2, 48900.3, and 48900.4

## **Imposition of Suspension**

Suspension shall be imposed only when other means of correction fail to bring out proper conduct. However, a student shall be suspended for any of the reasons enumerated in EC 48900 (a-u), 48900.2, 48900.3, 48900.4, 48900.7, upon first offense, if the principal or superintendent determines that the student has violated EC 48900 (a-u), 48900.2, 48900.3, 48900.4, 48900.7, or that the student's presence causes a danger to persons or property or threatens to disrupt the instructional process.

## **Suspension by Principal**

Suspension by the principal or designee shall be preceded by an informal conference. At that conference, the student shall be informed of the reasons for the disciplinary action and the evidence against him/her. In addition, the student shall be given the opportunity to present his/her version and evidence in his/her defense. At the time of the suspension, the principal or designee shall make a reasonable effort to contact the student's parent or guardian in person or by telephone. Whenever a student is suspended from school, the parent or guardian shall be notified in writing of the

suspension. The notice shall contain a statement of the facts leading to the decision to suspend; date and time when the student will be allowed to return to school; and a request that the parent or guardian attend a conference with school officials, including notice that state law requires parents or guardians to respond to such request without delay. The vice principal shall serve as the principal's designee, and will assist with disciplinary procedures. EC 48911

### **Appeal Process**

The student, parent, or guardian may appeal the suspension by requesting a meeting with the superintendent's designee. The meeting shall be held within five school days of the time the request is received by the superintendent or designee.

### **Suspension by Teacher**

A teacher may suspend any student from the class for the day of the suspension and the day following, for any act stated in EC 48900. (Secondary day is defined as an instructional period; elementary day is defined as a calendar day.) If the student has more than one teacher, the student is only precluded from attending the suspending teacher's class. Prior to excluding a student from the classroom, the teacher must inform the student which District policy the student has violated, that the teacher intends to suspend, and that the student has the opportunity to respond to the charges. As soon as possible, the teacher shall request a parent/guardian conference, at which time the circumstances of the suspension and the data will be presented. EC 48910 (a)(b)

### **Classroom Visitations**

Current state law authorizes teachers to provide time for a parent or guardian of a student who has been suspended for reasons stated in EC 48900.1 to attend a portion of a school day in the student's classroom. The principal will provide appropriate notification to a parent or guardian regarding classroom visitation. EC 48900.1

### **Teacher Referral**

A teacher may refer a student, for any of the acts stated in District policy, to the principal or to a certificated employee designated by the principal, for consideration of the suspension from school. EC 48910 (c)

### **Emergency Suspension**

A principal or designee may suspend a student without affording that student an opportunity for a conference only if the principal or designee determines that an emergency situation exists. EC 48911

### **Release of Student to Peace Officer**

If a school official releases your child from school to a peace officer for the purpose of removing him/her from school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of a suspected child abuse. In those cases, the peace officer will notify the parent or guardian. EC 48906

### **Student Search**

The District reserves the right to conduct searches and seizures of students in accordance with the law. By way of illustration and not limitation, this includes the right to search a student and his/her belongings when a District official has a reasonable suspicion that the student to be searched has engaged in, or will engage in, unlawful activity or a violation of school rules.

Desks and lockers are joint-use property issued by the District, and students have no expectation of privacy in desks and lockers. As a result, the District may search desks and lockers at any time without reasonable suspicion.

Automobiles parked on school property are equally accessible to students and school officials. As a result, students have a diminished expectation of privacy in the contents of their automobiles.

## **Expulsion**

The principal or superintendent of schools may recommend expulsion for the acts enumerated in District Policy (Causes for Suspension) or in EC 48900, 48900.2, 48900.3, 48900.4 and 48900.7: *EC 48915(a)*

The principal or superintendent of schools shall recommend expulsion 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:

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

EC 48915(c)

The principal or superintendent of schools shall immediately suspend, pursuant to EC 48911, and shall recommend expulsion of a pupil if it is determined that the pupil has committed any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or principal's designee. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of the District.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance (listed in Chapter 2, commencing with Section 11053 of the Health and Safety Code).
4. Committing or attempting to commit a sexual assault or sexual battery as defined in subdivision (n) of EC 48900, or committing a sexual battery as defined in subdivision (n) of EC 48900.
5. Possession of an explosive.

## **Expulsion of Special Education Students**

The procedures for expelling a student with a disability may include additional and/or different requirements to meet the provisions of the Education Code.

## **Safe School Environment**

As required by law, the Folsom Cordova Unified School District must allow a student attending a "*persistently dangerous*" school, or who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, to attend a safe public elementary or secondary school within the District's jurisdiction. (20 USC 791{a})

## **Tardiness/Truancy**

California law mandates that each child 6 years of age or older, and younger than 18 years of age, attend school every day and on-time. California law further requires that any child who has been absent without valid excuse and/or a tardy in excess of 30 minutes on each of the three or more days in one school year, shall be reported as a truant to the Office of Attendance and Due Process. EC 48263

Any student is deemed to be a habitual truant who has been reported as a truant three or more times in a school year. No student shall be considered a habitual truant unless an appropriate school official has made a conscientious effort to hold at least one conference with the student and the student's parent or guardian. Any student considered a habitual truant, or who is irregular in school attendance, or who is habitually insubordinate or disorderly during school attendance, may be referred to a School Attendance Review Board (SARB) which will require the attendance of both the parent or guardians and the student.

The primary responsibility for school attendance is assigned to the parent or guardian. As students grow older, they too may be assigned by the SARB some responsibility for regular school attendance. If after a SARB meeting a student's truancy continues, then the parent will be referred to the District Attorney's office for prosecution for Contributing to the Delinquency of a Minor (PC272), or both the parent and the student will be referred to the Sacramento County Truancy Court.

Parents or guardians with difficulties at home that are preventing the regular and on-time school attendance of their students may contact the administration at the school where their student(s) are enrolled, or contact the FCUSD Office of Attendance and Due Process at (916) 294-9012 for social service referrals and other family support assistance.

### **Excessive Absences**

Students experiencing excessive school absences may be referred to the School Attendance Review Board (SARB). The SARB is designed to assist the student and parent in reducing school attendance problems by maximizing use of school and coordinated community resources.

### **Alternative Schools**

California state law authorizes all school Districts to provide for alternative schools. EC 58501 defines alternative school as a school or separate class group within a school that is operated in a manner designed to:

- a) Maximize the opportunity for students to develop self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy, and:
- 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, student, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of the District, and the principal's office in each school have copies of the law available for information. This law authorizes interested persons to request the governing board of the District to establish alternative school programs in each District.

The following alternative programs may be provided for students in the District:

- Adult Education classes, with approval of the unit administrator
- Adolescent Parenting Program
- Independent Study Programs
- Continuation High Schools
- Elementary Opportunity Classes
- Mather Youth Academy

### **Other Educational Opportunities Include:**

- Newcomer Programs
- Advanced Placement
- Online Learning
- Courses through community colleges/universities
- Course Challenging
- Gifted And Talented Education
- Gateway Academy for Advanced Learning
- Junior Kindergarten Program
- Special Education\*
- Home and Hospital Instruction
- Drop-out Recovery Program
- Regional Occupational Programs\*\*

\*Parents have the right to call or write their student's school and request an assessment from the school psychologist.



\*\* Please contact your school counselor if your son or daughter is interested in ROP classes and is handicapped, disadvantaged, or enrolled in special education. Additional assistance is available to provide equal access and opportunity for success.

## **DIRECTORY INFORMATION**

Federal and state law allows the District to disclose directory information to outside organizations, without written consent, unless you have advised the District that you do not want directory information released. The District has designated the following information to be directory information: student name, address and phone number. The District may release directory information, upon request, to outside organizations including the following entities: parent/school organizations, military recruiters, prospective employers or colleges and universities. Directory information may be released to other public agencies providing services to current students. The District will deny the release of specific categories of directory information to any public or private non-profit organization if the District believes that the release of such information is contrary to the best interest of the student.

In addition, the *No Child Left Behind Act* of 2001, §9528 (20 U.S.C. §7908), requires that we release secondary school students' names, addresses, and telephone listings to military recruiters upon their request, unless a parent has "opted out" of providing such information.

### **Usage of Student Names/Photos/Videos for Public Release**

*The Folsom Cordova Unified School District is proud of the many accomplishments of our students and staff. These accomplishments may draw the attention of newspapers, television stations, or other media who visit our schools to photograph or film students and staff during various activities. In addition, we use photographs and video footage of students and/or their names in District-produced materials including printed publications, television productions, and web sites to promote their achievements. These photographs and videos may also include displays of student work. This usage does not include school yearbooks—if you do not want your child's photo used in a yearbook, contact your child's principal.*

### **Photos & Video**

Unless notified in writing of an objection by a parent, legal guardian, or student of age 18, photographs and video footage of students and/or names may be posted in district-produced materials including printed publications, television productions, and web sites.

If parents do not want photographs or videos of their student(s) to be used in these materials, they should complete a Photo/Video Opt-Out form available at school offices or via the district's website. Please be aware that opt-out requests are valid for the current school year and must be renewed at the start of the next school year.

Please contact your school office or the Public Relations Office at 294-9000 if you have any questions.

### **Receipt of Notice**

The Board of Education is required by law to notify parents/guardians of certain rights/responsibilities. This annual notification of Parents' Rights and Responsibilities contains a summary of these rights/responsibilities. You may contact the principal of the school your child attends if you have questions regarding this information.