

# PACIFICA SCHOOL DISTRICT

## **Annual Notification to Parents**

*and*

## **District Handbook 2023 - 2024**

375 REINA DEL MAR AVENUE

PACIFICA, CA 94044

(650) 738-6600

[www.pacificasd.org](http://www.pacificasd.org)

Darnise R. Williams, Ed.D.

Superintendent

### **BOARD OF TRUSTEES**

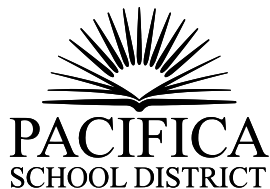
Elizabeth Bredall

Lynda Brocchini

Kai Doggett

Nidhi Patel

Laverne Villalobos



# Pacifica School District

August 2023

Dear Families,

*Welcome back to the new school year!*

Each year school districts are required to provide important information to parents and guardians of students in the district that includes student and parent rights and responsibilities. Please review the information in the Pacifica School District Annual Notification to Parents and District Handbook for the 2023-2024 School Year.

Information highlights include the following:

1. Student attendance requirements – Consistent attendance is important.
2. Information regarding student records as required under the Family Education Rights and Privacy Act (FERPA)
3. Our district calendar

Please sign and return the Student Profile form indicating that you have been informed of your rights as a parent and your child's rights as a student. Your signature serves as acknowledgement of your receipt of this notification.

We look forward to working with your family in the upcoming school year.

Sincerely,

*Darnise R. Williams*  
Darnise R. Williams, Ed.D.

Superintendent

**Please review the material in this booklet then sign the section “Annual Notification and Acknowledgement of District Policies and Procedures” located on side 2 of the Student Profile Form.**

## Mission Statement

*The Pacifica School District, the community it serves, and the children they cherish, together prepare each child to meet the challenges of the future by providing an equitable, rigorous academic program which nurtures curiosity and inspires joy, confidence, and achievement in learning.*

The Board believes that the education of the district's students is a shared responsibility. The Superintendent or designee shall work with parents/guardians to determine appropriate roles and responsibilities of parents/guardians, school staff and students for continuing the intellectual, physical, emotional and social development and well-being of students at each school site, including the means by which the schools and parents/guardians can help students achieve academic and other standards of the school.

Within this framework, the school's primary responsibility shall be to provide a high-quality instructional program in a supportive and effective learning environment that enables all students to meet the academic expectations of the school.

BP 5020

## Pacifica School District Schools

### **Cabrillo School . . . . . (K – 8)**

601 Crespi Drive, Pacifica, CA 94044

Principal: Tiffany Parrish

Secretary: Mary Griggi

Phone: 738-6660

### **Ingrid B. Lacy Middle School . . . . . (6 – 8)**

1427 Palmetto Avenue, Pacifica, CA 94044

Principal: Cathy Alderson

Asst Principal: Chido Garcia

Secretary: Charlene Hilo

Phone: 738-6665

### **Linda Mar Educational Center and Pacifica Independent Home Study Program . . . . . (K – 8)**

830 Rosita Road, Pacifica, CA 94044

Director: John Bartfield

Secretary: Brenda Watterson

Phone: 738-6615

Phone: 738-6615 ext. 4113

*(Independent Home Study Program –  
Kathy Green and Michele Brazil)*

### **Ocean Shore School . . . . . (K – 8)**

411 Oceana Boulevard, Pacifica, CA 94044

Principal: Jeanne Bellinger

Secretary: Patricia Buddington

Phone: 738-6650

### **Ortega School . . . . . (TK – 5)**

1283 Terra Nova Boulevard, Pacifica, CA 94044

Principal: Rachel Carion

Secretary: Tiffany Hanna

Phone: 738-6670

### **Sunset Ridge School . . . . . (TK – 5)**

340 Inverness Drive, Pacifica, CA 94044

Principal: Eleanor Cundiff, Ed.D.

Vice Principal: Anthony Corten

Secretary: Janeen Castaneda

Phone: 738-6687

### **Vallemar School . . . . . (K – 8)**

377 Reina del Mar Avenue, Pacifica, CA 94044

Principal: Laura Vuskovic

Secretary: Margit Demaray

Phone: 738-6655

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# LOCAL CONTROL ACCOUNTABILITY PLAN (LCAP)

## ☰ Local Control Funding Formula (LCFF)

The Local Control Funding Formula (LCFF) provides money to school districts with a uniform base grant for every student, adjusted by grade level. Plus they receive adjustments for the number of students living in poverty, English learners, and foster youth. Then there are further adjustments for concentration of these groups if they are above 55% of the district's enrollment. More information about the LCFF is available at [www.cde.ca.gov/fq/aa/lc/](http://www.cde.ca.gov/fq/aa/lc/).

## ☰ Local Control Accountability Plan (LCAP)

The Local Control Accountability Plan (LCAP) is a critical part of the LCFF. Each school district is required to engage parents, students, educators, employees, and the community to establish their plan. The LCAP must focus on eight areas identified as State priorities:

1. Basic Services
2. Implementation of State Standards
3. Parental Involvement
4. Pupil Achievement
5. Pupil Engagement
6. School Climate
7. Course Access
8. Other Pupil Outcomes

The plan must describe the overall vision for students, annual goals including language acquisition, and specific action to achieve these goals. The plan will demonstrate how the district's budget will help achieve the goals, and annually assess how well the strategies improved outcomes. Anyone can comment about proposals or expenditures to the school board; at parent, student, community engagement meetings; at staff LCAP meetings; or to the district LCAP Advisory Committee. Complaints regarding LCAP may be filed anonymously or using the District Uniform Complaint Procedures. [EC 305, 47606.5, 47607.3, 52060-52076, 5 CCR 4600, 4622]

*As the parent of a student you have many rights and responsibilities. This booklet talks about many of those and laws, policies and statutes which cover them. We suggest you read it. We must get the signed form returned or your child may not be able to attend classes. Following pages talk about when your child is absent from school. Only in certain cases is it permissible for a student to miss school.*

*Teachers build your child's education one day at a time, consequently every day is essential. In elementary, middle, and high school, promotion, or even graduation, can be put in jeopardy if too many days are missed. Work with the teacher when a child must miss school. Get homework assignments and review work. There is only one chance to get a great education.*

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*The references at the end of the sections in this booklet include the following codes:*

<i>BP . . District Board Policy</i>	<i>FAC . . . .Food and Agriculture Code</i>
<i>AR . . Administrative Regulation</i>	<i>USC . . . .United States Code</i>
<i>EC . . Education Code</i>	<i>CFR . . . .Code of Federal Regulations</i>
<i>HSC . Health and Safety Code</i>	<i>ESEA . . .Elementary and Secondary Education Act</i>
<i>PC . . Penal Code</i>	<i>PPRA . . .Pupil Privacy Rights Amendment</i>
<i>WIC . Welfare and Institutions Code</i>	<i>FERPA . .Family Educational Rights and Privacy Act</i>
<i>CCR . California Code of Regulations</i>	<i>PPACA . .Patient Protection and Affordable Care Act</i>
<i>CC . . Civil Code</i>	<i>Title VI . .Title VI (or VII, or IX) of the Civil Rights Act of 1964</i>
<i>FC . . Family Code</i>	<i>IDEA . . .Individuals with Disabilities Education Act</i>
<i>GC . . Government Code</i>	<i>§ 504 . . .Section 504 of the Rehabilitation Act of 1973</i>
<i>VC . . Vehicle Code</i>	<i>EOA . . . .Equal Opportunities Act</i>
<i>BPC . Business and Professions Code</i>	<i>CIF . . . .California Interscholastic Federation</i>

## Student Support Services

We will support student learning by developing, enhancing and accessing services and programs that promote the health and wellness of each student.

## Libraries

We will develop and implement a district-wide program based on the Technology/Media/Library Plan involving school libraries/media centers and the development of expanded partnerships with city libraries.

## Visual & Performing Arts (VAPA)

We will develop and implement a district-wide program for visual and performing arts consistent with the VAPA plan.

## Language Acquisition Programs

Language acquisition programs are designed to ensure that English learners acquire English as rapidly and effectively as possible. They provide instruction based on the state-adopted academic content standards, including English language development (ELD) standards.

Parents/Guardians may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan. Parents/Guardians may submit written or verbal requests for the establishment of a language acquisition program in addition to the program available. Schools in which the parents/guardians of 30 pupils or more per school or 20 pupils or more in any grade request a language acquisition program are required to offer such a program to the extent possible. Please contact the District office or your school principal for more information. [EC 306, 310; 5 CCR 11310]

Parents/Guardians have a right to opt their child(ren) out of the school district's language acquisition program or opt out of particular English learner service(s) within a language acquisition program. [20 USC 6312(e)(3)(A)(viii)]

## Technology

We will expand teaching through the implementation of the Technology/Media/Library Plan in support of learning that is rigorous and differentiated and enhance communication between staff, students and communities.

## Facilities

We will provide well maintained, safe, attractive facilities that are flexible and adaptable to meet both the present and future needs of the students, staff and community.

## Funding Strategy

We will develop an adequate and stable revenue base that will enable the district to implement and further develop the strategic plan.

## ≡ Rights and Responsibilities

### Rights of Pupils

- To receive appropriate educational programs.
- To be informed about school and District rules and regulations pertaining to students.
- To attend school in a climate that is safe and secure.
- To attend school and classes unless removed under due process as specified in the Education Code and District procedures.
- To receive fair and reasonable treatment from those who are responsible for enforcing standards for student behavior.

### Responsibilities of Pupils

- To attend school regularly and on time.
- To be prepared for class with appropriate materials and work.
- To obey school rules and procedures.
- To respect the rights and property of others.
- To be respectful and cooperative with school employees, volunteer personnel, and other students.

### Rights of Parents

- To be informed of District policy and school rules and procedures related to their children.
- To be informed of school action related to their children.
- To inspect their child's records with the assistance of a certificated staff member.
- To be informed of their child's academic progress.

### Responsibilities of Parents

- To visit school periodically and to participate in conferences with school staff members on the

academic progress and behavioral status of their children.

- To provide supportive action by making sure that children have enough sleep, adequate nutrition, appropriate clothing.
- To assure that their children will attend school daily and on time, unless they are ill.
- To be familiar with District policies and school rules and procedures.
- To cooperate with school staff in matters of discipline, attendance, and progress related to their children.

### **Rights of Teachers**

- To expect students to behave in a manner which does not interfere with their learning or that of other students.
- To have parental support related to the academic and social progress of students.
- To expect students to put forth effort and participate in class activities.
- To suspend a student from class within the limits of the law.

### **Responsibilities of Teachers**

- To inform parents about the academic progress, school citizenship, and general behavior of their children.
- To conduct a well-planned and effective instructional program to meet the needs of all students.
- To initiate and enforce a set of classroom regulations consistent with school and District policies, rules, and procedures.
- To be a positive role model for student.

### **Rights of Administrators**

- To expect students to behave in an orderly manner in school and on their way to and from school.
- To take appropriate action in dealing with students guilty of misconduct.
- To detain, suspend, exempt, or exclude students within the limits of the law. To recommend expulsion when the situation demands.

### **Responsibilities of Administrators**

- To provide leadership that will establish, encourage, and promote good teaching and effective learning.
- To establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship among the students.
- To provide assistance in matters concerning serious instructional, behavioral, emotional, health, or attendance problems.
- To grant access to pupil records by parent/guardian or others with proper authorization.
- To provide prompt and equitable handling of grievances and insure due process for all parties.

## **ATTENDANCE**

### **≡ Attendance Options**

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intra-district transfer). This district has non-arbitrary rules explaining how students may apply, be accepted or denied intra-district transfer. Districts may allow the transfer of students from or to other districts (inter-district transfer). Victims of bullying or violence are given preference in intra- and inter-district transfers. In some cases, the district must provide transportation. Students attending “persistently dangerous” schools can transfer and enroll in a safe school. Students convicted of a violent felony or convicted of a specific misdemeanor may be transferred involuntarily to another school in the district. Districts cannot prevent children of active military from changing districts, as long as the district chosen agrees to accept them. Upon enrollment or transfer, principals are urged to check missing children information. Further information about residency, attendance options, special program options, etc. will be provided by the California Department of Education. [BP 5116.2 March 2023; EC 46600, 48204, 48204.7, 48206.3, 48300, 48301, 48306, 48853.5, 48929, 48980, 49068, 51101; PC 667.5(c), 29805; 20 USC 7912]

### **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.

Residency is established when a student enrolls in the District. When a pupil changes their home address after enrolling in the District, residency must be re-established by providing documentation that validates the parent/guardian's new home address.

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

### **Intradistrict Open Enrollment**

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also balancing enrollment in order to maximize the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district. The Board shall annually review this policy.

### **Enrollment Priorities**

Pacifica School District is an open enrollment District. Any student residing within the district boundaries may attend any school in the District.

Priority for attendance shall be given as follows:

1. Any student that is a Pacifica resident residing within PSD boundaries.
2. Any student of a full-time PSD employee (at least .625 FTE for classified staff and .75 FTE for certificated staff)

Pacifica School District utilizes a Waitlist Procedure when space is not available at a student's desired school.

Waitlist/Placement Priorities:

1. Any student enrolled in a district school receiving Title I funds that has been identified for program improvement, corrective action or restructuring.
2. Any student enrolled in a district school designated by the California Department of Education as persistently dangerous.
3. Any student who is a victim of a violent crime while on school grounds.
4. Priority shall be given to students whose parent/guardian is employed full-time by the district.
5. Priority shall be given to siblings of students already in attendance in that school.

For all other applications for enrollment the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever a school receives admission requests that are in excess of the school's capacity.

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants.

No student currently residing within the district's attendance area shall be displaced by another student transferring from outside the district. [BP 5116.1 April 2023; EC 200, 35160.5, 35291-35291.5, 35351, 46600-46611, 48200, 48204, 48300-48316, 48980; 5 CCR 11992-11994; 20 USC 6311, 6313, 7912]

### **Interdistrict Attendance**

The Governing Board recognizes that parents/guardians of students who reside within the geographic boundaries of one district may, for a variety of reasons, desire to enroll their children in a school in another district.

### **Interdistrict Attendance Agreements and Permits**

The Board may enter into an agreement with any other school district, for a term not to exceed five school years, for the interdistrict attendance of students who are residents of the districts.

The agreement shall specify the terms and conditions under which interdistrict attendance shall be permitted or denied. It also may contain standards agreed upon by both districts for reapplication and/or revocation of the student's permit.

Upon receiving a permit for transfer into the district



that has been approved by the student’s district of residence, or upon receiving a written request from the parent/guardian of a district student who wishes to enroll in another district, the Superintendent or designee shall review the request and may approve or deny the permit subject to the terms and conditions of the interdistrict attendance agreement.

### **Transportation**

Upon parent/guardian request, the district shall provide transportation assistance to a student receiving an interdistrict transfer who is eligible for free and reduced-price meals and is the child of an active duty military parent/guardian or a victim of bullying, as defined in Education Code 46600.

In addition, upon request of a student’s parent/guardian, the Superintendent or designee may authorize transportation for any interdistrict transfer student to and from designated bus stops within the attendance area of the school that the student attends if space is available. [BP 5117 March 2023; EC 41020, 46600-46611, 48204, 48300-48317, 48900, 48915, 48915.1, 48918, 48980, 48985, 52317, 8151, CA Constitution Article 1, Section 31]

### **Attendance Where Caregiver Resides**

If your child lives in the home of a caregiving adult, as defined by law, or a foster home your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the caregiving adult is required to determine that your child lives in the caregiver’s home. [EC 48204(a), 48980; FC 6550-6552]

### **Attendance in District Where Parent / Guardian is Employed**

The district may, but is not required to accept a transfer student whose parent/guardian resides outside the boundaries of the school district but is employed and lives with the student at the place of the parent’s/guardian’s employment within the boundaries of the school district for a minimum of three days during the school week; or a student whose parent/guardian physically works within the boundaries of the school district for a minimum of 10 hours during the school week. [EC 48204(a)(7), 48980]

## **Special Enrollment Allowances for Some Categories of Students**

Some students, including foster, homeless, migratory, American Indian, or military children, living in the district may stay enrolled in their school of origin inside or outside the district if: 1) their Individual Education Plan (IEP) indicates attendance elsewhere, or 2) parents, guardians, and others with authority declare in writing otherwise. In some cases, they also have rights to expedited enrollment in school, to attend classes and programs, to after-school programs, and to fee waivers. The school district and each school site have complete documentation of the rights of homeless, foster, migratory, military, and other special categories of students. [EC 48204, 48204.7, 48645.3, 48850-48859, 51225.1, 56055; 5 CCR 4622; WIC 224.1, 361, 726; 42 USC 11301, 11431-11435]

### **Student Immigrant and Religious Rights**

All school age children must be admitted to California Public Schools and be offered all programs accessible to other students. School districts cannot ask about a student’s immigrant or religious status. The state Attorney General has information about “know your rights”: <https://oag.ca.gov/immigrant/resources>. Immigrant students are still considered residents of their current school district even if parents are deported or are being held in custody. [EC 200, 220, 234.1, 234.7]

### **≡ General Absences**

Children cannot learn if they are not in school. Daily school attendance improves student achievement. Children learn early about being on time and not missing school; teach your child that school attendance is an important family value. Children ages 6 to 18 years must attend every school day.

The state only awards funding to school districts for actual attendance. The state does not fund districts for the excused absences listed below. Always review the school calendar and plan activities and vacations during days off. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

Other attendance reports, such as truancy, rely on excused and unexcused absences. There are legal consequences if your child misses too much school. You must send a note and/or phone the school within 72 hours to clear any excusable absences. Parents/

Guardians have the right to be notified on a timely basis if their child is absent from school without permission. Unexcused absences are recorded as a truancy.

A. Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

1. Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
4. For the purpose of attending the funeral services of a member of the pupil's 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, including absences to care for a sick child, for which the school shall not require a note from a doctor.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 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.

10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
  11. For the purpose of participating in a cultural ceremony or event.
  12. (A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence.
    - (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
    - (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.
  13. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- B. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- C. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- D. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

- E. For purposes of this section, the following definitions apply:
1. A “civic or political event” includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
  2. “Cultural” means relating to the habits, practices, beliefs, and traditions of a certain group of people.
  3. “Immediate family” means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil. [EC 48205, 48260]

Districts may allow students, with parental or guardian consent, to be excused to participate in moral or religious exercises or instruction. [EC 46014]

School authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil’s parent or guardian. [EC 46010.1]

### ≡ Emergency School Closure

Schools may close in the case of a natural disaster such as an earthquake, a fire, a flood, or an epidemic/pandemic. School officials rely on the expertise and advice of public health and safety officials in these decisions. Other means of delivering instruction will be used as possible.

### ≡ Minimum Days / Professional Development Days

Every Wednesday follows the Minimum Day Schedule as well as district-wide minimum days listed on the calendar page of this booklet. Please see your individual school site handbook for additional site-specific minimum days. If your child will be affected by a change in minimum days or professional development days, we will give you at least one month’s notice. [EC 48980]

### ≡ Pacifica Independent Home Study Program

The Pacifica Independent Home Study Program is open to parents who wish to teach their child(ren) at home full time. The program enables parents to design an Independent Study Program based on their child’s individual learning style and to monitor his/her progress. An experienced, credentialed teacher

provides assistance to parents in lesson planning, testing, and obtaining educational materials. Parents interested in the Pacifica Independent Home Study Program should contact Kathy Green, Independent Home Study Teacher at (650) 738-6615 ext. 4113 for information about the program.

### ≡ Individualized Instruction

You must notify the school if your child has a temporary disability and cannot attend regular classrooms. If your temporarily disabled child is located outside your school district, notify both the district where your child resides and where the child is located. Within five (5) days of notice, the district(s) will determine if the student qualifies, and within five (5) days of the determination commence instruction in the home or in a hospital or other residential health facility. The district(s) will notify you if your child qualifies, when instruction will begin and for how long it will continue. Each hour of instruction at home or in a facility will count as a full day but cannot exceed 5 days per week nor the number of days in the school year. [EC 48206.3, 48207, 48207.5, 48208, 48980]

### ≡ Pregnant or Parenting Students

Pregnant or parenting students who are 18 years old or who have permission from their parent/guardian may have excused leave for up to 8 weeks or more without having to complete schoolwork or other requirements, or being subject to penalties. They may return to the same school and courses, and be provided time to make up work. They may choose to attend an alternative program with access to comparable courses, programs and activities. They may have a fifth year to complete high school graduation requirements unless administration determines they are capable of completing graduation requirements in four years. Complaints about these rights can be made using the Uniform Complaint Procedure. [EC 221.51, 46015, 48200, 48980]

### ≡ School Attendance Review Board Referral (SARB)

If any minor is a “habitual truant”, or is irregular in attendance at school, the pupil may be referred to a School Attendance Review Board (SARB). The Associate Superintendent or designee shall notify the minor and parents or guardian of the referral. [EC 48263]

## ≡ Unexcused Absences (truancy)

When a student misses school without an excuse they are considered truant, and the school will notify the parent/guardian. The state defines three levels of truancy, each carrying more severe penalties for both the student and the parents or guardians. A student is classified as;

Truant: after missing three days of school or three 30-minute periods without a valid excuse

Habitual Truant: if they are truant three or more times in a school year and an effort is made to meet with parents

Chronic Truant: if they miss 10 percent or more of the school days in a school year.

Early intervention and cooperation between the school and the family is the best way to support student learning. A student who is truant can be referred to a student attendance review board (SARB), a community service program, the county probation department, or to the district attorney. Through these programs the student can be given guidance toward improving attendance. The goal is to intervene before a student enters the juvenile justice system or drops out of school. Parents are urged to use community services identified by the school or District, a SARB, the District Attorney, or Probation department. Students and parents face penalties as defined in Education Code, Welfare and Institutions Code, and Penal Code.

Student Penalties: First truancy may result in a one-day weekend class; Second truancy may be a written warning from a peace officer; Third truancy may result in assignment to an after-school or weekend program, involvement of a SARB, a probation officer, or District Attorney; Fourth truancy may result in a chance to improve attendance, but may also result in the student being placed within the jurisdiction of the juvenile court. Other penalties may include required community service, payment of a fine, attending a truancy mediation program, and loss of driving privileges.

Parent Penalties: First conviction – up to \$100 fine; Second conviction – up to \$250 fine; Third conviction – up to \$500 fine. Parents of chronically truant elementary students face a fine up to \$2,000; imprisonment up to one year; or both. They may also be scheduled to meet regularly with district staff and/or referred to community resources. Parents may also have to attend classes at the student’s school for a day and/or personally deliver their child to school

every day. [EC 48260, 48260.5, 48261, 48262, 48263, 48263.5, 48263.6, 48264.5, 48291, 48293, 48320; PC 270.1, 830.1; WIC 256, 258, 601, 601.3]

## ≡ Notice of Alternative Schools

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to: (a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy. (b) Recognize that the best learning takes place when the student learns because of his desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his 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. [EC 58501]

# INSTRUCTION AND CURRICULUM

## ≡ Academic Standards and Assessments

Each district in California decides how they will teach and what resources they will use. More information can be found at [www.cde.ca.gov/re/cc/](http://www.cde.ca.gov/re/cc/). California uses a computer-based student testing system tied to the standards for English language arts, mathematics, and science called the California Assessment of Student Performance and Progress (CAASPP). The tests include the Smarter Balanced

Assessment Consortium Assessments, California Science Tests (CAST), California Alternate Assessments (CAA), and Standards-based Tests in Spanish (STS) for Reading/Language Arts. Parents can exempt their child(ren) from CAASPP testing by submitting a letter in writing annually. More information about the CAASPP can be found at [www.cde.ca.gov/ta/tg/ca/](http://www.cde.ca.gov/ta/tg/ca/). [EC 60119, 60604, 60615, 60640; 5 CCR 852]

English Language Learners are evaluated with the English Language Proficiency Assessments for California (ELPAC) and to identify and measure their progress in English Language proficiency. Students in grades 5, 7, and 9 also participate in Physical Fitness Testing (PFT). [EC 52060, 52066, 60800]

### **Curriculum, Instruction, and Assessment**

Our vision for 21st Century Education facilitates and nurtures the skills, processes, ways of thinking, and basic values that our students will need to become productive, responsible, global citizens who are prepared to meet the challenges of a constantly changing world.

What is taught in our schools (curriculum) and the instructional approaches used are consistent with the Strategic Plan, Pacifica School District’s Plan for 21st Century Learning: Preparing Students for an Evolving World, California’s adoption of the Common Core State Standards, and the District developed companion plans that reflect both short term and long term goals and accomplishments. If you have any questions, the principal and teachers are happy to discuss the curriculum with you. You may also contact the District Office (650) 738-6600.

Student learning and the school program are evaluated by testing. Since no one test can possibly assess student learning in all areas, the state and the district emphasize the use of multiple measures. In the Pacifica School District we use a number of different measures for program evaluation and as indicators of student progress.

	K	1	2	3	4	5	6	7	8
Report Cards	X	X	X	X	X	X	X	X	X
CAASPP <sup>2</sup>				X	X	X	X	X	X
F & P <sup>3</sup>	X	X	X	X	X	X	X	X	X
MDTP <sup>4</sup>									X
Formative Assessments <sup>5</sup>	X	X	X	X	X	X	X	X	X
ELPAC <sup>6</sup>	X	X	X	X	X	X	X	X	X

	K	1	2	3	4	5	6	7	8
PFT <sup>7</sup>						X		X	
iReady Reading <sup>8</sup>	X	X	X	X	X	X	X	X	X
iReady Math <sup>8</sup>	X	X	X	X	X	X	X	X	X

- 1 – Writing Assessments – TCRWP (Teachers College Reading and Writing Project) Pre and Post On-Demand Writing Prompts given to all K-8 students
- 2 – CAASPP (California Assessment of Student Performance Progress) – This is the state-wide assessment system that is aligned with State Standards. The CAASPP includes three different groups of tests:
  1. The Smarter Balanced Assessment Consortium (SBAC): The computer-based assessments aligned to State Standards for English Language Arts (ELA) and Mathematics in grades 3-8.
  2. California Standards Test (CST) Science assessments in grades 5 and 8.
  3. CAA (identified students through an Individual Education Plan): Science grade 5 and 8; ELA and mathematics grades 3-8.
- 3 – F&P (Fountas and Pinnell) – is given to all students in grades K-5 and 6-8 students who scored at approaching or below. The assessment serves as an accurate and reliable tool to identify the instructional and independent reading levels of all students and documents student progress.
- 4 – MDTP Mathematics Diagnostic Testing Project (MDTP) A diagnostic readiness math test given to 8th grade to help with high school mathematics course placement.
- 5 – Formative Assessments – a bidirectional process between teacher and student to enhance, recognize and respond to student learning. It provides teachers the opportunity to adapt the teaching to meet the learner’s needs.
- 6 – ELPAC (English Language Proficiency Assessments for California) (English Learners only) – State required assessments that test the 2012 California English Language Development Standards. Students who have a home language survey that lists a language other than English will take the Initial test, which identifies students as an English learner student or as initially fluent in English. Students who are classified as English learner students will take the Summative ELPAC every

year until they are reclassified as proficient in English. Both the Initial and Summative ELPAC are computer-based assessments.

Alternate ELPAC – State required assessments, that test the alternate 2012 California English Language Development Standards.

Students whose IEP identifies the use of an alternate assessment and who have a home language survey that lists a language other than English will take the Alternate Initial ELPAC, which identifies students as an English learner student or as initially fluent in English. Students who are classified as English learner students will take the Alternate Summative ELPAC every year until they are reclassified as proficient in English. Both the Alternate Initial and Alternate Summative ELPAC are computer-based assessments.

7 – PFT (Physical Fitness Test) – State required assessment for grades 5 and 7. Students will take the FITNESSGRAM, which is the test used in California to test the Healthy Fitness Zones standards. The test consists of five performance components: aerobic capacity, abdominal strength, trunk strength, upper body strength, and flexibility.

8 – iReady Reading and Math – is given to all students 3 times a school year. The assessment serves as a diagnostic and monitoring tool to inform instruction and monitor student progress.

Parents will receive a copy of their child’s scores for SBAC (grades 3-8) and CST science (grades 5 and 8) or CAA scores (identified students through an Individual Education Plan).

### **Homeless, Migratory, Foster, Military, and Juvenile Court Youth**

Homeless, migratory, foster, military family, juvenile court youth, or youth participating in a newcomer program have special rights related to graduation and partial high school credits. They have the right to an adult to help make educational decisions. Foster and homeless youth also have special rights associated with college funding, and certain considerations in school discipline. The District Uniform Complaint Procedure may be used to file a complaint. [EC 48645.3, 48645.5, 51225.1-51225.3, 56055; 5 CCR 4622; WIC 361, 726]

## **≡ Promotion / Retention – Policy and Regulations**

Based upon state law, the Pacifica School District has established a promotion policy for every class in the district. This promotion policy meets the legislation and education code requirements established by the state of California for student promotion/acceleration and retention.

This policy sets high expectations for students, teachers, school administrators and even parents. The policy states that students must meet grade level standards of expected student achievement. These standards go hand in hand with rigorous high school graduation requirements and the high school exit exam established by the state.

The law and Board policy state that, as early as possible in each school year and in each student’s career, students who are at risk of being retained (remain in the same grade for the following school year), must be identified and that a plan for assistance be established. Indicators that the Pacifica School District will use to identify students who are at risk of being retained include: 1) district assessments; 2) performance tests; 3) attendance; and 4) special needs support. In grades two, three and four, proficiency in reading will be the primary criteria in determining whether or not a child will be promoted or retained. Between grades four and five and between the intermediate and high school grades, proficiency in reading, English/language arts and mathematics shall be the basis for identification. After reviewing the testing data, the school team makes the recommendation.

It is the intent of the district to notify both the students who are at risk and their parents by the first conference period of each year. At that time an intervention program will be put into place. It is the expectation that all students will meet the established standards in the areas of reading, language arts and mathematics.

## **≡ Physical Education Requirement**

California Education Code section 51210(g) requires that all students in grades 1 through 6 receive a minimum of 200 minutes of physical Education (PE) instruction every ten days – that is, 100 minutes per week – in addition to their recess and lunch periods. The Pacifica School District is committed to assuring

that all students receive the required minutes of Physical Education instruction.

Every elementary school class in the District has established a Physical Education schedule, showing the days, times and duration of PE instruction each week. Copies of those PE schedules are available in the school office.

If you would like a copy of the PE schedule, please contact your child's principal. If you have questions or concerns about your child's PE schedule or instruction, please talk with the child's teacher or principal. If you are not satisfied with the information the teacher and principal are able to provide, please follow the Uniform Complaint Procedures.

### ≡ **School Counselors**

School counselors are trained educators possessing a valid credential with a specialization in pupil personnel services. Counselors help students make decisions about their courses. Counseling related to academic and nonacademic courses, classes, electives, school-related activities, team sports, athletic competitions, and school facilities will be available to all students without regard to their gender or gender identity, the gender listed in their records, or any protected group as listed under "Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs" on page 34. The District Uniform Complaint Procedure may be used to file a complaint. [EC 221.5, 221.8, 48980, 49600, 48900, 51229; GC 11135; Title VI, Title IX; § 504; CIF 300D]

### ≡ **District Courses**

Annually the District prepares curriculum, course titles, aims, and descriptions in a prospectus. The prospectus is available at each school site and may be reproduced at cost. Parents/Guardians have the right to review all course material. [EC 49091.14, 51101; PPRA]

### ≡ **Curriculum and Personal Beliefs**

Whenever any part of the instruction in comprehensive sexual health, sexual abuse, or human trafficking prevention education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction if you request an excuse in writing. No student shall be penalized, sanctioned,

or disciplined for such an excuse, and shall have an alternative education activity available. [EC 51240, 51938, 51950]

### **Family Life, Human Development, and Sexual Health Education**

Your child will be taking classes in compliance with the California Healthy Youth Act. These will include comprehensive sexual health education, HIV education, and research findings regarding pupil health behaviors and risks. Students in grades 7-12 will gain a deeper understanding of HIV transmission, prevention, and treatment. They will also be taught about the prevalence of human trafficking and the methods traffickers employ, including social media and mobile devices. You will be notified before such instruction. Any written and audio-visual educational materials planned for use are available for inspection prior to the start of classes. You may have copies of non-copyrighted material that will be presented by a consultant or guest speaker. You have a right to request, in writing, that your child not participate in any or all activities. You may withdraw this request at any time. School districts must ensure that all participating pupils receive sexual health instruction from personnel adequately trained in appropriate courses. In this District, staff teaches these classes. During this class, students in grades 7-12 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, or questionnaires measuring student attitudes toward health, sex, and risk behaviors. Copies of Education Code Sections 51933, 51934, and 51938 can be requested from the District or can be obtained online at <https://leginfo.legislature.ca.gov>. [EC 51933-51939]

### **Dissection of Animals**

If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection. [EC 32255-32255.6]

### **Tests/Surveys on Personal Beliefs**

You and/or your child(ren) over 18 will be notified before administration of any confidential test,

questionnaire, or survey containing questions about your child's, or your personal beliefs, political practices, mental health, anti-social, illegal, self-incriminating, demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility for receiving financial assistance), sex, family life, morality, or religion. You will be asked for written permission except for exempt surveys (in grades 7-12) that are part of sexual health programs or State surveys. Parents may opt their child(ren) out of all surveys, without penalty, including those seeking information to be used in marketing. Parents have the right to review any survey or educational materials related to the survey on any of the above items. The District has developed policies relating to surveys and personal information. Notice will be sent to parents prior to such test or survey. If you believe your rights have been violated, you may file a complaint with the Family Policy Compliance Office at U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920. [EC 51513, 51938, 60614; 60615; PPRA; 34 CFR 98; ESEA]

## **SCHOOL RECORDS AND STUDENT ACHIEVEMENT**

### **☰ Pupil Records**

Parents, guardians, foster parents, certain caregivers, and students over 18 have the right to review, inspect, and get copies of school records within five business days of a written or oral request or before any meeting regarding an individualized education plan (IEP) or a hearing. Those records are confidential, and privacy will be maintained. Student records are provided to schools where student transfers or wants to enroll. In some instances, information about your child may be released to District staff, foster agencies, short-term residential treatment programs, after school programs, summer camps, lawyers, law enforcement, state researchers, and nonprofit researchers. Sharing of pupil records must conform to federal laws and in some cases must be approved by the State Committee for Protection of Human Subjects. The records include transcripts, discipline letters, commendations, attendance, health information, and Special Education records (if applicable, which are maintained at the district office). The records are maintained at the school site or District office by District staff. There is

someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location as the records. District policy or administrative regulation 5125 sets forth the criteria by which school officials and employees can look and change or delete the files and why. Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made for fifteen cents (15¢) per page. If you cannot afford the cost of copies, they will be provided free of charge. With the proper documentation, the records can be changed to reflect a legal change of name and/or gender of a student or a former student. You also have the right to file a written request with the superintendent challenging the records if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, a comment not based on personal observation with time and date noted, misleading information, or a violation of privacy rights. You can file a complaint about how your request was handled with the district or with United States Department of Education. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [EC 8484.1, 49060, 49062.5, 49063, 49068, 49069.3, 49070-49079.7, 51101, 56043, 56504; CC 1798.24(t); FERPA; 20 USC 1232(g); 34 CFR Part 99; ne]

### **Student Data from Social Media Websites**

The Governing Board has adopted a plan to gather student information from social media websites. The information can pertain only to student or school safety, and must be destroyed within one year of the student leaving the District or turning 18. Parents/Guardians or students can access the information and may also request correction or deletion by contacting the District Office.

The Student Online Personal Information Protection Act protects student information from being used for online marketing and other uses. [EC 49073.6; BPC 22584]



## ≡ Regulations Regarding Pupil Achievement

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used. The progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student's ability, citizenship and effort. [EC 49067]

## ≡ Teacher Qualifications

Parents of children in Title I schools have the right to request and receive timely information on the professional qualifications of classroom teachers and paraprofessionals including state qualifications, licensing for the grade level or subject taught, any waivers for qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides are in the classroom and what their qualifications are. [ESEA; 20 USC 6311; 34 CFR 200.61]

## ≡ Release of Directory Information

"Directory Information" includes one or more of the following items: student's name, address, telephone number, e-mail address, date of birth, dates of attendance, awards received and the most recent previous school attended by the student. Directory information does not include citizenship status, immigration status, place of birth, or any other information indicating nationality. The District has determined that the following individuals, officials, or organizations may receive directory information: Parent/Teacher organizations and the Pacifica Education Foundation. Directory information previously permitted by the parent may be disclosed unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil's directory information by September 8, 2023. Written notification received after the date specified will be honored, but the student's information may have been released in the interim. In the case of students with exceptional needs, no material can be released without parent or guardian consent. [EC 49061(c), 49070, 56515; FERPA; ESEA; ne]

## ≡ School Safety Plan

Every year, each school shall review and update its plan by March 1. Each school shall make its plan public

and shall share the plan with numerous community leaders, school site personnel, and parent groups. Plans should, among other things, provide guidance for the response to and/or the prevention of bullying, child abuse, disasters, and criminal activity. Key elements are to be described in the School Accountability Report Card. Planned responses to criminal incidents need not be disclosed. The Uniform Complaint Procedure can be used regarding School Safety Plan compliance. [EC 32281, 32282.1, 32286, 32288, 32289, 51101]

## STUDENT SERVICES

### ≡ Student Meal Program

The Child Nutrition Services department operates six student cafeterias, one in each school. Each school provides a daily breakfast and lunch. For the 2023-2024 school year, lunches will continue to be free as we are participating in the Universal Free Meal Program. Although the meals are free, it is very important that families fill out an Alternate Income Form which will help the school in qualifying for other important programs for the students. Please fill out an application at [www.ezmealalapp.com](http://www.ezmealalapp.com). The first meal is free. Requests for second meals, however, will need to be charged on an ezschoolpay account (cash is not accepted). If you feel your students will want second meals, please place credit onto your account in [www.ezschoollpay.com](http://www.ezschoollpay.com). If you have questions, please contact Marta Grech at the District Office at (650) 738-6600. [EC 49510-49520, 49558; 42 USC 1761 (a); ne]

### ≡ School Buses – Passenger Safety

Parents or guardians of pupils not previously transported in a school bus shall receive written information on school bus safety as specified. (Applies to kindergarten through grade 6 in Special Day Class Programs.) [EC 39381.5]

### ≡ Bicycles at School

The Pacifica School District and California State law requires all minors to wear a properly fitted and fastened bicycle helmet when riding a bicycle on streets or public bicycle paths.

The District expects that students who ride bicycles to and from school will observe safety laws and rules, and display courtesy toward other riders and pedestrians. Students are encouraged to use bicycle

locks. The District will not be responsible for bicycles which are lost, stolen or damaged.

## ≡ Student Use of Technology

The Governing Board intends that technological resources provided by the district be used in a safe and responsible manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive instruction in their proper and appropriate use.

Teachers, administrators, and/or library media specialists are expected to review the technological resources and online sites that will be used in the classroom or assigned to students in order to ensure that they are appropriate for the intended purpose and the age of the students.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district technology, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with this Board policy and the district's Acceptable Use Agreement.

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Before a student is authorized to use district technology, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement. In that agreement, the parent/guardian shall agree not to hold the district or any district staff responsible for the failure of any technology protection measures or user mistakes or negligence and shall agree to indemnify and hold harmless the district and district staff for any damages or costs incurred.

The district reserves the right to monitor student use of technology within the jurisdiction of the district without advance notice or consent. Students shall be informed that their use of district technology,

including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, is not private and may be accessed by the district for the purpose of ensuring proper use. Students have no reasonable expectation of privacy in use of the district technology. Students' personally owned devices shall not be searched except in cases where there is a reasonable suspicion, based on specific and objective facts, that the search will uncover evidence of a violation of law, district policy, or school rules.

The Superintendent or designee may gather and maintain information pertaining directly to school safety or student safety from the social media activity of any district student in accordance with Education Code 49073.6 and BP/AR 5125 – Student Records.

Whenever a student is found to have violated Board policy or the district's Acceptable Use Agreement, the principal or designee may cancel or limit a student's user privileges or increase supervision of the student's use of the district's equipment and other technological resources, as appropriate. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update procedures to enhance the safety and security of students using district technology and to help ensure that the district adapts to changing technologies and circumstances.

## Internet Safety

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced.

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently

offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors.

The district's Acceptable Use Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication, including, but not limited to, prohibitions against:

1. Accessing, posting, submitting, publishing, or displaying harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
2. Intentionally uploading, downloading, or creating computer viruses and/or maliciously attempting to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking"
3. Distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting one's own personal identification information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying. [BP 6163.4 March 2023; EC 49073.6, 51006, 51007, 60044; PC 313, 502, 632, 653.2; 15 USC 6501-6506; 20 USC 7101-7122, 7131; 47 USC 254; 16 CFR 312.1-312.12; 47 CFR 54.520]

### ≡ School Accountability Report Card

The School Accountability Report Card is available on request, and is available annually by February 1st on the Internet at [www.pacificasd.org](http://www.pacificasd.org). It contains information about the district and school regarding the quality of programs and its progress toward achieving

stated goals. A copy will be provided upon request. [EC 33126, 32286, 35256, 35258, 51101]

### ≡ Special Education - Child Find

If you have reason to believe your child (ages 0 through 21 years) has a disability requiring special services or accommodations, tell or write the school. Your child will be evaluated to determine whether he/she is eligible for free special or modified instruction or services.

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools. The District has policies guiding procedures for identification and referral. Students identified with special needs will receive a Free Appropriate Public Education in the least restrictive environment. [EC 48853, 56020 et seq., 56040, 56301; 5 CCR 4622; 20 USC 1412, (10)(A)(ii), 1412(a)(6)(A); 34 CFR 300.121]

### ≡ Pupil Fees

While there are limited exceptions, families and students should not have to pay fees for most items related to public education. There are four types of fees identified in Education Code:

Pupil Fees: No fees or deposits can be required or collected for items including, but not limited to, materials, supplies, equipment, uniforms (i.e. band, cheerleading, basketball), lockers, locks, books, class apparatus, musical instruments.

Educational Activity Fees: No fees can be required or collected for student participation in an event or activity, either curricular or extracurricular, that is an essential part of a student's education or for transportation to those events. There can be no fees required for registering or participating in regular or extra classes.

Voluntary Donations: While voluntary donations may be suggested for activities, no student may be denied participation based on the family's ability to make a donation.

Exceptions – When fees may be required: By law, there are exceptions to the prohibition against charging fees or deposits. Exceptions include, but are not limited to, transportation to non-essential activities, non-essential events where attendance is optional (such as a school dance), food served to students, damage to district provided materials such as

textbooks, cost of community service classes, and fingerprinting. Money may also be collected for material used for projects that a student will be taking home, such as, material used in a career class like woodshop or sewing. The Uniform Complaint Procedure can be used regarding pupil fee compliance. A complaint may be filed with the school principal and may be filed anonymously.

[EC 17551, 17552, 19911, 32030-32033, 32220-32224, 32390, 35330, 35331, 35335, 38084, 38118, 38120, 39807.5, 48052, 48053, 48904, 49010-49013, 49063, 49065, 49066, 51815, 52373, 52612, 52615, 52920-52922, 60070; 5 CCR 4610, 4630]

## HEALTH SERVICES

### Wellness Statement

All foods available on each campus during the school day support the district adopted federal nutritional guidelines and objectives of promoting student health and reducing childhood obesity in accordance with Board Policy 5030 and the District Student Wellness Plan.

The Board believes that foods and beverages available to students at district schools should support the District health curriculum and promote optimal health, taking into consideration the needs of students with special dietary needs. Nutritional standards adopted by the district for all foods and beverages sold to students during school hours or within a half-hour before/after school meet or exceed state and federal nutritional standards. These foods include beverages provided through the district's food service program, student stores, vending machines, or other venues.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. A maximum of four class parties or celebrations per year shall be held after the lunch period whenever possible as a way to promote student health and maximize the use of instructional time.

In support of this policy, staff, students and parents are strongly encouraged to refrain from bringing snacks to share for birthdays or other celebrations unless it is for one of the four school sanctioned celebration days.

Full text of District Wellness Policy may be found on

the District Website at <https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030354>. [BP 5030 March 2023]

### Immunizations

Documented proof that immunizations are up-to-date is required before attending school; districts may not allow "conditional" admittance into schools. Students may not participate in a classroom setting unless they have been fully immunized against diphtheria, hepatitis b, haemophilus influenza type b, measles, mumps, pertussis (whooping cough), poliomyelitis, rubella, and tetanus. Students must be immunized for varicella (chickenpox) or provide proof from a doctor stating they have had the disease.

All new students, advancing students, or students transferring into grades 7-12 must be fully immunized, and will not be admitted without the required booster against pertussis (Tdap) and a second dose against varicella. The required immunizations are available through a usual source of medical care, County Health Department, a school nurse, or may be administered by a health care practitioner acting under the direction of a physician. Immunizations may be given at school. There may be funds for those who cannot access services. Homeless, foster, migratory, and military youth can be enrolled without proof of immunization. [HSC 120325, 120335, 120338, 120375, 120400, 120405, 120410, 120415, 120440, 120480; EC 48216, 48852.7, 48853.5, 49403; 17 CCR 6000-6075; 42 USC 11432(C)(i)]

### Exemptions

These requirements do not apply if a form from licensed physician cites why they should not. The physician submits the standardized electronic form directly to the California Immunization Registry (CAIR) and to the school for exemption; this is the only form the school will accept. The form will include physician information, the child's name and their school, the parent's/guardian's name, and the specific basis for and duration of the exemption.

If an outbreak of a communicable disease occurs, a non-immunized student will be excluded from school for their own safety until such a time as directed by health officials or district administration.

Forms submitted prior to January 1, 2020 and exemptions based on beliefs opposed to immunization submitted prior to January 1, 2016 are valid until the

pupil enrolls in the next grade span (through preschool, grades K-6, grades 7-12). Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying your County Health Department. [HSC 120325, 120335, 120338, 120370, 120372, 120372.05; EC 48216]

## ≡ Physical Examinations

For each child enrolling in the District for the first time, including for kindergarten or first grade, the parent or guardian must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file a waiver with the school district stating the reasons you are unable to obtain such services. You may have your child immunized at the same time that the physical examination is conducted. [EC 49450; HSC 124085, 124100, 124105]

These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHDP). For information, you may contact:

San Mateo County Family Health  
2000 Alameda de las Pulgas, Suite 210  
San Mateo, CA 94403  
(650) 573-2877

If you want your child to be exempt from physical examinations at school, file a written statement annually with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist. [EC 49451; PPRA]

## Kindergarten and/or First Grade Oral Health Assessment

Many things impact a child's school progress and success, including health. Children must be healthy to learn, and children with cavities are not healthy. Baby teeth are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school.

Parents or guardians must have their child's oral health assessed and have proof of the assessment by

May 31 of the student's first school year (kindergarten or first grade). Assessments within the 12 months before the child enters school also meet this requirement. The assessment must be done by a licensed dentist or licensed or registered dental health professional. [EC 49452.8]

## Vision and Hearing Appraisal

An authorized person will check your child's vision upon enrollment and in grades 2, 5, and 8 unless the student entered the District in grade 4 or 7. Hearing tests will be conducted when your child is enrolled or first enters a District school. Females in grade 7 and males in grade 8 may be screened for scoliosis (curvature of the spine). These tests may be administered unless you annually give the school a certificate from a physician or optometrist verifying prior testing, or submit a letter denying consent. [EC 44878, 49451, 49452, 49452.5, 49455]

## ≡ Medication

Children may take medication, which is prescribed by a physician, and get help from school personnel during the school day if:

1. The district designee has received a written statement from the physician detailing the medication name, method, amount, and time schedules by which the medication is to be taken; and
2. Parent, guardian, or caregiver annually submits a written statement asking the school district to assist their child in taking the medication or allow the student to self-administer certain medications. The statement gives permission to communicate with the health care provider or pharmacist, and acknowledges understanding of how the medication will be administered.

This includes allowing a school staff member to volunteer and be trained to identify the need for, and to administer epinephrine to a student for anaphylaxis; glucagon as prescribed for diabetes; or anti-seizure medication as prescribed to a student diagnosed with seizures, a seizure disorder, or epilepsy. Each school determines if it will have staff trained in the use and storage of auto-injectable epinephrine and/or anti-seizure medication. The District will have a supply of auto-injectable epinephrine at each school site. [EC 49414, 49414.1, 49414.5, 49423, 49423.1, 49468.2, 49480]

Students may carry and self-administer a blood glucose level test, diabetes care, inhaled asthma medication, and auto-injectable epinephrine if the rules above are met and if a physician confirms in writing that the student is able to self-administer. The District does not allow parents to administer medical cannabis on campus. [BP 5141.21 March 2023; EC 49414, 49414.1, 49414.5, 49423, 49423.1, 49480; HSC 11362.79]

If your child is on a continuing medication regimen for a non-episodic condition, you are required to notify the district designee of the medication being taken, the current dosage, and the name of the supervising physician. [EC 49480]

### **Administering Select Over the Counter (OTC) Medications and Products**

With written authorization by the parent/guardian, school personnel may administer selected over the counter (OTC) medications and products to students in school without a written statement from a student's health care provider. OTC medications and products must be dispensed from an original container. Parent authorization is valid for the current school year only. OTC products that may be administered with parental written authorization, but without a physician's written statement may include, but are not limited to: Hydrocortisone ointment/ cream, throat lozenges, antacids, Acetaminophen and Ibuprofen.

### **Emergency Epinephrine Auto-Injectors**

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. [AR 5141.21 May 2015; EC 49414]

### **☰ Sun Protection**

Students when outdoors can wear sun protective clothing, including, but not limited to hats. Students may also apply sunscreen during the day without a doctor's note or prescription. [EC 35183.5, 35291, 35294.6]

### **☰ Head Lice**

The Governing Board recognizes that head lice infestations among students require treatment but do not pose a risk of transmitting disease. The Superintendent or designee shall encourage early detection and treatment in a manner that minimizes disruption to the educational program and reduces student absences.

The Superintendent or designee may distribute information to parents/guardians of preschool and elementary students regarding routine screening, symptoms, accurate diagnosis, and proper treatment of head lice infestations. The Superintendent or designee also may provide related information to school staff.

School employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible.

If a student is found with active, adult head lice, he/she shall be allowed to stay in school until the end of the school day. The parent/guardian of any such student shall be given information about the treatment of head lice and encouraged to begin treatment of the student immediately and to check all members of the family. The parent/guardian also shall be informed that the student shall be checked upon return to school the next day and allowed to remain in school if no active head lice are detected.

Upon the student's return to school, the school nurse or designee shall check the student for active head lice. If it is determined that the student remains infected with head lice, the school nurse or designee shall contact the student's parent/guardian to discuss treatment. As needed, he/she may provide additional resources and/or referral to the local health department, health care providers, or other agencies.

If a student is found consistently infested with head lice, he/she may be referred to a multidisciplinary team, which may consist of the school nurse, representatives from the local health department and social services, and other appropriate individuals, to determine the best approach for identifying and resolving problems contributing to the student's head lice infestations.

When it is determined that one or more students in a class or school are infested with head lice, the principal or designee may, at his/her discretion, notify parents/guardians of students in that class or school

and provide them with information about the detection and treatment of head lice.

Staff shall maintain the privacy of students identified as having head lice. [BP 5141.33 March 2023; EC 48320-48325, 49451]

## ≡ Medical and Hospital Insurance for Students

The district DOES NOT provide insurance on individual students. However, you may purchase accident insurance through the district for medical and hospital services covering your child. The insurance provides coverage for your child while on school grounds or in school buildings during the time your child is required to be there because of attendance during a regular school day of the district; or while being transported by the district to and from school or other place of instruction; or while at any other place as an incident to school-sponsored activities. The school district assumes no liability for accidents to pupils at school. [EC 32221.5, 49472]

**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 pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. [EC 49471]**

## Enrollment in a Health Care Plan

All children and their families must be enrolled in a health care plan. There are several options for getting a health plan; through an insurance agent, or low cost provider such as Medi-Cal and Covered California at (800) 300-1506 or online at [www.coveredca.com](http://www.coveredca.com). [PPACA]

## School-Sponsored Athletics

If a student participates in school-sponsored athletics other than physical education or athletic event during the school day, parents/guardians and the student athlete are required to annually; (1) complete a concussion awareness form, (2) complete a sudden cardiac arrest awareness form, and (3) sign a document acknowledging receipt of an Opioid Factsheet received either in print or electronic format. [EC 33479, 49475, 49476]

## **Air Ambulance Membership Program**

For families who are interested in purchasing membership in an Air Ambulance program please contact PHI Air Medical at (888) 435-9744 for more information.

## Medi-Cal Expansion Information

All children, regardless of immigration status, could be eligible for coverage through Medi-Cal. Thanks to recent actions, all children and youth younger than 19 whose families meet the income guidelines will soon qualify for the full scope of Medi-Cal benefits. This new eligibility starts in May, but there are actions families can take now to sign their children up.

You can apply in person at your local county human services office, over the phone, with a mail-in application, or at your local clinic, Daly City Clinic: (650) 301-8600.

## ≡ Student Access to Mental Health Services

School-based mental health services help address barriers to learning and provide appropriate student and family support in a safe and supportive environment. Reaching out for mental health services is simple; contact our Lead Mental Health Counselor, Raquel Buchanan at (650) 738-6606 or [rbuchanan@pacificasd.org](mailto:rbuchanan@pacificasd.org), your school counselor, principal, the district office or your child's health care provider. In the community a good place to start may be to dial 211 for referrals in your area or call San Mateo Co. Behavioral Health Services at (650) 573-2541. If you are in crisis contact this number or dial 911 immediately. [EC 49428]

## **Suicide Prevention**

Suicide is a leading cause of death among youth, and school personnel is often in a position to recognize warning signs. The District makes an effort to reduce suicidal behavior and its impact and has developed strategies to intervene. These may include staff development, student instruction in coping skills, informing parents/guardians, methods for promoting a positive school climate, crisis intervention, and counseling (including for bereavement). Information about district programs and services and links to community and statewide resources are available on the District's website at [www.pacificasd.org](http://www.pacificasd.org). [EC 215, 234.5, 234.6, 49060-49079, 49602, 49604; GC 810-

## ☰ Schools Free of Tobacco, Alcohol, and Drugs

The Board has adopted Tobacco-Free, Drug-Free, and Alcohol-Free campus policies to promote student health and well-being. The District strives for a school environment free of these substances and has prevention and intervention programs. There may be programs through the District or in the community to support students' cessation from use of tobacco, alcohol, or drugs. For more information please contact the school/district nurse or a school administrator. [EC 51202-51203, 51260-51269; HSC 104420, 11999-11999.3; PC 13864]

## ☰ Diabetes Information

Diabetes is a health condition that affects how the body turns food into energy. Most food is broken down into glucose (sugar). When sugar increases in your bloodstream, your pancreas releases insulin. Insulin acts like a key to let the sugar into your body's cells to use as energy. When there isn't enough insulin or when cells stop responding to insulin, too much sugar stays in your bloodstream. Over time, this can cause serious health problems such as heart disease, vision loss, and kidney disease. There is no cure for any type of diabetes.

For both types, managing weight, eating healthy food, being active, and getting enough rest can really help. Taking medicine as prescribed, getting diabetes self-management education and support, and keeping health care appointments can also reduce the negative impacts of diabetes.

### Type-2 Diabetes:

Type-2 diabetes is when your body can't use the insulin it makes as well as it should. It is the most common form of diabetes in adults, and is becoming more common in children, especially overweight teens. It is estimated that one in three children born in the US after the year 2000 will develop type-2 diabetes.

Type-2 diabetes can be prevented or delayed through lifestyle changes and medical intervention, and it is treatable. Eating healthy foods in the correct amounts and exercising regularly (at least 60 minutes every day) can help children achieve or maintain a normal weight and normal blood glucose levels.

The first step is to visit a doctor who can determine if your child is overweight. A doctor can prescribe medication if appropriate and can order tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (may lead to full onset type-2 diabetes).

### Type-1 Diabetes:

Type-1 diabetes is when your body simply doesn't make enough insulin. Type-1 diabetes is not preventable, but it is manageable. It is an autoimmune disease that may be caused by genetic, environmental, or other factors. It is usually first diagnosed in children or young adults, but it can occur at any age.

### Risk Factors:

It is recommended that students displaying or possibly experiencing the risk factors and warning signs below see a doctor to be screened for type-1 and/or type-2 diabetes:

Being overweight: The single greatest risk factor for Type-2 diabetes is excess weight. In the US, almost one out of every five children is overweight. Being overweight more than doubles a child's chance of developing diabetes.

Family history of diabetes: Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.

Inactivity: Being inactive further reduces the body's ability to respond to insulin.

Specific racial/ethnic groups: Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type-2 diabetes.

Age/Puberty: Type-1 diabetes usually occurs in the early years, and before reaching puberty. Type-2 diabetes is more likely to develop during or near puberty, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

### Warning Signs and Symptoms:

There are usually warning signs when a child might have diabetes. Not everyone with diabetes develops these symptoms, and not everyone who has these symptoms necessarily has diabetes. Type-2 symptoms generally develop slowly over time. Type-1 symptoms show up quickly – in a matter of weeks or even days, and are much more severe.



- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular/No menstrual periods, and/or excess facial and body hair growth in girl
- High blood pressure or abnormal blood fats levels
- For type-1; Nausea, vomiting, and/or stomach pain

Parents/Guardians of children displaying warning signs should immediately consult with the student's primary care provider to determine if screening for diabetes is appropriate. Following a diabetes's diagnosis, parents/guardians should work with the primary care provider to develop a lifestyle and medical treatment plan, which may include consultation with and examination by a specialty care provider, including, but not limited to, a properly qualified endocrinologist.

### **Diabetes Screening Tests:**

Your doctor may have your child take one or more of the following blood tests to confirm the diagnosis:

**Glycated hemoglobin (A1C) test:** A blood test measures the average blood sugar level over two to three months

**Random (non-fasting) blood sugar test:** A blood sample is taken at a random time; this test must be confirmed with a fasting blood glucose test.

**Fasting blood sugar test:** A blood sample is taken after an overnight fast; a high level on two separate tests indicates diabetes.

**Oral glucose tolerance test:** A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid.

If the primary care provider thinks your child has type-1 diabetes, blood may also be tested for autoantibodies (substances that indicate the body is attacking itself) that are often present in type-1 diabetes but not in type-2. The child's urine might be tested for ketones (produced when the body burns fat

for energy), which may also indicate type-1 diabetes instead of type-2 diabetes.

More information can be found on these websites: California Department of Public Health, [www.cdph.ca.gov](http://www.cdph.ca.gov); Centers for Disease Control and Prevention, [www.cdc.gov/diabetes/](http://www.cdc.gov/diabetes/); American Diabetes Association, <https://diabetes.org>.

The information provided in this booklet is intended to raise awareness about this disease. Contact your child's primary care provider, school nurse, or school administrator if you have questions. [EC 49452.6, 49452.7; HSC 104250]

### ≡ **Meningitis**

Meningococcal disease or Meningitis can be a life threatening infection that can be treated, but cannot always be cured. Routine vaccinations are recommended for 11-12 years olds, students entering high school and students living in college dorms. [HSC 120395-120399]

## **STUDENT BEHAVIOR AND SAFETY**

All pupils have the right to participate fully in the educational process, free from discrimination, harassment, violence, intimidation, and bullying. Schools have an obligation to combat racism, sexism, and other forms of bias, and a responsibility to provide equal educational opportunity and ensure safe school sites.

Students are encouraged to report anything they see or hear about that might be suspicious or dangerous to a teacher or other staff member. Any staff member that receives such a report will quickly take appropriate action, and the student's identity will remain confidential.

### ≡ **School Rules**

You have a right to review school and district rules regarding student discipline. If you wish to do so, please contact the school office. [EC 35291, 48980, 51101]

### ≡ **Safe Place to Learn**

It is State and District policy to improve student safety, connections between students and supportive adults, and connections between schools and communities. These policies prohibit discrimination, harassment, intimidation, and bullying at all school

sites or at any school sponsored activity. School site staff trained in anti-bias shall be made known to students. When safe to do so, District employees must intervene immediately when they see discrimination, harassment, intimidation or bullying. Certificated staff in grades 7-12 get information about helping LGBTQ students. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, and bullying; and cyber-bullying including social-media bullying are available on the District's website at [www.pacificasd.org](http://www.pacificasd.org) and online at [www.cde.ca.gov](http://www.cde.ca.gov), [www.wested.org/project/california-healthy-kids-survey-chks/](http://www.wested.org/project/california-healthy-kids-survey-chks/).

The District Uniform Complaint Procedure may be used to file a complaint. Contact the District Complaint Officer(s) listed on page 37 for assistance. [EC 200, 215, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234, 234.1, 234.4, 234.5, 234.6, 51101, 66250, 66260.6, 66270; CP 422.55, 422.6; 5 CCR 4900; BP 5131.2 November 2020]

## ≡ Digital Communication Devices

Districts may regulate the possession or use of any cellphone, smartphone, pager or electronic signaling device while pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. Students cannot be stopped from using such a device when: there is an emergency; there is a perceived threat of danger; when a teacher or administrator has said it is acceptable; or if it is part of an individualized education program (IEP). Possession or use is allowed if essential to student's health as determined by a licensed physician or surgeon. [EC 48901.5, 48901.7]

## ≡ Dress and Grooming

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to wear clothing that is suitable for the school activities in which they participate.

The following guidelines shall apply to all regular school activities:

1. Clothing, jewelry, and personal items shall be free of writing, pictures, or any other insignia which

is vulgar, lewd, obscene, profane, or sexually suggestive or which promotes the use of alcohol, drugs, tobacco, or other illegal activity.

2. Appropriate shoes that are considered safe for the given school activity must be worn at all times.
3. Hats, caps, and hoods may be worn indoors. Student's eyes and ears must be visible and unobstructed.
4. Clothes shall be sufficient to conceal undergarments.

Students shall not be prohibited from dressing in a manner consistent with their gender identity or gender expression or with their religious or cultural observance. In addition, the dress code shall not discriminate against students based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstance deemed necessary by the principal or designee.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. [BP/AR 5132 March 2023; EC 212.1, 220, 32281, 35183, 35183.5, 48907, 49066]

## ≡ Student Behavior and Discipline Guidelines

Students who behave inappropriately may be subject to disciplinary actions. Depending upon the inappropriate behavior of the student, one or more of the following actions may be taken, not necessarily in the order listed.

Interpretation of the guidelines by school administrators will take into account frequency, severity, and the age at which problems occur. School administrators may involve the intervention of other community resources. Any action will be in accordance with Administrative policy, Board policy, and State law.

The following is a list of inappropriate behaviors and possible interventions and disciplinary actions that may be utilized:

- Tardiness
- Disorderly Conduct
- Unexcused Absence
- Dress Code – if
- Defiance of Authority

- inappropriate to instructional setting
- Inappropriate cell phone use
- Verbal Abuse
- Forgery
- Theft
- Possession of Tobacco or Products
- Hate Violence
- Sexual Harassment
- Destruction of Property
- Fighting
- Alcohol
- Physical Assault/Battery
- Arson
- Drugs
- Any Weapon Including any Knife
- Extortion/Robbery
- Terroristic Threats
- Explosive Devices, Firecrackers
- Bullying

### **Definitions of Possible Interventions and Disciplinary Actions**

**Informal Conference:** A school official (teacher, administrator) may talk to the student and try to reach an agreement regarding how the student should behave.

**Conference:** A formal conference held between the student and one or more school officials. A record will be kept of the conference.

**Detention:** A disciplinary action in which students are detained in school for a maximum of 1 hour after the close of the school day.

**SARB:** A School Attendance Review Board (SARB) established to help students and their parents with school attendance or behavior problems.

**In-School Suspension:** A student may be assigned to an in-school suspension program by the principal or designee for offenses when suspension is permitted. Saturday School may also be utilized in lieu of suspension.

**Suspension:** Suspension is a disciplinary action which excludes a pupil from regular classroom instruction for adjustment purposes for a period of time not to exceed five (5) consecutive school days, ten (10) consecutive school days for Special Education students.

**Expulsion:** Expulsion means the removal of a student from enrollment in a school or the District by order of the Board of Trustees when all other means of correction have failed or if the continued presence of the student causes danger to the physical safety

of others. State law provides for due process rights in any order of expulsion.

**Community Resource:** Police, Youth Service Bureau, Star Vista, Pacifica Resource Center, Children’s Protective Services, Community Mental Health, Clergy, Department of Health Services, Care Solace, etc.

### **☰ Sex Offender Notification**

Law enforcement is the agency best able to assess the relative danger of a sex offender. Information about registered sex offenders in California can be found on the California Department of Justice’s website, <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

Pacifica School District will work with law enforcement on this matter.

### **☰ Safe Gun Storage**

Guns are now the third leading cause of death for children in this country. Over 80 percent of teens who commit suicide with a gun used one that belonged to someone in their home. Gun ownership is a right in the US, and it comes with substantial responsibilities. Anyone who reasonably knows a child might access a firearm without permission, loaded or not, is criminally liable for where that firearm is taken, brandished, or how it is used. This includes all school facilities or activities, events, and public places. More Information about gun safety and the safe storage of firearms can be found at <https://oag.ca.gov/firearms/tips>. Those responsible for access to a firearm could lose the right to own a firearm for 10 years, face fines, imprisonment, and civil liability. When there is a threat of a homicide, school staff shall notify law enforcement. [EC 48980, 48986, 49390, 49391, 49392; PC 25000-25140]

## **DISCIPLINE**

### **☰ Civility**

The District believes that every person deserves to be treated with dignity and respect in their interactions within our School Community. Civility has an impact on effective operations and on the creation of a safe and positive school climate for everyone.

While respecting every individual's right to free speech, that right does not allow for disruption of school classes, activities, meetings, or other events. Students, staff, parents, guardians, and the community are expected to be polite, courteous, respectful, and behave reasonably at all school or district activities and events. Practices that promote civil behavior include, but are not limited to, actively listening, giving full attention, not interrupting, welcoming and encouraging participation by everyone. Civility is hindered by disruptive behavior or speech, violence or the threat of violence, or harassment or bullying of any kind; these behaviors are prohibited and are subject to discipline according to law and District policies. [BP 1313 March 2023; EC 32210- 32212, 44050, 44807, 44810, 44811, 48900 et seq, 48950; CC 51.7, 1708.9; GC 54954.3, 54957.9; PC 415.5, 422.6, 627.4, 627.7]

### ≡ Parent Responsibility

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$23,900 in damages and another maximum of \$13,200 as adjusted annually by the California Department of Education for payment of a reward, if any. With a few exceptions, the school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. Civil penalties may also be enforced with fines up to \$25,000. [EC 48900.1, 48904, 51101; CC 1714.1; GC 53069.5]

### Vandalism

Graffiti, scratching glass or other material, or other intentional physical damage on someone else's property is now considered vandalism and those convicted face fines, imprisonment and the requirement to clean up the damage or perform community service. Parents/Guardians may be liable to pay fines as high as \$10,000

and be required to participate in the clean up. [PC 594; ne]

### ≡ Injurious Object Taken From Student

The parent or guardian of a pupil from whom an injurious object has been taken may be notified by school of the taking. [EC 49332]

### ≡ Drugs, Alcohol, and Tobacco

Possession or use of illicit drugs (including cannabis), alcohol, or any tobacco product on District premises or at any District activity is strictly prohibited.

A student in possession or under the influence of marijuana (cannabis), concentrated cannabis, or any synthetic cannabinoid is subject to suspension or expulsion. A student under 18 also faces up to forty (40) hours of community service, ten (10) hours of drug education, and sixty (60) hours of counseling; a student 18 or older can be imprisoned for up to six (6) months and/or be fined up to \$1,000. It is illegal for anyone under 21 to possess cannabis or synthetic cannabis.

Possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or 30 hours of community service except for members of the military.

Except for members of the military, possession of tobacco by anyone under 21 is illegal and can lead to a \$75 fine or thirty (30) hours of community service. Possession of approved tobacco cessation aids is not prohibited. A "tobacco product" is any product made or derived from tobacco or nicotine that is intended for human consumption, including an electronic device that delivers nicotine (commonly known as "e-cigarettes" or "vaping"). [EC 48900, 48901; HSC 11357, 11357.5, 11361, 11362.1, 11362.3, 104495, 104559; PC 308; VC 13202.5; BPC 22950.5, 25608; 20 USC 812, 814]

### ≡ Impersonation on the Internet

Pretending to be another pupil or real person other than yourself on the Internet or through other electronic methods to harm, intimidate, threaten or defraud is punishable by a \$1,000 fine or imprisonment for up to one year. [EC 48900; PC 528.5]

### ≡ Grounds for Suspension or Expulsion

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in

which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit the use or possession by a pupil of the pupil's own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia,

as defined in Section 11014.5 of the Health and Safety Code.

- (k) (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.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020.
- (3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
- (4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a 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 purposes of either preventing that pupil from being a witness or

retaliating against that pupil for being a witness, or both.

- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, that is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
    - (B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil’s physical or mental health.
    - (C) Causing a reasonable pupil to experience substantial interference with the pupil’s academic performance.
    - (D) Causing a reasonable pupil to experience substantial interference with the pupil’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - (2) (A) “Electronic act” means the creation or transmission originated on or off the schoolsite, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager,

of a communication, including, but not limited to, any of the following:

- (i) A message, text, sound, video, or image
- (ii) A post on a social network internet website, including, but not limited to:
  - (I) Posting to or creating a burn page. “Burn page” means an internet website created for the purpose of having one or more of the effects listed in paragraph (1);
  - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated;
  - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- (iii) (I) An act of cyber sexual bullying; (II) For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act; (III) For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary,

artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.
- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
- (1) While on school grounds.
  - (2) While going to or coming from school.
  - (3) During the lunch period whether on or off the campus.
  - (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension

or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.

- (w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.
- (2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community. [EC 35291, 48900, 48901.1, 48910]

Additionally, sexual harassment, hate violence, harassment, intimidation (grades 4-12) and threats and terroristic threats against school officials or school property or both (all students) may be recommended for suspension or expulsion. [EC 212.5, 233(e), 48900.2, 48900.3, 48900.4, 48900.7]

Homework shall be provided for a student suspended for two (2) or more days upon request. Such homework turned in on time that cannot be graded in time, will not be included in the calculation of the pupil’s grade in the class. [EC 48913.5]

### ≡ In-School Suspension

At the time a pupil is assigned to supervised suspension a school employee shall notify, in person or by telephone, the pupil’s parents or guardians. If the pupil is assigned to supervised suspension to longer than one class period, a school employee shall notify the parent or guardian in writing. [EC 48911.1(d)]

### ≡ Notification of Suspension

Reasonable effort will be made to notify the parents in person or by telephone at time of suspension; notification will be made in writing. Parents are required to attend a meeting to determine if suspension would be extended when expulsion is being considered. [EC 48911]

## ≡ Mandatory Suspension / Expulsion

Education Code Section 48915(a): Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that the 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 pupil.
3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one 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.

Education Code Section 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:

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 or written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
5. Possession of an explosive.

## ≡ Expulsion Procedures

The law requires written notice of the hearing (including pupil rights) to be forwarded to the pupil at least ten calendar days prior to the hearing – the opportunity for pupil or parent(s) to be represented by a “non-attorney advisor” is available. The pupil and parent are obliged to notify any new district of enrollment of the pupil’s status in the expulsion process. Results of the hearing will be sent to parent or guardian by superintendent. The letter will include a notice of parent’s/guardian’s obligation, at the time of enrollment, to inform any new district of the pupil’s expulsion. Additionally, the notice of decision to expel shall include a notice of the educational alternative placement to be provided to the pupil during the time of expulsion. [EC 48918]

## ≡ Records of Expulsion and Suspension

All offenses set forth in Education Code sections 48900 (a-o), 48900.2, 48900.3, 48900.4, 48915 (a) (1-5) or 48915 (c) (1-4) shall be properly identified in all appropriate pupil records. [EC 48900.8]

## ≡ Student Search

The school principal or designee may search the person of a student, the student’s property, vehicle, and District property under the student’s control if there is a reasonable suspicion to believe the student may have a concealed weapon, narcotics, stolen property, or contraband. Searches may be announced or unannounced, and the District may use drug-sniffing dogs if available. Employees shall not conduct strip searches or body cavity searches of any student. [EC 48900-48927, 49050-49051, 49330-49334; PC 626.9, 626.10]

## ≡ Release of a Student to a Peace Officer

If a school official releases your child from school to a peace officer for the purpose of removing them from the 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 suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [EC 48906; PC 11165.6; WIC 305]



# DISCRIMINATION, PROTECTIONS, COMPLAINTS AND PROCEDURES

The District is primarily responsible for compliance with local, state and federal laws and regulations and has procedures to address allegations of unlawful discrimination, harassment, intimidation, or bullying against any protected individual or group including actual or perceived sex, sexual orientation, gender, gender identity, gender expression, ethnic group identification, race or ethnicity, ancestry, national origin, nationality, religion, mental or physical disability, age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program, or activity that receives or benefits from local, state and federal financial assistance.

## ≡ Nondiscrimination / Harassment

This policy shall apply to all acts constituting unlawful discrimination or harassment related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment at school.

The Governing Board desires to provide a safe school environment that allows all students equal access to and opportunities in the district's academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or association with a person or group with one or more of these actual or perceived characteristics.

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also occurs when prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit

from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. In addition, the Superintendent or designee shall post the district's policies prohibiting discrimination, harassment, intimidation, and bullying and other required information on the district's web site in a manner that is easily accessible to parents/guardians and students, in accordance with law and the accompanying administrative regulation.

The Superintendent or designee shall provide training and/or information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the district's educational program. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment,

intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion when the behavior is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

### **Record-Keeping**

The Superintendent or designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the district to monitor, address, and prevent repetitive prohibited behavior in district schools. [BP 5145.3 March 2023; EC 200-262.4, 48900.3, 48900.4, 48904, 48907, 48950, 48985, 49020-49023, 49060-49079, 51500, 51501, 60044; CC 1714.1; GC 11135; PC 422.55, 422.6; 5 CCR 432, 4600-4670, 4900-4965; 20 USC 1681-1688; § 504; Title VI; Title VII; Title IX; 42 USC 12101-12213, 6101-6107; 28 CFR 35.107; 34 CFR 100.3, 104.7, 104.8, 106.8, 106.9, 110.25, 99.31]

### **Complaints Regarding Discrimination, Harassment, Intimidation, Bullying, Exceptional Needs Students, Categorical Programs, Federally Funded Programs**

The district prohibits the following, and shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination, harassment, or bullying against any protected individual or group identified under Board Policy, Education Code, California Code of Regulations, Penal Code, or Government Code including actual or perceived race, color, ancestry, historically associated racial traits, nationality, national origin, immigration status, ethnicity, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender

expression, genetic information, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any district program or activity that receives or benefits from state financial assistance.

District is committed to equal opportunity for all individuals in education and in employment. The District shall promote programs that ensure non-discriminatory practices in all District activities. Information about district programs and services and links to community and statewide resources related to: suicide prevention; sex discrimination including Title IX information; hate violence; sexual harassment including the District's Policy (also included in this booklet); harassment, intimidation, bullying; and cyber-bullying including social-media bullying are available on the Districts website at [www.pacificasd.org](http://www.pacificasd.org). You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. If you want further details in this regard, or if you believe your or your child(ren) have been subjected to the above and wish to file a complaint, please contact the District official responsible for compliance with Title V, Title VI, Title IX, § 504, and Uniform Complaints. The Governing Board designates the following compliance officer(s) to receive and investigate all complaints and ensure district compliance with law:

For complaints against employees:

Dr. Carla Chávez Torres, Director, Human Resources  
375 Reina Del Mar, Pacifica, CA 94044  
(650) 738-6600 - [ctorres@pacificasd.org](mailto:ctorres@pacificasd.org)

For student against student complaints:

John Bartfield, Director, *Student Services*  
375 Reina Del Mar, Pacifica, CA 94044  
(650) 738-6600 - [jbartfield@pacificasd.org](mailto:jbartfield@pacificasd.org)

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs as identified by the District's Board Policies: adult education, career/technical education, technical training, ROP programs and centers, Agricultural Vocational Education, child development, State Preschool, Early Childhood Education Program Assessments, Consolidated Categorical Aid, Economic Impact Aid, LCAP, State Compensatory Education, State Program for Students of Limited English Proficiency, school improvement,

tenth-grade counseling, tobacco-use prevention education, Peer Assistance and Review, Migrant and Indian Education, American Indian Education Centers, Bilingual Education, nutrition services, special education, after school education and safety, homeless or foster youth education options, course content, physical education (including instructional minutes grades 1-6), discrimination, harassment, intimidation, bullying, pupil lactation accommodations, pupil fees, Civil Rights Guarantees that receive state or federal financial assistance, ESEA (Titles I-VII), Williams Settlement issues, school safety plan, safe place to learn, School Safety and Violence Prevention Act, and other areas designated by the District. [EC 200, 201, 220, 221.6, 221.61, 221.8, 230, 231.5, 233, 234 et seq., 234.6, 260 et seq., 262.3, 48853, 48853.5, 49010-49013, 49069.5, 51210, 51223, 51225.2, 51228.3, 52075, 52334.7, 56500.2, 56501; PC 422.55; 5 CCR 4600- 4687; CC 51-53; GC 11135, 12900; 20 USC 1400 et seq.; EOA; Title VI; Title VII; Title IX; § 504; IDEA; 34 CFR 106.9]

## ≡ Uniform Complaint Procedures

### Board Policy

The Governing Board 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 resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

### **Complaints Subject to UCP**

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

1. Accommodations for pregnant and parenting students
2. Adult education programs
3. After School Education and Safety programs
4. Agricultural career technical education
5. Career technical and technical education and career technical and technical training programs
6. Child care and development programs
7. Compensatory education

8. Consolidated categorical aid programs
9. Course periods without educational content
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, 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 status, pregnancy, parental status, physical or mental disability, medical condition, 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 the person's association with a person or group with one or more of these actual or perceived characteristics
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school
12. Every Student Succeeds Act
13. Local control and accountability plan
14. Migrant education
15. Physical education instructional minutes
16. Student fees
17. Reasonable accommodations to a lactating student
18. Regional occupational centers and programs
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding
20. School safety plans
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding
22. State preschool programs
23. State preschool health and safety issues in license-exempt programs
24. 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
25. Any other state or federal educational program the

Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may 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 the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

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

The Superintendent or designee 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.

### **Non-UCP Complaints**

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of

Social Services Protective Services Division or 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.
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 – Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 – Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 – Procedural Safeguards and Complaints for Special Education.
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 – Nutrition Program Compliance.
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 – Nutrition Program Compliance.
8. 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 shall be investigated and resolved in accordance with AR 1312.4 – Williams Uniform Complaint Procedures.

### **Administrative Regulation**

Except as may otherwise be specifically provided in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

### **Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 – Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 – Sexual Harassment for handling complaints regarding sexual harassment.

For complaints against employees:

Dr. Carla Chávez Torres, Director, Human Resources  
375 Reina Del Mar, Pacifica, CA 94044  
(650) 738-6600 - [ctorres@pacificasd.org](mailto:ctorres@pacificasd.org)

For student against student complaints:

John Bartfield, Director, Student Services  
375 Reina Del Mar, Pacifica, CA 94044  
(650) 738-6600 - [jbartfield@pacificasd.org](mailto:jbartfield@pacificasd.org)

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

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall

be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, an appropriate administrator shall determine whether interim measures are necessary during an investigation and while the result is pending. 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 one or more interim measures. The interim measures shall 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.

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties.

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that

are subject to UCP as identified in the section “Complaints Subject to UCP” in the accompanying Board policy

2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district’s educational program, including curricular and extracurricular activities
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the district, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the district’s UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board

policy, the complainant has a right to appeal the district’s investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district’s decision, within 30 calendar days of receiving the district’s decision

10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the district’s UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district and district school web sites and may be provided through district-supported social media, if available.

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 UCP policy, regulation, forms, and notices 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.

### **Filing of Complaints**

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. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint.

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization.
2. Any complaint alleging noncompliance with law regarding the prohibition against 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 complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board.
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying.
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. 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.
6. 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.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim 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 shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

### **Mediation**

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation to resolve the complaint. 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 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 or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to permit the mediator access to all 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 an investigation of the complaint.

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 upon 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 the complainant's representative with the opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or 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. The compliance officer 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. At appropriate intervals, the compliance officer shall inform the parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offender(s), 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 any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the district to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of 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.

### **Timeline for Investigation Report**

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

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. When required by law, the matter shall be considered in closed session. 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.

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

### **Investigation Report**

For all complaints, the district's investigation report shall include:

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a



remedy that complies with Education Code 49013 and 5 CCR 4600

4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

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

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE.
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law.
3. Complaints alleging discrimination 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](http://www.ed.gov/ocr) within 180 days of the alleged discrimination.

## 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 or unlawful discrimination, harassment, intimidation, or bullying, appropriate remedies that may be offered to the victim but not communicated to the respondent 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
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

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student 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 cocurricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed

retaliation or unlawful discrimination, harassment, intimidation, or bullying, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

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, harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education.

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint.

### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the district's investigation report.

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following:

1. The district failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.

3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification:

1. A copy of the original complaint
2. A copy of the district's investigation report
3. 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
4. A report of any action taken to resolve the complaint
5. A copy of the district's UCP
6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report.

### **Health and Safety Complaints in License-Exempt Preschool Programs**

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety

Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE web site.

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations.

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint.

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority.

**Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint.**

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee.

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if

requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632.

**All complaints and responses are public records.**

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent.

[BP/AR 1312.3 March 2023; EC 18100-18203, 200-262.4, 32280-32289.5, 35186, 46015, 48645.7, 48853-48853.5, 48985, 49010-49013, 49060-49079, 49069.5, 49490-49590, 49701, 51210, 51222, 51223, 51225.1-51225.2, 51226-51226.1, 51228.1-51228.3, 52059.5, 52060-52077, 52075, 52300-52462, 52500-52617, 54400-54425, 54440-54445, 54460-54529, 59000-59300, 64000-64001, 65000-65001, 8200-8488, 8500-8538; GC 11135, 12900-12996; HSC 1596.792, 1596.7925; PC 422.55, 422.6; 2 CCR 11023; 5 CCR 15580-15584, 3200-3205, 4600-4670, 4680-4687, 4690-4694, 4900-4965; FERPA; § 504; 20 USC 1221, 1681-1688, 6301-6576, 6801-7014; 42 USC 11431-11435, 12101-12213, 6101-6107; Title VI; Title VII; Title IX; 28 CFR 35.107; 34 CFR 100.3, 104.7, 106.1-106.82, 106.3, 106.44, 106.45, 106.8, 110.25]

Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

American Civil Liberties Act 504: Office of Civil Rights

Child Abuse: Department of Social Services, Protective Services Division, or law enforcement

Discrimination/Nutritional Services: U.S. Secretary of Agriculture

Employment Discrimination: Department of Fair Employment and Housing, Equal Employment Opportunity Commission.

General Education: this school district

Health and Safety/Child Development: Department of Social Services

Student Records: Family Policy Compliance Office (FPCO), Student Privacy Policy Office, US Department of Education, 400 Maryland Avenue SW, Washington, DC 20202

[20 USC 11138; 34 CFR 300.510-511, 300.513; CE 235.262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64000(a); 5 CCR 4600, 4620-4632]

## ☰ **Complaints Regarding The Williams Settlement, Instructional Materials, Teacher Placement, and School Facilities**

Parents should use the District Uniform Complaint Procedure with modifications as included, to identify and resolve any deficiencies regarding instructional materials; facility cleanliness, safety, emergency or urgent facility conditions that pose a health or safety threat to students; or staff, teacher vacancies or misassignments. [EC 35186]

### Williams Settlement complaint procedure

A complaint form may be obtained, free of charge, at the school office, the district office, or downloaded from the district's Web site at [www.pacificasd.org](http://www.pacificasd.org), but the form need not be used to make a complaint. You may also download a copy of the California Department of Education complaint form from this Web site, [www.cde.ca.gov/re/cp/uc](http://www.cde.ca.gov/re/cp/uc). The Uniform Complaint Procedure shall be used for filing Williams related complaints with the following special circumstances applying:

1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
2. Complaints beyond the site authority will be forwarded to the District within 10 days.
3. Complaints may be filed anonymously. A response may be requested if complainant is identified and will be sent to the mailing address on complaint
4. If the District is required to provide material in a foreign language based on California Department of Education census data and if requested, the response and report shall be written in English and the primary language in which the complaint was filed.
5. The form will have a box to request a response and indicate where to file the form.

6. Valid complaints should be remedied within 30 days of receipt.
7. Within 45 days of filing a complaint, notice should be sent to complainant when a response was requested. A principal will also inform the Superintendent of resolution in the same time frame.
8. If unsatisfied with resolution a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
9. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records. [EC 35186, 48985]

## ☰ **Sexual Harassment**

### Board Policy

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 – Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator

shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.

### **Instruction/Information**

The Superintendent or designee shall ensure that all district students receive age-appropriate 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 sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made

7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the district will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation

### **Disciplinary Actions**

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, 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.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

### **Record-Keeping**

In accordance with law and district policies and regulations, 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 district schools. [BP 5145.7 March 2023; EC 200-262.4, 48900, 48900.2, 48904, 48980, 48985; CC 1714.1, 51.9; GC 12950.1; 5 CCR 4600-4670, 4900-4965; FERPA; 20 USC 1092, 1221, 1681-1688; 34 USC 12291; 42 USC 1983; Title VI; Title VII; 34 CFR 106.1-106.82]

The District's full Board Policy and Administrative Regulation are available on line at <https://simbli.eboardsolutions.com/Policy/PolicyListing.aspx?S=36030354>.

## **MISCELLANEOUS**

### **≡ 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 which 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.

Please note: When two custodial parents/guardians or different households with equal education rights cannot agree on the school in which to enroll the student, the first school in which the student was registered by either parent/guardian will be the default school of choice.

### ≡ Child Abuse and Neglect Reporting

Staff of the Pacifica School District is required by law to report cases of child abuse and neglect whenever staff have a reasonable suspicion. Staff may not investigate to confirm the suspicion. Both the staff name and the report itself are confidential and cannot be disclosed except to authorized agencies.

### ≡ Disruption in a Public School or Public School Meeting

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500). [EC 32210]

### ≡ Management Plan for Asbestos-Containing Material

The district has available upon request a complete and updated management plan for asbestos-containing material. [40 CFR 763.93]

### ≡ Lead Poison

The district website has information about lead

poisoning, including risks and effects of childhood lead exposure; blood lead screening tests for children enrolled in Medi-Cal; recommendations for children not enrolled in Medi-Cal who are at high risk of lead exposure and blood lead screening tests as required. The District will handout information to parents of district childcare or preschool programs. [HSC 105286]

### ≡ Pesticide Use

The District is not planning to use any pesticide products at school facilities this school year. Should the District find that it does need to use any pesticide products, parents will receive identification of the products that includes the name, active ingredient(s), and date and location of application. Only fully certified pesticides can be used on school grounds. The identification includes the name and active ingredients. The school's Integrated Pest Management Plan (IPM) is updated by April 30 each year. The IPM, pesticide names and active ingredients, and application dates are posted on the school and/or district website at [www.pacificasd.org](http://www.pacificasd.org).

Parents and guardians may register with the school or district if they wish to receive notification of pesticide applications at a particular school or facility. Notice of an application and written notice of unlisted pesticide use will be given 72 hours in advance. For an emergency application, 72 hours notice will be the goal. Each area of the school where pesticide is being used will be identified by a posted warning 24 hours before (or upon application, if an emergency) through 72 hours after use. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, [www.cdpr.ca.gov](http://www.cdpr.ca.gov). [EC 17610.1, 17612, 48980; FAC 13184]

### ≡ Further Information is Available

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office, or on the district website, [www.pacificasd.org](http://www.pacificasd.org). [FERPA, 34 CFR 99.7(b)]

# PRESCRIPTION OPIOIDS: What You Need to Know

Prescription opioids can be used to help relieve moderate-to-severe pain and are often prescribed following a surgery or injury, or for certain health conditions. These medications can be an important part of treatment but also come with serious risks. It is important to work with your health care provider to make sure you are getting the safest, most effective care.

As many as  
**1 in 4**  
PEOPLE\*

receiving prescription opioids long term in a primary care setting struggles with addiction.

\* Findings from one study



## What are the risks and side effects of opioid use?

Prescription opioids carry serious risks of addiction and overdose, especially with prolonged use. An opioid overdose, often marked by slowed breathing, can cause sudden death. The use of prescription opioids can have a number of side effects as well, even when taken as directed:

- Tolerance—meaning you might need to take more of a medication for the same pain relief
- Physical dependence—meaning you have symptoms of withdrawal when a medication is stopped
- Increased sensitivity to pain
- Constipation
- Nausea, vomiting, and dry mouth
- Sleepiness and dizziness
- Confusion
- Depression
- Low levels of testosterone that can result in lower sex drive, energy, and strength
- Itching and sweating

## Be informed!

Make sure you know the name of your medication, how much and how often to take it, and its potential risks & side effects.



## KNOW YOUR OPTIONS:

Talk to your health care provider about ways to manage your pain that don't involve prescription opioids. Some of these options **may actually work better** and have fewer risks and side effects. Options may include:

- Pain relievers such as acetaminophen, ibuprofen, and naproxen
- Some medications that are also used for depression or seizures
- Physical therapy and exercise
- Cognitive behavioral therapy, a psychological, goal-directed approach, in which patients learn how to modify physical, behavioral, and emotional triggers of pain and stress.

## Risks are greater with:

- History of drug misuse, substance use disorder, or overdose
- Mental health conditions (*like depression or anxiety*)
- Sleep apnea
- Older age (*65 years or older*)
- Pregnancy

Avoid alcohol while taking prescription opioids. Also, unless specifically advised by your health care provider, medications to avoid include:

- Benzodiazepines (such as Xanax or Valium)
- Muscle relaxants (such as Soma or Flexeril)
- Hypnotics (such as Ambien or Lunesta)
- Other prescription opioids

## IF YOU ARE PRESCRIBED OPIOIDS FOR PAIN:

- Never take opioids in greater amounts or more often than prescribed.
- Follow up with your primary health care provider within \_\_\_\_ days.
  - Work together to create a plan on how to manage your pain.
  - Talk about ways to help manage your pain that don't involve prescription opioids.
  - Talk about any and all concerns and side effects.
- Help prevent misuse and abuse.
  - Never sell or share prescription opioids.
  - Never use another person's prescription opioids.
- Store prescription opioids in a secure place and out of reach of others (this may include visitors, children, friends, and family).
- Safely dispose of unused prescription opioids: Find your community drug take-back program or your pharmacy mail-back program, or flush them down the toilet, following guidance from the Food and Drug Administration ([www.fda.gov/Drugs/ResourcesForYou](http://www.fda.gov/Drugs/ResourcesForYou)).
- Visit [www.cdc.gov/drugoverdose](http://www.cdc.gov/drugoverdose) to learn about the risks of opioid abuse and overdose.
- If you believe you may be struggling with addiction, tell your health care provider and ask for guidance or call SAMHSA's National Helpline at 1-800-662-HELP.

Learn More  
[www.cdc.gov/opioids/providers/prescribing/guideline.html](http://www.cdc.gov/opioids/providers/prescribing/guideline.html)



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Synthesized from document CS26407C  
dated May 9, 2016

