

<b>NOTICE TO PARENTS AND GUARDIANS: ADDITIONS AND CHANGES TO 2010-11 PARENT AND STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK</b>
--

While all enclosed information is relevant to the education of your student, of particular note are the following changes from last year's 2009-10 Parent and Students Rights and Responsibilities Handbook:

Added: Exhibit No. 3305(3) – Literature/Supplemental Materials

New to the 2010-11 Parent and Student Rights and Responsibilities Handbook is Exhibit No. 3305(3), a letter from the Governing Board to parents that informs parents of the Board's ongoing aim to provide students with comprehensive, appropriate literature and also informs parents that they may request alternate selections for their student. The letter to parents can be found on page 31 of this handbook and also at [www.cusd.com/board/policies.htm](http://www.cusd.com/board/policies.htm).

Added: Policy No. 8302 – Transportation of Students by Private Vehicle

Also new to the 2010-11 Parent and Student Rights and Responsibilities Handbook is a policy that is being implemented effective with the 2010-11 school year that establishes guidelines for drivers of private vehicles when transporting students. The District may now provide transportation for students, employees, and other individuals for field trips and other school-related trips approved according to Board Policy and Administrative Regulation No. 8302. School-related organizations requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the Governing Board. The new policy can be found on page 47 of this handbook and also at [www.cusd.com/board/policies.htm](http://www.cusd.com/board/policies.htm).

Added: Exhibit No. 2110(1) – Notification – Zero Tolerance

The final new element added to the 2010-11 Parent and Student Rights and Responsibilities Handbook is Exhibit No. 2110(1). The exhibit, found on page 54 of this handbook, is an example of the same notification included on the Zero Tolerance Policy notification card that is provided to students in English and Spanish in their registration packets upon enrollment at the beginning of the school year. Upon receipt of this card, students are asked to sign the card acknowledging that they have read and understood the Clovis Unified School District Zero Tolerance Policy (Board Policy No. 2110) and that they realize the consequences of their actions if they violate the policy.

The District's Open Enrollment and Transfer Policies

These policies are currently under review and will likely be revised during the 2010-11 school year. Additional information will be shared with the community when these changes to Board Policies No. 2208, 2209 and 2210, and their accompanying Administrative Regulations and Exhibits, are adopted by the Governing Board.

# TABLE OF CONTENTS

## GOVERNING BOARD POLICIES AND ADMINISTRATIVE REGULATIONS PERTAINING TO PARENTS AND STUDENTS OF CLOVIS UNIFIED SCHOOL DISTRICT

	PAGE
<b>A. NOTICE OF PARENTAL RIGHTS</b> .....	1
<b>B. ATTENDANCE AND PROGRAMS</b>	
1. ADMISSIONS RESIDENCY AND ATTENDANCE/ OPEN ENROLLMENT WITHIN THE DISTRICT .....	Board Policy/A.R./Exhibit No. 2208..... 6
2. INTRADISTRICT TRANSFERS DURING THE SCHOOL YEAR.....	Board Policy/A.R. No. 2209 ..... 9
3. INTERDISTRICT TRANSFERS DURING THE SCHOOL YEAR.....	Board Policy/A.R. No. 2210 ..... 10
4. NOTICE OF ALTERNATIVE SCHOOLS .....	ED. CODE § 58501 ..... 11
5. CLOVIS COMMUNITY DAY SCHOOLS .....	ED. CODE § 48660-48667..... 11
6. SCHOOL ACCOUNTABILITY REPORT CARD .....	ED. CODE § 35256 (c)..... 12
7. SPECIAL EDUCATION INFORMATION / SECTION 504.....	12
8. CATEGORICAL FUNDING INFORMATION .....	12
9. CHILD DEVELOPMENT INFORMATION .....	14
<b>C. ABSENCES</b>	
1. EXCUSED ABSENCES .....	ED. CODE § 48205..... 15
2. CLEARING ABSENCES .....	A.R. No. 2207, Section D ..... 15
<b>D. DISCIPLINE RULES</b>	
1. STUDENT CELL PHONE USAGE .....	ED. CODE § 48901.5..... 16
2. BULLYING .....	ED. CODE § 48900(r) ..... 16
3. STUDENT SEARCHES .....	ED. CODE § 32280..... 16
4. ZERO TOLERANCE .....	Board Policy/A.R. No. 2110 ..... 16
5. DRESS AND GROOMING .....	Board Policy/A.R. No. 2105 ..... 17
6. ALCOHOL, TOBACCO AND OTHER DRUG PREVENTION / INTERVENTION.....	Board Policy/A.R. No. 2106 ..... 19
7. SEXUAL HARASSMENT.....	Board Policy/A.R. No. 2111 ..... 20
<b>E. SAFETY ISSUES</b>	
1. CIVIL DEFENSE PLAN: EMERGENCY PROCEDURES .....	24
2. MEGAN'S LAW NOTIFICATION .....	24
3. NOTIFICATION OF PLANNED PESTICIDE USE.....	25
<b>F. CURRICULUM</b>	
1. STUDENT USE OF TECHNOLOGY .....	Board Policy/A.R. No. 7205 ..... 26
2. LITERATURE/SUPPLEMENTAL MATERIALS .....	Exhibit. No. 3305(3)..... 31
<b>G. STUDENT RECORDS</b>	
1. STUDENT RECORDS ACCESS AND PRIVACY RIGHTS OF PARENTS AND STUDENTS .....	Board Policy/A.R. No. 7101 ..... 32

**H. COMPLAINTS**

1. UNIFORM COMPLAINT PROCEDURES - PROGRAMS ... Board Policy/A.R. No. 9208 ..... 38  
2. UNIFORM COMPLAINT PROCEDURES REGARDING  
AREAS INCLUDED IN THE WILLIAMS SETTLEMENT ..... Board Policy/A.R. No. 9211 ..... 41

**I. BUS TRANSPORTATION**

1. BUS TRANSPORTATION INFORMATION..... 45  
2. REQUIREMENTS FOR RIDING A SCHOOL BUS ..... 45  
3. POSTED BUS RULES OF CONDUCT ..... 45  
4. PROCEDURE FOR ISSUING A WARNING OF  
UNSATISFACTORY CONDUCT ON OR NEAR A SCHOOL BUS..... 46  
5. BUS DISCIPLINE PROCEDURES ..... 46  
6. PROCEDURES FOR OPERATION OF SCHOOL BUSES AND SPAB/CHARTER  
OPERATIONS WHEN ATMOSPHERIC CONDITIONS REDUCE VISIBILITY TO  
200 FEET OR LESS (Foggy Day Schedule)..... 46  
7. WALKING TO AND FROM SCHOOL BUS STOPS ..... 46  
8. RED LIGHT ESCORT CROSSING INFORMATION ..... 47  
9. SCHOOL BUS DANGER ZONES ..... 47  
10. SAFE RIDING PRACTICES AND EMERGENCY PROCEDURES..... 47  
11. TRANSPORTATION OF STUDENTS BY PRIVATE VEHICLE ..... 47

**J. EXHIBITS**

1. PETITION FOR EXEMPTION FROM DRESS AND GROOMING COMPLIANCE – Exhibit No. 2105 (1) ..... 48  
2. SECONDARY ACCEPTABLE AND UNACCEPTABLE  
BACKLESS SHOES (EXAMPLES) – Exhibit No. 2105 (2)..... 49  
3. OPEN ENROLLMENT TRANSFER APPLICATION – Exhibit No. 2208 (1) ..... 50  
4. INTRADISTRICT TRANSFER APPLICATION – Exhibit No. 2209 (1)..... 51  
5. INTERDISTRICT TRANSFER APPLICATION – Exhibit No. 2210 (1)..... 52  
6. CATEGORICAL FUNDED PROGRAMS FOR 2010-11 ..... 53  
7. NOTIFICATION - ZERO TOLERANCE – Exhibit No. 2110 (1)..... 54  
8. STUDENT SEXUAL HARASSMENT INFORMAL COMPLAINT – Exhibit No. 2111 (1) ..... 55  
9. STUDENT SEXUAL HARASSMENT FORMAL COMPLAINT – Exhibit No. 2111 (2) ..... 56  
10. TECHNOLOGY RESOURCES USE: STUDENT USER AGREEMENT – Exhibit No. 7205 (1) ..... 58  
11. COMPLAINT FORM – Exhibit No. 9207/9208 (1) ..... 59  
12. WILLIAMS UNIFORM COMPLAINT PROCEDURES FORM– Exhibit No. 9211 ..... 60

Governing Board Policies and Education Code references in this handbook are subject to change. Current copies of CUSD Board Policies can be accessed online at: [www.cusd.com](http://www.cusd.com), or by calling your neighborhood school. California Education Codes can be accessed online at: [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html) or by calling the California Department of Education at: (916) 319-0800.

**Si necesita ayuda para leer esta carta llame por favor a la escuela.  
Yog koj xa kom peb pab koj txog daim ntawv no thov hu tuaj rau peb.**

## A. 2010-11 NOTICE OF PARENTAL RIGHTS

The following is a list of the rights you have as a parent or guardian of a child in public school. The rights listed are granted by federal or state laws and regulations.

### A. Student Discipline and Attendance. You have the right as a parent:

1. To obtain a copy of the governing board's rules and regulations on student discipline. (Ed. Code § 35291.) Board Policy/Administrative Regulation 2102 – Student Discipline can be accessed in full at [www.cusd.com](http://www.cusd.com).
2. To be informed that you may be required to attend your child's class if he or she is suspended for unruly or disruptive conduct. (Ed. Code §§ 48900.1 and 48914.)
3. To apply for enrollment of your child in a district in which you are employed; however, the district may have the right to deny the application under certain conditions. (Ed. Code § 48204(b).)
4. To request information about enrollment in alternative schools. (Ed. Code § 58501.) Please see page 11.
5. To excuse a child from school to attend religious exercises or classes upon written notice. Such absences may not exceed four days per month. An excused child must nevertheless maintain his or her attendance at the minimum level of school days required for his or her grade. (Ed. Code § 46014.)
6. To excuse your child from school for justifiable personal reasons upon written notice and approval by the principal or designated representative. Personal reasons may include attendance at a religious retreat, not to exceed four hours per semester, and the observance of a religious holiday or ceremony. (Ed. Code § 48205.)
7. To be informed that the Governing Board, pursuant to section 44808.5 of the Education Code, has decided to permit seniors enrolled at each high school to leave their respective school grounds during the lunch period only. Neither the District nor any officer or employee thereof will be liable for the conduct or safety of any high school student during such time as the student has left the school grounds. (Ed. Code § 44808.5.)
8. To receive the District's written policy on sexual harassment as it relates to students. (Ed. Code §§ 231.5 and 48980(g).) Please see page 20 for the policy.
9. To receive notification of all current statutory attendance options and local attendance options. Parents will receive a written description of all options for meeting residency requirements for school attendance, all programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. The notice will include a description of the procedure for application for alternative attendance areas or programs, an application form for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. (Ed. Code § 48980 (h) and (i).) Please see pages 6-11.
10. Temporary disability. To be informed that a student with a temporary disability who is in a hospital or other residential facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. Once the parent has notified the district in which the hospital is located of the student's presence in the qualifying hospital, the district has five working days to notify the parent if individualized instruction shall be made available. If the determination is positive, individualized instruction shall commence within five days. (Ed. Code §§ 48206.3, 48207, 48208 and 48980.)
11. To be given at least six months' notice if the District adopts a dress code policy that requires students to wear uniforms. Parents are also entitled to notice of the availability of resources to assist economically disadvantaged students. (Ed. Code § 35183.)
12. To be informed that the District will notify your child's teacher(s), in confidence, if your child has caused or attempted to cause serious bodily injury to another person. The information provided the teacher(s) will be based on any written records that the District maintains or receives from a law enforcement agency regarding your child. (Ed. Code § 49079.)

Additional detailed information on reasons for suspension and expulsion can be found in Ed. Code § 48900 at [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html)

### B. Student Health. You have the right as a parent:

1. To be informed that school authorities will notify students in grades 7 to 12 that they may be excused from school for the purpose of obtaining confidential medical services without your consent. (Ed. Code § 46010.1.)
2. To be informed that your child must be immunized against certain diseases before being admitted to school, unless written notice is given to exempt your child for medical, personal or religious reasons. (Ed. Code § 48216.)
3. To consent to the immunization of your child whenever the immunization of children is permitted at the District. (Ed. Code § 49403.) Additional information, policies or notices will be provided when such activity takes place.
4. To request assistance in administering prescription or over the counter medication to your child during school hours. Such assistance requires your written authorization and written authorization of a California board certified physician detailing the medication name, method, amount, and time schedules for taking the medication. Medication must be in the original container. (Ed. Code §§ 49423 and 48980; 5 Cal. Code Regs. §§ 600-611.)

5. To exempt your child from any physical examination upon your written notification. California mandated screenings for vision, hearing and scoliosis are performed periodically and may be waived also with written notification. However, where there is good reason to believe that your child is suffering from a recognized contagious or infectious disease, your child will be sent home and will not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist. (Ed. Code §§ 49451 and 48980.)
6. To purchase insurance for medical and hospital services for your child's injuries while participating in athletic activities since the District does not provide such medical and hospital services. (Ed. Code §§ 49471, 49472 and 48980.)
7. To be informed of your obligation to notify appropriate school personnel (e.g., school nurse or designated employee) of your child's continuing medication regimen for a nonepisodic condition. With your consent, the school nurse may communicate with your child's physician and may counsel school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. (Ed. Code § 49480.)
8. To obtain information and apply for participation in the Free and Reduced Lunch Program offered by the District to provide nutritional meals to needy pupils. (Ed. Code § 49510 et seq.)
9. To be notified of all pesticides the District expects to apply during the year. Please contact the Plant Operations Department at (559) 327-9492 if you wish to receive written notification at least 72 hours prior to the application of an individual pesticide at your school. Each school will maintain a list of parents or guardians who want to be notified before individual pesticide applications are made. Prior to the application of any pesticide, the District will post a warning sign at the area to be treated at least 24 hours prior to the pesticide application and such sign will remain posted for at least 72 hours after the application. In the event of an emergency condition, advance notification and prior sign posting may not be feasible, but a warning sign will be posted immediately upon application of the pesticide. For additional information regarding pesticides and pesticide use, please visit the Department of Pesticide Regulation's website at [www.cdpr.ca.gov](http://www.cdpr.ca.gov). (Ed. Code §§ 48980.3 and 17612.) Please refer to the chart on CUSD's planned pesticide use on page 25.
10. To provide a written statement to the school District allowing your child to carry and self-administer auto-injectable epinephrine and/or inhaled asthma medication. A California board certified physician's statement confirming that your child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedules for administration must also accompany the request. The parent or guardian must also: (1) consent in writing to the self-administration, (2) provide a release for the school nurse or other designated school personnel allowing them to consult with the student's physician and (3) agree to release the District and school personnel from civil liability in the event of an adverse reaction to the medication. These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. (Ed. Code §§ 48980, 49423, and 49423.1.)

**C. Student Records.** You have the right as a parent:

1. To be notified of the District's policies concerning student records maintained by the District. (Ed. Code § 49063; 34 Code of Federal Regulations (C.F.R.) Part 99.7.) Please see page 32.
2. To know that your child's right to privacy prohibits the release of confidential information in your child's records to individuals other than yourself, your child (if 16 or older or having completed the 10th grade), or certain authorized individuals. (Ed. Code. §§ 49060 et seq.) Certain entities, such as military recruiters and institutions of higher education, are authorized under federal law to access student directory information unless the parents request in writing that the student's name, address, and telephone number not be released without prior written consent. Parents' choice to withhold directory information should be indicated on the Pupil Release of Information Card (Green Card) included in annual registration materials and returned to your child's school at the start of each school year. (No Child Left Behind, 20 U.S.C. § 1232g; 20 U.S.C. 7908; 34 C.F.R. § 99.37(a)(3).)
3. To consent to disclosure of personally identifiable information contained in your child's records, except to the extent disclosure without consent is permitted by law (e.g., subpoena, or court order). (Ed. Code § 49076 et seq.)
4. To file a complaint with the United States Department of Health, Education, and Welfare concerning alleged failure by the District to comply with the requirements of the General Education Provisions Act (20 U.S.C. § 1232(e).) To file a complaint with the United States Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. (34 C.F.R. Part 99.7.) The name and address of the office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605. (Ed. Code § 49063 (j).)
5. School officials may be authorized to inspect student records if a legitimate educational interest exists. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibilities. A school official is a person employed by the District as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement unit personnel), a person serving on the governing board, a person or company with whom the District has contracted

to perform a special task (such as attorney, auditor, consultant, or therapist), or a parent or student serving on an official committee (such as a disciplinary or grievance committee), or assisting another school official in performing his or her tasks. (FERPA, 34 C.F.R. Part 99.7(a)(3)(iii) and 99.31(a)(1); Ed. Code §§ 49063 (d), 49064 and 49076.)

6. The District will forward student records, including suspension and/or expulsion disciplinary records to other schools that have requested the records and in which the student seeks or intends to enroll. (FERPA, 34 C.F.R. Part 99.7 and 99.34(a)(ii).)

**D. Student Instruction.** You have the right as a parent:

1. To substantiate your child's moral objection to dissecting, destroying or otherwise harming animals as part of an education project. Teachers of courses utilizing dead animals or animal parts will inform students of their right to object to participate in a particular project involving the harmful or destructive use of animals. Your written note attesting to your child's objection may, at the teacher's option, entitle your child to participation in an alternative education project or to be excused from the project altogether. (Ed. Code § 32255–32255.6.)
2. To have your child with a temporary disability receive individual instruction if attendance at school is impossible or inadvisable and to be informed of your obligation to notify the District of your child's presence in a qualifying hospital. Individual instruction may be provided at your child's home, in a hospital or other residential health facility. (Ed. Code § 48206.3 et seq. and 48208.)
3. To be informed of District programs for students with exceptional needs, including your right to have your child placed in an "appropriate" program, and to be consulted about the assessment and placement of your child. Students with exceptional needs have a right to a free appropriate public education. (Ed. Code § 56000 et seq.)
4. To be informed, in writing, of comprehensive sexual health education and HIV/AIDS prevention education and research on student health behaviors planned for the coming year. To inspect the written and audiovisual education materials used for this instruction and to request a copy of Education Code sections 51930-51939. To be informed whether this instruction will be taught by school District personnel or by outside consultants. To request in writing that your child be excused from all or part of any comprehensive sexual health education, HIV/AIDS prevention education or assessments related to that education. This notice does not apply to human reproductive organs that may appear in physiology, biology, zoology, general science, personal hygiene, or health text books, adopted pursuant to law. (Ed. Code §§ 51937, 51938, 51939 and 48980.) Additional information, policies or notices will be provided when such activity takes place or before the particular subject is taught.
5. To request in writing that your student be excused from any part of a school's instruction in health which conflicts with your religious training and beliefs. (Ed. Code § 51240.)
6. To be notified and have a conference scheduled when a teacher has determined that your child is in danger of failing a course. (Ed. Code §§ 49063 and 49067.)
7. To have no test, questionnaire, survey or examination which has questions about your or your child's: beliefs and practices in sex, family life, morality, religion, political affiliations or beliefs, illegal, anti-social, self-incriminating, or demeaning behavior, mental or psychological problems, legally recognized privileged relationships (such as lawyer, physician, or minister), critical appraisals of individuals with whom you have close family relationships, or income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) be administered without prior notification and written permission of the parent or guardian. Parents may inspect all instructional materials, including teacher's manuals, films, tapes or other supplementary material to be used in connection with any survey, analysis or evaluation. (Ed. Code §§ 51513 and 60614; 20 U.S.C. 1232h(a) and (b).)
8. To request a meeting to review instructional materials and discuss the curriculum of your student's course. (Ed. Code §§ 49063(k) and 49091.14 and No Child Left Behind Act, 20 U.S.C.1232h (c) and (d).)
9. To be notified, at least once, in advance of career counseling and course selection commencing with course selection for grade 7 so that you may participate in the counseling sessions and decisions. (Ed. Code § 221.5(d).)
10. To be notified of minimum days or staff development days. Staff development days are November 12, 2010, and January 3, 2011. Schools and the District Office will be closed on these days. Wednesdays have also been designated Elementary Early Release Days for staff development purposes and will continue in the 2010-2011 school year. Elementary schools in Clovis Unified School District end 90 minutes early on Elementary Early Release Days. One minimum day, June 10, 2011, has been scheduled for the 2010-11 school year. (Ed. Code § 48980 (c).) A complete school calendar reflecting all school holidays is available online at [cusd.com/parents/calendars](http://cusd.com/parents/calendars).
11. To be notified that commencing with the 2005-2006 school year, and each school year thereafter, with the exception of disabled students meeting specific criteria, each student completing 12th grade will be required to successfully pass the high school exit examination ("CAHSEE"). (Ed. Code §§ 48980(e) and 60850 et seq.) Passing the examination is a condition of graduation. Parents will receive notice of the exam date, the requirements for passing, and information concerning the consequences of not passing the exam, including the inability to participate in the District's graduation ceremonies or receive a diploma. A student, including an English learner, who has not passed the CAHSEE by the end of 12<sup>th</sup> grade must be provided the opportunity to receive

intensive instruction and services after completion of 12<sup>th</sup> grade for two consecutive academic years or until the student has passed both parts of the exam, whichever comes first. To review Clovis Unified School District's graduation requirements, refer to Board Policy No. 3209 available on CUSD's website or at your local school.

12. Technology/Internet Use - Before anyone may access the Internet through the District, the appropriate orientation and instruction will be required. All users shall sign the District's Technology User Agreement and the Technology User Contract indicating that the user understands and agrees to abide by specified user obligations and responsibilities. Users are to understand that any violations may result in disciplinary action, the revocation of their use privilege, and appropriate legal action.
13. To be made aware of the District's Parent Involvement program or policy. (Ed. Code 11500 et seq. and No Child Left Behind, 20 USC § 6318(b),(c).)
14. For schools receiving Title I funding, to request information regarding the professional qualifications of your child's teacher. (No Child Left Behind, 20 U.S.C. § 6311(h) (6).)
15. To be informed of the availability of state funds to cover the costs of Advanced Placement and International Baccalaureate examination fees pursuant to Education Code section 52244. (Ed. Code § 48980 (k).)
16. If a school fails to make adequate yearly progress, the District must make supplemental educational services available to eligible children in the school. The District must provide annual notice to parents of the availability of these services, the identity of approved providers of these services and a brief description of the services, qualifications and demonstrated effectiveness of each provider. (No Child Left Behind, 20 U.S.C. § 6316(e)(2).)

#### **E. College Admissions and Career Technical Education Annual Notification**

Information for parents/guardians of students in grades nine through 12 regarding:

- Clovis Unified School District-offered courses that meet the California State University (CSU) and University of California (UC) admission requirements;
- a list of CSU and UC websites to view high school courses that have been certified by the UC as satisfying admission requirements to CSU and UC;
- a brief description of Career Technical Education (CTE), a CTE website; and
- information as to how students may meet with their counselors to get assistance in choosing courses that will meet college admission requirements, enrollment in CTE, or both.

For information regarding college admission requirements, please refer to page 11 of the 2010-11 CUSD Course Description Catalog, which is available on the District's website at [www.cusd.com](http://www.cusd.com). For a list of CUSD-offered courses that meet the CSU and UC admission requirements please refer to pages 12 and 13 of the 2010-11 CUSD Course Description Catalog, which is also available [www.cusd.com](http://www.cusd.com).

In addition, the following websites provide valuable information regarding college admission requirements and high school courses that have been certified by the University of California as satisfying California State University and University of California admissions requirements:

- [www.csumentor.edu](http://www.csumentor.edu)
- [www.ucop.edu/pathways/](http://www.ucop.edu/pathways/)

Parents and guardians are encouraged to call the Intersegmental Relations Office of the California Department of Education at (916) 323-6398 with questions regarding college admissions.

Career Technical Education (CTE) engages all students in a dynamic and seamless learning experience resulting in their mastery of the career and academic knowledge and skills necessary to become productive, contributing members of society.

For a list of CUSD Career Pathway courses, please refer to page 64 of the 2010-11 CUSD Course Description Catalog.

Parents and guardians are encouraged to visit the California Department of Education web site for information on Career Technical Education at [www.cde.ca.gov/ci/ct](http://www.cde.ca.gov/ci/ct).

Parents and guardians may call the Secondary, Postsecondary and Adult Leadership Division of the California Department of Education at (916) 327-5055 with questions regarding Career Technical Education.

For information regarding the selection of courses that will meet college admission requirements, enrollment in CTE, or both, contact your child's high school counselor. Parents and guardians are also encouraged to contact the Counseling, Student Support and Service-Learning Office of the California Department of Education at (916) 323-2183. Annually, CUSD counselors will schedule a meeting with every student in grades 9-12 to review chosen courses of study. Additionally, a student in grades 9-12 may at any time request a meeting with his/her counselor through the high school counseling center.

#### **F. Miscellaneous.**

1. Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 prohibit discrimination on the basis of race, color, national origin, or sex in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. Any questions or concerns concerning noncompliance can be directed to your school principal. (20 U.S.C. §§ 1681 (sex and blindness) and

1684, 42 U.S.C. § 2000d (race, color, national origin); 34 C.F.R. §§ 100.3, 100.6, 106.9 (sex).)

2. Discrimination is prohibited in any program which receives state financial assistance on the basis of gender, age, race (includes ancestry, color, ethnic group identification, and ethnic background), national origin, religion (includes all aspects of religious belief, observance and practice), mental or physical disability, sexual orientation, or because a person is perceived to have one or more of the above characteristics or because a person associates with a person or group with one or more of these actual or perceived characteristics. Complaints may be filed with the Superintendent under the District's Uniform Complaint Procedures (please see page 38). (Ed. Code §§ 200 and 220, Penal Code § 422.55, Government Code § 11135, 5 C.C.R. § 4610(c) and 5 C.C.R. § 4622.)
3. Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act prohibits discrimination against qualified handicapped persons in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. (34 C.F.R. § 104.8; 28 C.F.R. § 35.106.) Please contact CUSD's Section 504 Program Coordinator at (559) 327-9379 with any questions.
4. Title 5 of the California Code of Regulations (C.C.R.) requires districts to adopt and provide Uniform Complaint Procedures to assist you with questions regarding your rights. (5 C.C.R. §§ 4622 and 4632.) Please see page 38.
5. Uniform Complaint Procedures – The District maintains a uniform complaint procedure for investigating complaints of: (1) discrimination on the basis of actual or perceived sex, gender, age, ethnic group identification, color, race, national origin, ancestry, religion, mental or physical disability, sexual orientation, or because a person is perceived to have one or more of the above characteristics or because a person associates with a person or group with one or more of these actual or perceived characteristics; and (2) complaints of violations of the laws and regulations governing consolidated categorical aid programs, Adult Education, Career/Technical Education, Child Development, Special Education and Nutrition services. CUSD has designated the Associate Superintendent for Human Resources as the Compliance Officer to receive and investigate uniform complaints that fall within these categories and ensure District compliance with law.

Any individual, public agency or organization may file a written complaint of noncompliance. Complaints alleging unlawful discrimination shall be initiated not later than six months from the date the alleged discrimination occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination. Copies of the complaint form are available from the school or District Office. After filling out the complaint form, it should be directed to the Compliance officer listed above. The Compliance Officer will investigate the complaint and provide a written report of the investigation and decision within sixty (60) calendar days.

If dissatisfied with the District's decision, the complainant may also appeal in writing to the California Department of Education within 15 days of receiving the District's decision.

A complainant may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a state or federal court include, but are not limited to injunctions and restraining orders. In a complaint of unlawful discrimination, complainant may seek civil law remedies no sooner than sixty (60) days from the filing of an appeal with CDE, except that such time limitation does not apply to injunctive relief.

Additionally, any individual, public agency or organization may file complaints about specified situations pertaining to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancies or misassignments. Such complaints are subject to a different complaint procedure. A complaint may be filed anonymously, but if complainant wants to receive a written response, complainant will need to provide his or her name and contact information. The complaint shall be filed with the Principal of the school or his or her designee. The Principal or appropriate District official will remedy valid complaints within thirty (30) working days from the date the complaint was received and shall complete a written report within forty-five (45) working days of the initial filing.

A complainant not satisfied with the resolution of the Principal or appropriate District official has the right to describe the complaint to the Board during a regularly scheduled hearing. If the complaint involves a condition of a facility that poses an emergency or urgent threat, a complainant who is not satisfied with the resolution proffered by the principal or appropriate District official has the right to file an appeal to the Superintendent of Public Instruction within fifteen (15) days of receiving the District's decision.

For more information concerning the filing of uniform complaints, copies of the Board Policies and Administrative Regulations pertaining to these complaint procedures are included in this handbook and are also available upon request at the school or District offices.

6. You may request a copy of the School Accountability Report Card which is issued annually for each school of the District. (Ed. Code § 35256.) A copy may also be found on the school's website at [www.cusd.com](http://www.cusd.com).
7. You may request to review the complete updated management plan for asbestos containing material in school buildings. (40 C.F.R. § 763.93.)

## B. ATTENDANCE & PROGRAMS

### ADMISSIONS RESIDENCY AND ATTENDANCE/ OPEN ENROLLMENT WITHIN THE DISTRICT

Board Policy/Administrative  
Regulation No. 2208

#### Board Policy

**PURPOSE:** Establish an annual open enrollment process within the District for students who are in grades 1-12 and student residents of the District.

It is the intent of the Board that the parent/guardian of each school-age child who resides within the Clovis Unified School District shall have the opportunity to select the school the child shall attend, irrespective of the particular location of the child's residence within the District, provided that such attendance does not upset the racial and ethnic balance, create a school safety issue, or there is a specific program limitation among the schools of the District

Boundary lines for elementary school attendance areas are established using the concept of the neighborhood school. Attendance areas for intermediate and high schools are established to encompass, when feasible, an equitable balance of all cultural backgrounds represented in the District.

Transportation for students shall be provided pursuant to Board Policy No. 8301.

It is the intent of the Board that a student whose legal residence is within the attendance boundaries or who has been granted residency through employment or a prior Open Enrollment Transfer Application shall not be displaced by a student not residing within that school's attendance boundaries.

Students who are approved for an open enrollment transfer and are entering grades 7-12 are ineligible for athletics for 365 days. To appeal this athletic ineligibility, parents/ guardians shall follow the guidelines outlined in Board Policy No. 2505.

Any parent/guardian wishing to obtain a transfer under the sibling rule (Board Policy No. 5106) must follow the open enrollment requirements. Students who are granted and accept an open enrollment transfer under the sibling rule will be granted athletic eligibility as a hardship based on California Interscholastic Federation Rule 208 – Hardship.

The Superintendent shall prepare administrative regulations to provide the parents/guardians of a school-age child with the opportunity to select the school their child shall attend within the District.

Such regulations shall include:

- a. Procedures to determine the student capacity for each school.
- b. Procedures to assure that no student who currently resides in the attendance area of a school or has resident status shall be displaced by students transferring from outside the attendance area.
- c. A selection procedure for schools that receive requests for admission in excess of the student capacity of the school.
- d. A process for notifying the parents/guardians of students at the beginning of the first semester or quarter of the regular school term of the District's Open Enrollment Policy and of all current statutory attendance options and local attendance options available in the District.

Any complaints regarding the selection process shall be submitted to the Director of Student Services and School Attendance.

*(Reviewed: 7/8/09)*

#### Administrative Regulation

**PURPOSE:** Open Enrollment Transfer Applications are available at all comprehensive (non-alternative education) schools, the Office of Student Services and School Attendance (SSSA), and at [www.cusd.com](http://www.cusd.com) for those parents/guardians who desire to transfer their child(ren) to a school other than the school of residence. Open enrollment transfers are available only to students whose home dwelling is located within the District's boundaries. As required by the California Education Code, Parents/guardians cannot use the open enrollment transfer process for a kindergarten child but must use the Intradistrict Transfer process for their child's kindergarten year. If the parent/guardian wants to remain at the same school site, an open enrollment transfer request must be made for first grade.

The principal will ensure at the beginning of each school year or at the time of enrollment that parents/guardians are notified of the District's Open Enrollment Policy which allows the parents/guardians to select the school their child(ren) will attend within the District, as provided in District policy.

All approved and accepted open enrollment transfers for students entering grades 7-12 include a 365-day period of athletic ineligibility with the exception of those students who qualify for the Sibling Rule. (See Board Policy No. 5106.)

##### A. Applications

Parents/guardians must submit the completed Open Enrollment Transfer Application to a comprehensive school site or SSSA, from September 1 through December 1, preceding the school year of desired attendance.

##### B. Review Process

1. The school site or SSSA will enter the application information into the District's database within two school days after the application is received from the parent/guardian and forward the document to the principal of the school of residence and the principal of the requested school.
2. Between September 1 and December 15, the principal of the school of residence and the principal of the receiving school will review each application to determine if (a) there is a significant impact on ethnic balance; (b) there is a documented school safety issue; and (c) there is a specific program limitation.

3. By December 15, all applications must be reviewed by both principals. Information provided by the principals will be reviewed, and applications will be approved or denied according to the following criteria and procedures:
  - a. Capacity for the school site.
  - b. The total number of requests to enter and exit each site by grade level.
  - c. Placement of students at the new sites:
    - 1) Place students until capacity is reached. (The Facilities Department will submit approved enrollment projections.) Students who are residents and currently attend the school of request will not be displaced for an open enrollment student.
    - 2) If requests exceed capacity at a given grade level, the requests will be placed in a lottery.
    - 3) Lottery students are placed as openings occur.
    - 4) The lottery process will not evaluate the academics or athletic performance of the applicant.
  - d. Intradistrict and interdistrict transfer students are not placed ahead of open enrollment students, unless placement is mandated by the Education Code.
- C. Notification of Approval or Denial of Open Enrollment Transfer Application
  1. Open Enrollment Transfer Application Approved
 

Parents/guardians will be notified of approval of the Open Enrollment Transfer Application no later than March 1 preceding the school year of requested attendance. SSSA will send an approval letter to the parents/guardians which will serve as authorization to enroll their child(ren) in the requested school of attendance. Parent/guardians must complete an Open Enrollment Acceptance of Transfer Approval form (Exhibit No. 2208(4)) and submit it to the receiving school site by April 15 of the year preceding the school year of requested attendance in order to enroll their child(ren).

Parents/guardians whose applications are approved but who fail to submit an Open Enrollment Acceptance of Transfer Approval form (Exhibit No. 2208(4)) and complete the enrollment of their child(ren) by April 15 of the year preceding the school year of requested attendance shall have their approvals revoked.

Parents/guardians whose applications are approved will be notified that transportation for students shall be provided pursuant to Board Policy No. 8301.

Once a student is approved for open enrollment, the student becomes a resident of that school and the date of approval will be treated as the enrollment date of that student. Students will follow the enrollment track (elementary, intermediate school, high school) of the school for which they received approval until the end of the student's high school career or until another transfer is granted. If the initially approved enrollment track changes due to secondary school boundary shifts, a student must apply for a new transfer if they wish to continue on the originally designated secondary enrollment track. The enrollment track is defined by the approved boundaries in place at the time of transition to an intermediate or high school.

SSSA will provide the school sites with a list of their new students, a list of students on the waiting list, and will provide current sites with the names of students exiting from their site.

Open enrollment students are subject to capping and busing. For capping and busing purposes, the approval date of the Open Enrollment Transfer Application is considered the enrollment date.

Parents/guardians whose applications are approved will be notified that transportation for students shall be provided pursuant to Board Policy No. 8301.
  2. Open Enrollment Transfer Application Denied
 

Parents/guardians whose applications are denied will be notified no later than March 1 of the year preceding the year of requested attendance.

Parents/guardians whose applications are denied due to insufficient school capacity will be notified by SSSA of their placement on a waiting list.
- D. School Capacity
 

School capacity for purposes of this regulation for each school in the District is as listed on Exhibit No. 2208 (5). Area Assistant Superintendents will review school capacity numbers to determine if the numbers need to be broken down by grade level for processing purposes. If grade level capacities are necessary, the Area Assistant Superintendents will submit those numbers to SSSA by December 15 of the preceding year.
- E. Specialized Programs and Classes
 

Existing entrance criteria for admission to specialized schools, programs or classes will be enforced.

When an applicant requires a specialized program or class not available or full at the requested school of attendance or does not qualify for admission to such school, program or class, the request shall be denied.

(Reviewed: 7/8/09)

### **Frequently Asked Questions Regarding Open Enrollment – Exhibit No. 2208 (3)**

The Clovis Unified School District Governing Board has established an open enrollment policy providing the opportunity for parents/guardians and their children who reside in the Clovis Unified School District to select the District schools their children shall attend, irrespective of the particular location of the student's residence.

#### **1. Is a parent's/guardian's first choice guaranteed?**

No, there must be space available at the requested school. Selection procedures for any school that receives applications for admission in excess of the capacity of the school will guarantee that the selection of students approved to enroll in the school is made through a random, unbiased process that prohibits an evaluation of whether any student should be enrolled based upon the student's academic or athletic performance, and to insure:

- a. maintenance of appropriate racial and ethnic balances among the respective schools of the District, and
- b. that no student who currently resides in the attendance area of a school who has siblings attending that school or is currently attending the school on the basis of an approved open enrollment transfer shall be displaced by students transferring from outside that school's attendance area.

**2. How are school attendance boundaries established?**

The boundary lines for elementary school attendance areas are based upon the concept of the neighborhood school. Attendance areas for intermediate and high schools are established to encompass, when feasible, an equitable balance of all cultural backgrounds represented in the District. A student whose legal residence is within Board established attendance boundaries of a school has an entitlement and shall have the opportunity to attend that school and shall not be displaced by the attendance of a student not residing within that school's attendance boundary.

**3. What is the legal residence of a child for purposes of school attendance?**

The legal residence of a child for purposes of school attendance is the residence of the parent/guardian, absent a special circumstance, such as:

- a. Placement of the child in a licensed children's institution or foster home pursuant to actions under the Welfare and Institutions Code.
- b. An adult student (*age 18 or older*) or emancipated minor who has established a residence apart from the parent/guardian. A student whose parent/guardian has established the residence of their child in a licensed home located within the boundaries of the District.
- c. A student residing in a state hospital.
- d. A student whose parent/guardian is employed within the boundaries of the District.
- e. The California Education Code provides that special consideration be afforded a transfer request for elementary school children based upon provision for childcare during non-school hours.

**4. How does the student get to and from school if the parent/guardian selects a school other than the school determined by the residence of the parent/guardian?**

The parent/guardian is responsible for providing transportation of their children to and from a school, other than the school of residence.

The general policy of the District is to provide transportation for students who live within the established attendance area of a school and in excess of the defined walking distance from that school.

**5. Are special education students eligible to apply for an open enrollment transfer?**

Yes, if there is an instructional program to meet the student's needs as prescribed in their I.E.P., and space is available in the requested school and requested program.

**6. What is the duration of the transfers?**

Once a student is approved for open enrollment, the student becomes a resident of that school and the date of approval will be treated as the enrollment date of that student. Students will follow the enrollment track (elementary, intermediate school, high school) of the school for which they received approval until the end of one's high school career or until another transfer is granted. If the initially approved enrollment track changes due to secondary boundary shifts, a student must apply for a new transfer if they wish to continue on the originally designated secondary enrollment track. The enrollment track is defined by the approved boundaries in place at the time of transition to an intermediate or high school.

**7. How does a parent or guardian apply for an open enrollment transfer to their school of choice?**

Open Enrollment Transfer Applications will be available at school sites and in the Office of Student Services and School Attendance (SSSA). Applications must be completed and returned to SSSA or any comprehensive (non-alternative education) school site by December 1 prior to the year of requested attendance.

**8. When will the parent/guardian be notified of the status of their Open Enrollment Transfer Application?**

- a. The principal of the school of residence will provide racial or ethnic information and safety concerns on all Open Enrollment Transfer Applications and note any education requirements which may exist. The completed applications will be forwarded to the SSSA.
- b. The principal at the selected school will review each application to determine if approval of the request will:
  - 1) contribute to an inappropriate racial or ethnic balance at the selected school,
  - 2) require implementation of a new program/service at the school, or
  - 3) cause a safety concern.
- c. The principal will then return the Intradistrict Open Enrollment Transfer Applications to SSSA.
- d. If the number of applications exceeds the school capacity, students will be selected by a random process for the spaces available at the requested school. Students whose applications are denied based on space availability will be placed on a waiting list in a random order and notified when space becomes available.
- e. Parents/guardians will be notified on or about March 1, preceding the start of the school year for which the transfer is to be effective, if the application has been approved or denied. If denied, the reason for denial will be given.

**9. Will students be automatically eligible to participate in sports and other activities governed by the California Interscholastic Federation (CIF)?**

No. The student will be ineligible for 365 days. He/she will have the right to appeal to the Clovis Unified School District Athletic Eligibility Committee for athletic eligibility based on the criteria per CIF Rule 208/CUSD Board Policy No. 2505. The appeal application can be obtained from the Athletic Director of the student's new school. If an athlete qualifies under the Sibling Rule (see Board Policy No. 5106) he/she will have unrestricted eligibility.

The California Interscholastic Federation Central Section Rules state that if a student chooses to go through an open enrollment process a second time and receives an open enrollment transfer for educational purposes, the student will be athletically ineligible for the remainder of his/her high school career at the new school. Under Board Policy No. 2505, the same rule will apply to intermediate school students.

(Reviewed: 7/8/09)

**Board Policy**

**PURPOSE:** To authorize and establish procedures for an intradistrict transfer from one school to another school within the District during the school year.

Notwithstanding Board Policy No. 2202 and No. 2208, the Board recognizes that students and families have unique needs deserving special consideration and authorizes the Superintendent, or the Director of Student Services and School Attendance, to establish procedures and regulations providing for the attendance of students who reside within the Clovis Unified School District in schools other than in the school determined by the residence of the student.

The Board recognizes that class capacity considerations may require the administrative transfer of students from one school to another. The Superintendent or designee is authorized to implement the administrative transfer of students from one school to another when grade level enrollment exceeds capacity.

Approval of any Intradistrict Transfer Application is subject to space availability at the receiving school. A student, not a resident in the attendance area of the receiving school, shall not attend that school at the expense of a student who resides within that school's attendance area or has been granted an Open Enrollment Transfer thus declaring them a resident of that school.

All Intradistrict Transfer Applications will be evaluated based on space availability, racial balance, safety concerns, program availability, and the reason given for the transfer.

It is the intent of the Board that special consideration be afforded transfer requests for school children based upon provisions for childcare during non-school hours.

It is the parent's responsibility to provide transportation for the student to and from the school of requested attendance.

All requests for transfers must be submitted in writing and signed by the parent or guardian. Transfers may be approved only until the next open enrollment period opens and the preceding school year begins. Attendance the following school year is subject to Board Policy No. 2202 and No. 2208.

Students entering grades 7-12 who have been granted and have accepted an intradistrict transfer will be ineligible for athletic participation for one calendar year (365 days) from the date of first attendance within the District at the student's new school. A student may appeal the 365 days of ineligibility to the CUSD Eligibility Committee. The appeal will follow the hardship guidelines under CIF Rule 208. (See Board Policy No. 2505, Administrative Regulation No. 2505, Section E.)

The intradistrict transfer is a short-term transfer. Approved intradistrict transfers may not be renewed. For transfers longer than 18 months, families must use the open enrollment process (Board Policy No. 2208).

Parents wishing a review and/or an appeal of an intradistrict transfer decision will present such request to the Director of Student Services and School Attendance for final determination.

*(Reviewed: 7/8/09)*

**Administrative Regulation**

**PURPOSE:** The Superintendent or designee is authorized to approve intradistrict transfers and to implement this policy in compliance with the following.

Applications for an intradistrict transfer will be available at all school sites, the Office of Student Services and School Attendance (SSSA), [www.cusd.com](http://www.cusd.com) and (see sample form on page 51 of this handbook) for parents who wish to request a transfer for their child(ren) to a school other than the school of residence.

1. All intradistrict transfers will be issued pursuant to provisions of the California Education Code.
2. Intradistrict Transfer Applications shall be submitted in writing and signed by the parent or guardian.
3. Approval for all Intradistrict Transfer Applications is subject to space availability at the receiving school. A student not a resident in the attendance area of the receiving school shall not attend said school at the expense of a student who currently resides within that school's attendance area or has established residency through employment or has been approved for an open enrollment transfer. (See Board Policy Nos. 2202 and 2208.)
4. A student shall be deemed a current resident of the attendance area of a school for one school year when the intradistrict transfer is approved by the Office of SSSA. Once an intradistrict transfer is approved, the student no longer has residential rights to their home school and may not return to that school without approval by the Office of SSSA.

For the purpose of capping and busing, the approval date of the transfer will be used as the student's enrollment date.
5. Intradistrict transfers are deemed justifiable when the request is based upon:
  - a. Provisions for childcare during non-school hours
  - b. Physiological or psychological reasons verified by a physician
  - c. Previous attendance
  - d. Moving within the attendance area of the requested school, when verified by third party documentation or affidavits
  - e. Family continuity
  - f. Other reasons pertaining to unique student or family welfare, or curriculum needs
6. Intradistrict transfers shall be denied, when approval would:
  - a. Upset the racial or ethnic balance for either of the concerned schools
  - b. Displace a student who is a current resident of the attendance area, or who is currently attending the school of requested attendance
  - c. Require the addition of a special program, service, or class
  - d. Result in a foreseeable displacement of a current resident student
7. Students entering grades 7-12 who have been granted and have accepted an intradistrict transfer will be ineligible for athletic participation for one calendar year (365 days) from the date of first attendance within the District at the student's new school. A

student may appeal the 365 days of ineligibility to the CUSD Eligibility Committee. The appeal will follow the hardship guidelines under CIF Bylaw 208. (See Board Policy No. 2505 and Administrative Regulation No. 2505, Section E.)

8. Any appeals regarding the denial of an Intradistrict Transfer Application must be submitted to the Office of SSSA for final determination.
9. A change of residence by a student, other than the moving of the parents or legal guardian, requires an affidavit of transfer of custody or a court order, or public agency placement to constitute a change of residence.
10. Where a transfer is requested due to a change of residence out of the requested school's attendance area, the student may be permitted to remain in the requested school for the balance of the year in which the change of residence occurs. Requests for the student to continue are subject to annual review.
11. All transfers are subject to the student maintaining proper attendance, deportment, and academic achievement and are subject to termination at any time conditions may warrant as determined by SSSA.
12. Intradistrict transfers are valid for the remainder of the current year and may not be renewed. To obtain long term attendance or school residency at the school of choice, parents must use the Open Enrollment Transfer Application process. (See Board Policy No. 2208.)

(Reviewed: 7/8/09)

## **INTERDISTRICT TRANSFERS DURING THE SCHOOL YEAR**

## **Board Policy/Administrative Regulation No. 2210**

### **Board Policy**

**PURPOSE:** To authorize and establish procedures for the admission and attendance of students in a district other than the district of residence.

Notwithstanding Governing Board Policy No. 2202, the Board recognizes that students and families have unique needs deserving special consideration and authorizes the Superintendent, or the Director of Student Services and Student Attendance (SSSA), to establish procedures and regulations providing for the attendance of students in a district other than the district of residence.

The Board authorizes the Director of SSSA to enter into agreements with other school districts on behalf of the Board which provide for the attendance of students in schools other than in the district of residence.

The Director of SSSA is authorized, for a period not to exceed two school months, to provisionally admit to the schools of the district a student who resides in another school district pending a decision by the concerned districts or by the county board of education on appeal.

Approval of an Interdistrict Attendance Permit shall be subject to space availability at the receiving school. A student, not a resident of the District, shall not attend a school in the District at the expense of a student who resides within the District.

An Interdistrict Attendance Permit shall not be approved when the requested attendance is likely to displace the attendance of a resident student.

It is the intent of the Board that special consideration be afforded transfer requests for K-12 school children based upon provisions for childcare during non-school hours.

The parent/guardian is responsible for providing transportation for the student to and from the requested school of attendance.

All requests for transfers must be submitted in writing and signed by the parent/guardian. Transfers are to be approved for one school year, and must be renewed annually unless otherwise provided.

Students entering grades 7-12 on an interdistrict transfer for the first time who have been granted and have accepted an interdistrict transfer will be ineligible for athletic participation for one calendar year (365 days) from the date of first attendance within the District at the student's new school. A student may appeal the 365 days of ineligibility to the CUSD Eligibility Committee. The decision on the appeal will be based on the hardship guidelines under CIF Rule 208. (See Board Policy No. 2505, Administrative Regulation No. 2505, Section E.)

Parents/guardians wishing a review and/or an appeal of an interdistrict transfer decision will present such request to the Fresno County Board of Education for final determination.

(Reviewed 7/8/09)

### **Administrative Regulation**

The Director of Student Services and School Attendance (SSSA) is authorized to sign Interdistrict Transfer Attendance Permits and to implement this policy in compliance with the following regulations.

1. All interdistrict transfers will be issued pursuant to provisions of the California Education Code.
2. Student and family welfare will be the basic criteria for interdistrict transfers, when such attendance does not adversely affect the attendance of resident students.
3. Interdistrict Transfer Attendance Permits will be initiated through the district of residence of the parents/guardians.
4. Families may request a particular school site but SSSA will make the final determination as to which school site the student may enroll based on the following criteria:
  - A. Interdistrict transfers are deemed justifiable when the request is based upon:
    - 1) Provisions for childcare during non-school hours (K-12)
    - 2) Physiological or psychological reasons verified by a physician
    - 3) Previous attendance
    - 4) Moving to the District, when verified by third party documentation or affidavits
    - 5) Family continuity
    - 6) Other reasons pertaining to unique student or family welfare, or curriculum needs
  - B. Interdistrict transfers are deemed unjustifiable and shall be denied, when approval would:
    - 1) Upset the racial or ethnic balance for either or the concerned districts

- 2) Displace a student who is a resident of the District, or a student who is currently attending the requested school
  - 3) Require the addition of a special program, service, or class
  - 4) Result in a foreseeable student safety concern
5. All requests for interdistrict transfers must be submitted in writing and signed by the parent/guardian. Transfers may be approved only for the balance of the school year. Attendance the following school year is subject to Board Policy No. 2202, or a renewal under this policy.
  6. The parent/guardian is responsible for providing transportation for the student to and from the requested school of attendance.
  7. Interdistrict transfer students are eligible for capping and busing. For capping and busing purposes, the transfer approval data will be considered the date of enrollment.

Students entering grades 7-12 on an interdistrict transfer for the first time who have been granted and have accepted an interdistrict transfer will be ineligible for athletic participation for one calendar year (365 days) from the date of first attendance within the District at the student's new school. A student may appeal the 365 days of ineligibility to the CUSD Eligibility Committee. The decision on the appeal will be based on the hardship guidelines under CIF Rule 208. (See Board Policy No. 2505, Administrative Regulation No. 2505, Section E.)

Any appeals regarding the denial of an Interdistrict Attendance Permit must be submitted to the Fresno County Board of Education.

*(Reviewed 7/8/09)*

## **NOTICE OF ALTERNATIVE SCHOOLS**

**ED. CODE § 58501**

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."

Further, a copy shall be posted in at least two places normally visible to pupils, teachers, and visiting parents in each attendance unit for the entire month of March in each year.

*(Amended by Stats. 1981, Ch. 469, Sec. 3.)*

## **CLOVIS COMMUNITY DAY SCHOOLS**

**ED. CODE § 48660-48667**

Clovis Community Day Elementary (Grades 4-6) and Clovis Community Day Secondary (7-12) schools will serve special "at-risk" students that have not been successful in a comprehensive school setting and are unable to benefit from on-site intervention programs. Many of these students exhibit an array of behavior problems and need intensive assistance in their psychological, social, and academic development. Some of these students may have learning disabilities, either diagnosed or undiagnosed, that require specific learning strategies. Comprehensive Elementary or Intermediate schools that refer students to this program must first demonstrate that they have exhausted on-site and other District resources and programs to successfully improve the student's behavior. Clovis Community Day Schools' responsibility is to provide emotional support, academic instruction, and behavioral skill-building for every student.

Education Code section 48662(b) provides that a pupil may be assigned to a Community Day School only if he or she meets one or more of the following conditions:

- (1) the pupil is expelled for any reason (48915);
- (2) the pupil is on probation referred pursuant to Sections 300 and 602 of the Welfare and Institutions Code;
- (3) the pupil is referred to a community day school by a school attendance review board or other District level referral process;
- (4) first priority for assignment to a community day school shall be given to a pupil expelled pursuant to subdivision (d) of Section 48915, second priority shall be given to pupils expelled for any other reasons, and third priority shall be given for placement to all other pupils pursuant to this section, unless there is an agreement that the county superintendent of schools shall serve any of these pupils.

Students referred to Clovis Community Day School will benefit from a very structured environment that meets their individual educational needs for a 360-minute instructional day provided by a certificated employee of the District. The 360-minute minimum instructional day includes academic programs that provide challenging curriculum, assessment, and individual attention to student learning modalities and abilities. The school programs will also focus on the development of pro-social skills and student self-esteem. The program components should include the following:

- a. low student-teacher ratio;
- b. individualized instruction and assessment;
- c. maximum collaboration with school District support service providers, including, but not limited to, Healthy Start, vocational, academic and pupil discipline counselors, psychologists, nursing, and special education; and

- d. school District cooperation from law enforcement, probation, and private sector human service agency personnel who work with at-risk youth.

Clovis Community Day School will utilize a Student Success Team (SST) that will work cooperatively to identify the student strengths and assets upon which success is built, as well as obstacles to achieving success. The team will look at fundamental behavioral and social issues, including resiliency factors as well as academic issues. The team develops a coordinated rehabilitation plan for maximizing the student's growth and achievement of his or her potential, including intervention techniques, support services, and the identification of resources.

The Student Success Team (SST) is made up of the parent/guardian and student; home school designee; Clovis Community Day School administrator, counselor and teacher; Healthy Start counselor; Student Services and School Attendance designee; and other essential personnel. When a student leaves Clovis Community Day School, the SST will also conduct a "Re-entry Interview" with the same team (including a home school representative) in order to ensure success at the comprehensive school.

The goal of the Community Day School program is to assist students to:

- a. stay in school;
- b. successfully complete their rehabilitation plan;
- c. be re-admitted into a comprehensive school setting.

Typically, a student will be enrolled in the program for one or two semesters. If a student does not satisfactorily complete his/her Rehabilitation Plan, the District may stay in extend his/her the program.

## **SCHOOL ACCOUNTABILITY REPORT CARD**

**ED. CODE § 35256(c)**

The governing board of each school district annually shall issue a School Accountability Report Card (SARC) for each school in the school district, publicize those reports, and notify parents or guardians of pupils that a hard copy will be provided upon request. Commencing with the 2008-09 school year, each school district shall make hard copies of its annually updated report card available, upon request, on or before February 1 of each year. These Report Cards can also be found on the school's website at [www.cusd.com](http://www.cusd.com).

*(Enacted: 1988; revised 2007)*

## **SPECIAL EDUCATION INFORMATION / SECTION 504**

### Special Education Information

Clovis Unified School District provides a wide range of services to meet the needs of disabled students eligible for Special Education services. Most of these services can be provided for qualified students at local schools in collaboration with our general education programs. However, some services and programs are only available at specified schools throughout the District and may require enrollment at a designated site to receive appropriate services and/or programs. If you suspect that your child is disabled and needs special education services, you should conference with your child's teacher regarding your concerns and request a referral to the Student Study Team. If your child continues to exhibit difficulties after exhausting services and modifications in the regular education program, you may request an assessment to determine eligibility for special education services. An assessment will be done by qualified staff. An individualized education program team, including the parents, will meet to review the assessment information, determine eligibility and what services are needed, and develop appropriate educational goals and objectives. The Individualized Education Program is reviewed at least annually. Should you have questions regarding special education services for your child you may also contact the Special Education and Psychological Services Department at (559) 327-9400.

### Section 504 Plan

If you suspect that your child has a disability (e.g., learning disabilities, chronic health problems, attention deficit/hyperactivity disorder, etc.) which may substantially limit his/her learning, you may request that your child be evaluated under Section 504 of the Rehabilitation Act (1973). A qualified educational team will evaluate your child to determine if he/she qualifies as a disabled individual. Qualified disabled students will have an Individualized 504 Plan developed by an educational team that will include the school site 504 Coordinator, your child's teacher(s), other support personnel as needed and you the parent. This plan will be reviewed annually and will address appropriate interventions to assist your child's educational program. For transfer students with current individualized 504 Plans, an educational team will review the plan to determine whether to continue it until the next annual review or to schedule a meeting to recommend revisions to the plan. For more information, contact your child's teacher, the school site 504 Coordinator, or the District 504 Coordinator at 327-9379.

## **CUSD CATEGORICAL PROGRAM INFORMATION 2010-11**

*"Improving Student Achievement for All Clovis Kids"*

On an annual basis Clovis Unified School District (CUSD) submits the Application for Funding Consolidated Categorical Aid Programs commonly called the Con Ap. The application is submitted in two (2) parts: Part I, which contains program and demographic information, is submitted by June 1 each year; and Part II, which contains the budget information and additional program data, is submitted by January 31 each year. The categorical programs included in the application are Economic Impact Aid/Limited English Proficient (EIA/LEP), Economic Impact Aid/State Compensatory Education (EIA/SCE), Title I, Part C – Migrant Education, Title II, Part A – Preparing, Training and Recruiting High Quality Teachers and Principals, and Title III – Language Instruction for Limited English Proficient and Immigrant Students. Schools with grade levels 4 through 8 also implement English Language Acquisition Program (ELAP) funds.

Clovis Unified Schools are committed to establishing a true partnership with all facets of the Clovis learning community. CUSD values feedback and input. Parents continue to make positive differences in the lives of the children we all support. We know from research that participation in your child's education will not only bring success to your child but other children in the school. Our parents truly make a difference in the lives of Clovis Kids!

CUSD is proud and pleased to offer a variety of parent involvement opportunities that improve our overall program. Depending on the type of categorical funding a site may receive, district or school parent councils and committees are required under certain requirements and guidelines. Such advisory committees in the CUSD include:

**School Site Council (SSC)**  
**English Language Advisory Committee (ELAC)**  
**District Learner Advisory Committee (DELAC)**  
**District Migrant Education Parent Advisory Committee**  
**District Indian Education Parent Advisory Committee (IPAC)**  
**School and District level School Assessment Review Team (SART)**  
**Intercultural and Diversity Advisory Council (IDAC)**

We encourage all parents and guardians to become involved with their child's education, at the classroom, the school-wide level as well as the district level. Each school's Single Plan for Student Achievement (SPSA) describes the school's basic educational program and the categorical supplementary programs/services that are designed to support student achievement of each student. Parental involvement is a necessary and vital part of developing the SPSA and our overall program. If you would like additional information on any of the District Parent Council or Committee, please call your child's school. The Principal, Learning Director, or Guidance Instructional Specialist (GIS) would be happy to assist you or go to [www.cusd.com/specialprojects](http://www.cusd.com/specialprojects).

When describing categorical programs and funding, two important advisory committees are the School Site Council (SSC) and the English Language Advisory Committee (ELAC). For more information, please call your school or go to: [www.cusd.com/specialprojects](http://www.cusd.com/specialprojects).

**SSC:** All schools receiving categorical funds are required to form a SSC. The SSC is composed of parents, students at the secondary level and school personnel and is responsible for developing, implementing and evaluating the Single Plan for Student Achievement programs. Members serve for two years and are elected by their peers.

**ELAC:** All schools enrolling 21 or more English Learners are required to form an ELAC. The ELAC is composed of parents and schools personnel. The ELAC provides input and makes recommendations to the principal, staff and SSC regarding services for English Learners as well as conducts an annual survey. Members serve for two years.

The following is an overview of the categorical funding and programs in CUSD. These funds are outlined in each school's SPSA.

### **Rationale**

General District funds provide support for the District's base/core curriculum program. Some children have special characteristics, not reflective of the general school population, that affect their success in the base/core programs. Some come from economically disadvantaged homes; some are educationally disadvantaged or lack English language proficiency because they have a primary language other than English. Children, such as those described above, require supplemental services and materials not generally provided through the base/core curriculum program. Children's needs are identified and supplemental services and materials are planned and targeted to meet their special needs. Categorical funds are to be used to provide the financial support to meet these special needs.

### **Philosophy**

All CUSD schools offer students with special needs the same kinds of high quality learning opportunities and access to the core curriculum in all curricular areas. Categorical funds are designed to support additional assistance to help students succeed in the regular classroom program (base/core curriculum) and address any learning gaps. The focus is on the effective utilization of supplementary materials, personnel, and staff development. Staff development activities are used to improve instructional practices and strategies to increase the ability of teachers and other staff to challenge and assist all students to reach their full potential.

### **Categorical Program Descriptions**

1. **21<sup>st</sup> CCLC Grant** – This state- administered, federally funded program provides five year grant funding to establish or expand before and after school programs that provide students with academic enrichment opportunities and supportive services to help the students meet state and local standards in core content areas. The purpose of the 21<sup>st</sup> CCLC program is to create additional educational and recreational opportunities for students within the learning community while providing a safe environment for students. The goals of these programs are to: 1) improve academic achievement, 2) provide enrichment opportunities that reinforce and complement the academic program, and 3) offer Family literacy and related educational development services.
2. **After School Safety and Education Funds (ASES)** – This state funded and administered program provides three year grant funding to establish or expand after school programs that provide students with academic enrichment opportunities and supportive services to help the students meet state and local standards in core content areas. The purpose of the ASES program is to create additional educational and recreational opportunities for students within the learning community while providing a safe environment for students. The goals of this program are to: 1) improve academic achievement, 2) provide enrichment opportunities that reinforce and complement the academic program, and 3) offer Family literacy and related educational development services.
3. **Economic Impact Aide (EIA)** – A state-funded program to provide supplementary services to meet the needs of English Learners, students not meeting proficiency on the state tests, and socio-economically disadvantaged students.
4. **English Language Acquisition Program (ELAP)** – A state-funded program to improve the English proficiency of English Learners in grades 4 through 8 and to better prepare them to meet the state's academic content and performance standards.
5. **Title I, Part A (Improving the Academic Achievement of the Disadvantaged)** – A federal-funded program to provide high-quality opportunities for students in high-poverty schools to meet district and state content and performance standards.
6. **Title I, Part C (Migrant Education Program)** – A federal-funded program focused on providing services for migratory students and

their families.

7. Title II, Part A (Preparing, Training and Recruiting High Quality Teachers and Principals) – A federal-funded program focused on teacher and principal training and recruitment programs.
8. Title III (Language Instruction for LEP and Immigrant Students) – A federal-funded program focused on assisting school districts in teaching English to limited English proficient students (English learners) and helping these students meet the same challenging State standards required of all other students.
9. Title VII (Indian Education Formula Grant) – A federal-funded program focused on helping Native American/Alaskan Native students meet the same challenging State standards required of all other students.

The goal of the CUSD staff is to create and maintain the best educational environment possible. This can be accomplished with your support and input. If you have any questions, concerns, or would like to become more involved in the educational process at your school, please contact your school principal. Your school can assist you in learning more about categorical programs. You may want to become involved in your school's School Site Council (SSC), English Learner Advisory Committee (ELAC) and/or attend the Annual Title I Parent Meeting. During the fall each school will send additional information about these activities. We encourage and look forward to your involvement in the programs we offer our learning community.

## **CHILD DEVELOPMENT INFORMATION**

The Child Development Department of Clovis Unified School District was initiated with two small grants in 1986. Programs provided by this department offer academic enrichment and childcare for those populations who are in need of these specialized services. The programs include, but are not limited to:

- **Campus Club:** A year-round Fee-Based Before and After School Enrichment Programs for grades K-6 offered at all District elementary school sites. For information regarding Campus Club programs, contact 559-327-9160.
- **State-Funded and Fee-Based Preschool Enrichment Program:** An early enrichment, kindergarten readiness program for 3 and 4 year old children of fee-based or income-eligible families. For Preschool information, contact: 559- 327-9167 or 559-327-9180.
- **ASES/21<sup>st</sup> Century Grant Oversight:** Currently there are ASES programs at seven CUSD sites: Clovis Elementary, Fancher Creek, Miramonte, Nelson, Tarpey, and Temperance-Kutner. Three sites have 21<sup>st</sup> Century programs: Jefferson and Reagan Elementary, and Reyburn Intermediate. For information regarding ASES/21<sup>st</sup> Century programs, which are site based, please phone your child's school site for specific questions. Contact Child Development at 559-327-9194 for general ASES/21<sup>st</sup> Century information.
- The District's **Youth Parent Program** is facilitated through the CUSD Child Development Department. Youth Parent child care centers are located at Gateway and Clovis High School and serve all of the District's pregnant/parenting teens. For information regarding the District's Youth Parent Program, contact 559-327-9186.

Child Development programs exist for the purpose of serving the District's mission of promoting, nurturing, supporting, and enhancing all areas of a child's development. Basic to this purpose is the assumption that all children are individuals of equal worth and value, who come to us at their own developmental level and bring with them a unique mixture of family background, language, culture, personality, and learning styles often requiring additional services and programs.

The department continually seeks ways to accommodate the unique needs of the diverse populations served, as well as serve as a bridge between home and school. Activities provide a balance of educational, social, and recreational opportunities that are specifically designed for the children attending. The environment and activities are conducive to children learning in a fun and meaningful way. The programs provide a safe and structured atmosphere providing an informal almost homelike environment where individual choice and program flexibility respond to each child's emerging needs and interests. The Child Development Department is located in the District Services Building at 1735 David E. Cook Way, Clovis, CA.

## C. ABSENCES

### EXCUSED ABSENCES

ED. CODE § 48205

Excused absences; average daily attendance computation.

(a) Notwithstanding Section 48200 [re compulsory education], a pupil shall be excused from school when the absence is:

1. Due to his or her illness.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
4. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the Governing Board.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.

(b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

(c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.

(d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

(e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil." (Amended: 1999.)

Note: § 45194 defines "member of the immediate family" as the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the employee, or any relative living in the immediate household of the employee. (Amended: 1968; Recodified: 1976)

(Amended by the state in 2007)

### CLEARING ABSENCES

### Administrative Regulation No. 2207 Section D

In order for the District to clear a student's absence, the parent/guardian must provide the site with a reason for the student's absence. The parent/guardian should contact the school site's attendance office on the day(s) of the student's absence(s) or upon the day of the student's return. The parent/guardian must contact the school within five days of the student's return from an absence.

If the parent/guardian does not contact the school site to clear an absence within five days of the student's return to school, the absence will remain "uncleared." An uncleared absence is not considered an excused absence under Education Code section 48205. Therefore, uncleared absences will be considered unexcused and could lead to a student receiving a Notification of Truancy letter in accordance with Education Code section 48260.5.

(Reviewed: 2/25/09)

## D. DISCIPLINE RULES

Additional detailed information on reasons for suspension and expulsion can be found in Ed. Code §§ 48900 at [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html).

### STUDENT CELL PHONE USAGE

It has been the policy of Clovis Unified School District to allow students to possess cell phones during the school day; however, permission from a school official must be obtained prior to a student using a cell phone or other electronic device during the school day, at all school sponsored activities, while riding on a school bus, or at any time while students are under the supervision of District employees, as per Board Policy/Administrative Regulation No. 2102 – Student Discipline. This policy also puts into writing current practice permitting District employees to confiscate cell phones or other electronic devices if they cause a disruption. Board Policy and Administrative Regulation No. 2102 can be accessed in full on the District’s website: [www.cusd.com](http://www.cusd.com). In addition, the complete Education Code 48901.5, which authorizes a Governing Board to “regulate the possession or use of any electronic signaling device that operates through the transmission or receipt of radio waves,” can be found at [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html).

### BULLYING

As permitted by new Education Code 48900 (r), the act of “bullying” has been added as one of the reasons a student may be suspended from school or recommended for expulsion upon determination by the Superintendent or the principal of the school in which the student is enrolled. Education Code 48900 (r) can be found at [www.leginfo.ca.gov/calaw.html](http://www.leginfo.ca.gov/calaw.html).

### STUDENT SEARCHES

In Board Policy/Administrative Regulation No. 2104 – Student Searches, the definition has been expanded relative to student searches to clarify the types of items that may be searched to include cell phones and other electronic devices, if there is reasonable suspicion that the search will uncover evidence that a student is violating the law, Board Policy, Administrative Regulation, or other rules of the District or the school. The complete Board Policy/Administrative Regulation No. 2104 can be found at [www.cusd.com](http://www.cusd.com).

### ZERO TOLERANCE

### Board Policy/Administrative Regulation No. 2110

#### Board Policy

**PURPOSE:** To provide a safe school environment for students and staff.

The Governing Board noting Legislative Findings and Safe School Assessments finds and declares all of the following:

1. The violent activity by gangs is a serious and growing problem in the State of California, the County of Fresno and the Clovis Unified School District.
2. There is an increasing percentage of school age students involved in gang activity.
3. There is evidence gang involvement among youth begins at an early age.
4. There is evidence drug activity is increasing among youth involved in gang activity and youth not involved in gang activity.
5. A Safe School Environment is free of intimidating, hostile or offensive behaviors and of gang type activity.

The Governing Board of the Clovis Unified School District hereby declares the schools operated by the Clovis Unified School District to have a Zero Tolerance Policy on sexual battery, battery, possession of a firearm, possession of a knife, possession of a dangerous object, possession of explosive devices, sale of controlled substances, possession of controlled substances, vandalism where property damage exceeds \$100, repeated mutual combat, robbery or extortion, participation in gang motivated intimidation, hate motivated behavior constituting a statutory violation, assault on or threats to school staff, and terroristic threats.

Hereafter, any student who:

- commits a sexual battery;
- commits a battery;
- is found in possession of a firearm;
- is found in possession of a knife;
- is found in possession of a dangerous object;
- is found in possession of explosive devices;
- is found in possession of a controlled substance;
- sells a controlled substance;
- furnishes a controlled substance;
- commits an act of vandalism with property damage in excess of \$100;
- participates repeatedly in mutual combat;
- participates in robbery or extortion;
- participates in gang motivated intimidation;
- participates in hate motivated behavior constituting a statutory violation;
- commits an assault on or threatens school staff; or
- makes a terroristic threat,

shall be immediately suspended by the principal and recommended for expulsion from the Clovis Unified School District.

Hereafter, all acts of physical violence, possession or use of weapons, or Health and Safety Code violations or other violations will be recorded for each student on their Mandatory Interim Record including information on suspensions and expulsions. Such records may be removed upon graduation or by petition.

The Superintendent is directed to prepare Administrative Regulations to insure the requirements of this policy are properly implemented.

Such regulations will include procedures to publicize this policy and to ensure that all students shall have a signed copy of this policy in their Mandatory Interim Record upon enrollment and at the beginning of each new school year.

*(Amended: 7/8/09; Reviewed 6/15/10)*

### **Administrative Regulation**

**PURPOSE:** To provide a safe school environment for students and staff.

For purposes of this Administrative Regulation, definitions of terms used will be as defined in the California Education Code, Penal Code, Health and Safety Code, and Regulations of the State Fire Marshal where applicable. An object used in a threatening manner shall be considered a weapon even if its normal use is not as a weapon.

Hereafter, all acts of physical violence, possession or use of weapons, Health and Safety Code violations or other violations will be recorded for each student on their Mandatory Interim Record including information on suspensions and expulsions. Such records may be removed upon graduation or by petition.

Trespassing on school grounds by students not enrolled in that school, who have not received clearance by the school principal, shall be recorded as a suspendable violation and a third violation shall be a violation of this policy.

In every case where a student violates a provision of the Penal Code or the Health and Safety Code or commits another offense referenced by this policy, the student may be taken into custody and shall be cited or taken to a juvenile detention facility or the county jail.

A copy of Board Policy and Administrative Regulation No. 2110 shall be included in the Student and Parent Rights and Responsibilities Handbook. The Handbook, along with a Zero Tolerance Policy Notification form, shall be given to each student upon enrollment and at the beginning of each school year. The Notice shall be signed by the student and the student's parent/guardian and returned to the school principal for placement in the student's Mandatory Interim Record.

*(Amended 7/8/09; Reviewed: 6/15/10)*

## **DRESS AND GROOMING**

## **Board Policy/Administrative Regulation No. 2105**

### **Board Policy**

**PURPOSE:** To define student dress and grooming requirements.

Consistent dress and grooming policy is necessary in order to maintain order, provide a safe school environment and promote discipline. Dress or grooming that draw undue attention detract from the educational process and is therefore unacceptable.

The Board shall authorize school regulations which prohibit student dress or grooming practices which:

1. present a hazard to the health or safety of the student or to others in the school;
2. materially interfere with school work, create disorder, or disrupt the educational program;
3. cause excessive wear or damage to school property; or
4. prevent the student from achieving educational objectives because of blocked vision or restricted movement.

Regulations regarding the dress code will be reviewed each May by students, faculty, parents and administration with a revised version submitted to the Board for approval for use during the next school year.

Student violations of these regulations are termed willful defiance of the valid authority of the school principal, and the Board directs that the principal may administer any appropriate disciplinary action to include suspension.

### School Uniforms

The Governing Board authorizes any school site to implement a uniform dress policy provided there is demonstrated parental support. Students and parents shall have a free choice of participating in the school's uniform policy or choosing not to participate. Parents who choose to not have their student(s) participate will need to sign a form opting out of the uniform dress policy. All uniform items must be consistent with the District's current dress code policy.

*(Reviewed: 5/26/10)*

### **Administrative Regulation**

#### **A. Apparel**

All clothing shall be neat, clean and acceptable in repair and appearance and shall be worn within the bounds of decency and good taste as appropriate for school. Apparel is defined as clothing or accessories worn on the body, and includes footwear, backpacks, jackets, headgear and jewelry.

- Articles of clothing which display gang symbols, profanity or products or slogans promoting tobacco, alcohol, drugs or sex; materially interfere with school work; create disorder or disrupt the educational process are not allowed.
- Any clothing or apparel that a student or group of students wear to identify themselves for the purpose of harassing, threatening, or intimidating others will not be allowed. Military, paramilitary, or military-style camouflage attire will not be permitted. Non-military camouflage attire (i.e. pink or blue) is acceptable.
- Extreme fashion that draws undue attention to the student will not be allowed. This includes exotic clothing, exotic jewelry, exotic make-up, body piercing, etc.
- Jackets and other apparel depicting professional sports teams shall not be worn. Jackets or other apparel depicting college or university teams are acceptable unless such team designations are associated with gangs or otherwise conflict with the standards for acceptable apparel.
- Tank tops are not appropriate or acceptable. Shoulder straps on tops worn by females must not be less than two inches (2") in width, and any apparel determined by District personnel to be too revealing is not acceptable.
- Beach wear, swim wear, halter tops, tube tops, spaghetti straps, bare midriffs or chests, see-through or fishnet outfits, or off the shoulder and low-cut tops are not appropriate or acceptable.

- Mini-skirts and culottes are acceptable for females so long as they extend to a maximum of four inches (4") above the knee. Dress that exposes bare midriffs or cleavages is prohibited.
- As of January 1, 2007, the wearing of shorts is permissible the first Monday in April through the last Friday in October. Shorts are to be worn no shorter than six inches (6") above the top of the kneecap, but no shorter than mid-thigh. Shorts are to be hemmed and not form fitting. All sportswear-type shorts, bike shorts (*spandex*) gym shorts, frayed shorts, or shorts with holes are unacceptable. Board shorts are also unacceptable. Appropriate shorts may be worn for physical education activities and athletic practices. Principals have discretion to suspend the wearing of shorts because of frequent student violations. In addition, the Interschool Council (ISC) is to annually request permission from the Governing Board for the wearing of shorts once each year during the May Governing Board meeting.
- Straps must be fastened at all times.
- Leggings will be allowed if over garment reaches four inches (4") above the knee.
- Shoes must be worn by all students. No hard-toed or steel-toed shoes/boots will be allowed. No high top, laced up, combat, or military style boots will be allowed. Shoes or sandals without heel straps that do not present a safety concern may be worn by students in grades 7 through 12, except during physical education classes, recess, while participating in school-related athletic competitions, events or activities, or while participating in other activities where safety is a concern. Backless shoes commonly known as "flip-flops," "beach shoes," "soccer sandals," "zories" and/or thongs are inappropriate and will not be allowed. For safety reasons, students in grades preschool through 6 are not allowed to wear flip-flops, shoes or sandals without a heel strap. For illustrations of acceptable and unacceptable backless shoes, see page 49.
- Excessively baggy pants are not allowed. Pants cannot exceed five inches (5") when measured at the kneecap of the straightened leg. Pants must fit and be worn at the natural waist. The bottom of the pant leg may not be frayed or drag on the ground. Pants must be hemmed and not stapled, pinned, or taped.
- Oversized shirts that present a safety concern or reflect gang style are not acceptable.
- Hats and/or caps and/or sunglasses must be removed in the classrooms or offices. Specific clothing and hats determined by the school District or school site to be gang-related or inappropriate apparel are not acceptable. Rules relative to college, university, and professional team apparel apply to hats, caps and other types of head coverings. Articles of sun-protective clothing, including, but not limited to, hats and sunglasses, may be used outdoors. Subject to these provisions, sun-protective clothing, headwear, other than caps or hats, will not be allowed at school. School sites may add other restrictions on the type of hats to be worn.
- No frayed clothing is acceptable (manufactured or otherwise).
- Clothing, jewelry and personal items shall be free of writing, pictures, or any other insignia which are crude, vulgar, profane, or sexually suggestive; shall not bear drug, alcohol or tobacco company advertising, promotions or likenesses; shall not promote violence, illegal activity, or relate to gang affiliation or activity; and shall not advocate racial, religious, or sexual orientation prejudice.
- Clothes shall be worn as intended and be sufficient to conceal undergarments, which shall be worn and covered at all times.
- Athletic wear as well as fleece sweatpants are not acceptable, with or without a team/designer logo.
- Pro logos on school materials of any kind are not acceptable (binders, folders, backpacks, pens, pencils, etc.).

#### B. Grooming

- Male haircuts may not fall below the mid-point of a standard stand up shirt collar and earlobes must be visible. All aspects of the grooming standards for hair length must be met without artificial means. This includes placing or tucking hair behind the ears.
- Hair which causes undue attention is not acceptable; i.e., unusual designs, colors, symbols, messages, mohawks, or "tails," or unusual razor cuts. Complete razor shaving of the head is allowed. Partial razor shaving of the head may be only one inch (1") above the top of the ear.
- Beards are not allowed.
- Bangs or other hairstyles must not obstruct nor interfere with vision.

#### C. Jewelry

- Earrings are not appropriate or acceptable for males as school attire.
- Body piercing (eyebrows, nose, lips, tongue) is not acceptable.

#### D. Exemption to Policy

- Religious beliefs, when verified, may be grounds for an exemption to a specific portion of the Dress and Grooming Policy. A petition for an exemption from enforcement of a specified portion of Dress Code Policy may be submitted to the Office of Student Services and School Attendance.

#### E. School Uniform Policy

- The decision to pursue a school uniform policy must be initiated by parents and approved by the school S.A.R.T. committee and the site principal.
- A school uniform committee will develop a survey to be sent to all parents regarding their position on a school uniform policy by February 15 of the school year prior to the implementation of a school uniform policy. Prior to the distribution of the survey, the committee must sponsor at least one parent forum or meeting open to all parents for the purpose of information and input.
- In order for a school site to further consider a school uniform, at least a majority of the surveys distributed must be returned and a majority of the surveys returned must support a uniform policy. These majorities are considered minimums and school sites have the discretion to establish more stringent standards of returns and support.
- The Governing Board must be notified by March 15 of the school year prior to the implementation of a school uniform policy.
- The school site shall notify all parents or guardians by March 30 of the school year prior to the implementation of a school uniform policy.

(Reviewed: 5/26/10)

**Board Policy**

**PURPOSE:** Because the use of alcohol, tobacco and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences, the Governing Board believes it is necessary for the schools of the District to be free of alcohol, tobacco and other drugs.

The Board desires that every effort be made to reduce the chances that our students will begin or continue the use of alcohol, tobacco and other drugs. Alcohol and tobacco are like any other drug, illegal for use by minors. The Superintendent or designee shall develop a comprehensive prevention program that includes instruction, intervention, counseling, recovering student support, enforcement/discipline and voluntary testing. The Superintendent or designee shall clearly communicate to students, staff and parents/guardians all Board policies, regulations, procedures and school rules related to this prevention program.

Recognizing that keeping schools free of alcohol, tobacco and other drugs is a concern common to the District and the community, the Board supports cooperation among schools, parents/guardians, law enforcement and other appropriate community organizations involved in preventing alcohol, tobacco and other drugs use.

To obtain the widest possible input and support for District policies and programs related to alcohol, tobacco and other drug abuse prevention, the Board shall recognize a District-wide school/community advisory council to make recommendations in this area.

The Board also supports site-level advisory groups in this area.

**A. INSTRUCTION**

1. The District shall provide instructional programs which help students to avoid the use of alcohol, tobacco and other drugs and which teach students how to influence their peers to avoid and/or discontinue the use of alcohol, tobacco and other drugs. Instruction shall be preventive in nature and designed to help students who have questions related to alcohol, tobacco and other drugs.
2. The instructional programs will help students obtain and use current and accurate information, develop and maintain a positive self-concept, take positive actions to cope with stress, and use appropriate social and personal skills to resist involvement with alcohol, tobacco and other drugs, and will assist the student toward maturity.
3. The curriculum will be K-12, comprehensive and sequential in nature, and suited to meet the needs of students at their respective grade levels.
4. Additionally, instruction will be provided upon the effects of alcohol, tobacco, narcotics, restricted dangerous drugs and other dangerous substances upon prenatal development, as part of the comprehensive prevention education program. This instruction will be provided in Health/Science courses in 7<sup>th</sup> and/or 8<sup>th</sup> grade and in Health courses for 9<sup>th</sup> grade students as well as 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> grade physical education wellness classes.

**B. INTERVENTION**

1. The Board recognizes that there are students on District campuses who use alcohol, tobacco and other drugs and can benefit from intervention. The Board supports intervention programs that include the involvement of students, parents/guardians and community agencies/organizations.
2. The Board finds it essential that school personnel be trained to identify symptoms which may indicate use of alcohol, tobacco and other drugs. The responsibilities of staff in working with, intervening and reporting students suspected of alcohol, tobacco and other drug use, shall be clearly defined in administrative regulations.
3. Students and parents/guardians shall be informed about the signs of alcohol, tobacco and other drug use and about appropriate agencies offering counseling.

**C. RECOVERING STUDENT SUPPORT**

1. The Board recognizes the presence of recovering students in the schools and the necessity to support these students in avoiding re-involvement with alcohol, tobacco and other drugs. The Board shall provide ongoing school activities and counseling which enhance recovery.

**D. ENFORCEMENT/DISCIPLINE**

1. The Superintendent or designee shall take appropriate action to eliminate possession, use or sale of alcohol, tobacco and other drugs and related paraphernalia on school grounds, at school events, or in any situation in which the school is responsible for the conduct and well-being of students. Students possessing, selling, using and/or under the influence of alcohol, tobacco or other drugs or related paraphernalia shall be subject to disciplinary procedures which will result in suspension and/or expulsion. In addition, students will be required to attend two counseling sessions for alcohol related offenses.
2. School authorities may search students and school properties for the possession of alcohol, tobacco and other drugs as long as such searches are conducted in accordance with the law, Board Policy, and Administrative Regulations.

**E. VOLUNTARY DRUG TESTING**

In an effort to reduce the chances that students will begin or continue to use alcohol, tobacco and other drugs, the Board directs the Superintendent to implement voluntary drug testing of high school students.

*(Amended: 7/8/09; Reviewed 6/15/10)*

**Administrative Regulation****A. INSTRUCTION**

Students shall receive instruction by appropriately trained instructors on drug education and the effects of alcohol and other drugs including dangerous drugs defined by Health and Safety Code 11032. *(Education Code 51260)*

Site administrators shall determine that drug education instructors are appropriately trained, having demonstrated that they possess:

1. The ability to interact with students in a positive way.
2. Knowledge of the properties and effects of tobacco, alcohol, narcotics, dangerous drugs, and shared drug apparatus.
3. Effective teaching skills and competency in helping students to express opinions responsibly and to become aware of their values as they affect drug-use decisions.

In grades kindergarten through six, instruction in drug education should be given within the wellness curriculum. In grades seven through twelve, instruction in drug education shall be conducted in health courses and in any other appropriate area of study. Instruction shall be sequential in nature and suited to meet the needs of students at their respective grade level. The District drug education program shall augment any program provided by county drug education services.

Recognizing that the use of androgenic anabolic steroids presents a serious health hazard to students, teachers of health classes and in any other appropriate area of study shall include a lesson on this hazard in instruction programs for grades seven through twelve. Students who participate in athletics shall receive information about the hazards of androgenic anabolic steroids from their coaches.

**B. INTERVENTION**

1. The staff shall intervene whenever students use alcohol and other drugs on school property or are under school jurisdiction. Staff shall refer to Board Policy No. 2401 regarding the legitimate use and administering of medicine.
2. Staff members who have reason to believe that a student may be under the influence of alcohol or other drugs shall immediately notify the principal or designee.
3. In severe cases, if the parents/guardians or the school medical personnel are not immediately available, the principal is authorized to call an ambulance to remove the student to a hospital. Parents/guardians will be notified of this action and shall be responsible for the expenses incurred.

**C. RECOVERING STUDENT SUPPORT**

1. Ongoing school activities, intervention and counseling will be offered to enhance recovery for those recovering students in the schools in avoiding to avoid re-involvement with alcohol, tobacco and other drugs.

**D. ENFORCEMENT/DISCIPLINE**

1. Possession or Use  
Students possessing, selling, using and/or under the influence of alcohol, tobacco or other drugs or related paraphernalia shall be subject to disciplinary procedures which will result in suspension and/or expulsion. In addition, the following actions may be taken:
  - a. Contact law enforcement authority.
  - b. Referral to an appropriate community counseling program with the expectation that at least one counseling session will be held during the time of suspension.
  - c. Transfer/alternative placement.
 When intervention efforts fail and the student continues to use or possess alcohol or other drugs at school or any school activity, the student shall be suspended and referred with a recommendation for consideration of expulsion.
2. Selling or Providing  
When there is reasonable cause to believe that a student has actually sold or provided alcohol or other drugs or drug paraphernalia on or about the school premises or at school-sponsored functions, law enforcement must be notified. Law enforcement authorities will decide whether they or the school will notify the parent/guardian. The principal or designee will follow expulsion procedures (*Administrative Regulation No. 2102*).

*(Reviewed: 7/8/09; Reviewed 6/15/10)*

<b>STUDENT RIGHTS AND RESPONSIBILITIES SEXUAL HARASSMENT</b>	<b>Board Policy/Administrative Regulation No. 2111</b>
--	--

**Board Policy**

**PURPOSE:** To establish a policy to ensure that every student shall be free from sexual harassment at school or school-related activities.

The Board declares that it is the District's policy to prohibit sexual harassment in all of the District's programs and activities. The Board further declares that it is the District's policy to act promptly in demonstrating a strong disapproval of sexual harassment. The Board hereby authorizes the Superintendent to establish procedures that will ensure that students are free from sexual harassment and to provide a mechanism for resolution of complaints of sexual harassment that is consistent with applicable state and federal laws and regulations and consistent with due process requirements.

*(Reviewed 6/30/09; Reviewed 6/15/10)*

**Administrative Regulation**

**PURPOSE:** In accordance with Board Policy No. 2111 prohibiting sexual harassment, the purpose of this administrative regulation is to provide procedures to process complaints of sexual harassment, to investigate such complaints, to prohibit retaliation against victims of sexual harassment, and to work toward the prevention of sexual harassment.

Sexual Harassment Defined

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's academic status, or progress.
2. Submission to, or rejection of the conduct by the individual is used as the basis of academic decisions affecting the individual.
3. The conduct has the purpose or effect of negatively impacting the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment based on sexual harassment.

4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the District.

#### Examples of Sexual Harassment

By way of example, sexual harassment includes, but is not limited to:

1. Suggestive or obscene letters, notes, invitations; derogatory comments, slurs, jokes, epithets; assault, unwanted touching, impeding or blocking movement; leering, gestures, display of sexually suggestive objects, pictures or cartoons.
2. Continuing to express sexual interest after being informed that the interest is unwelcome.
3. Coercive sexual behavior used to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student, including promises or threats, regarding grades, course admission, performance evaluations, or recommendations; enhancement or limitation of student benefits or services. (e.g. scholarships, financial aid, work study job.)
4. Offering favors or benefits, such as favorable grades, assignments, or duties in exchange for sexual favors.
5. Creating an atmosphere of sexual harassment or intimidation, or a hostile or offensive educational environment based on sexual harassment.
6. Being made to feel uncomfortable or isolated for not participating in or responding to sexual jokes, cartoons, or comments.
7. Any other conduct which, at the time of the incident, is deemed by state or federal law or its implementing regulations to constitute sexual harassment.

#### Retaliation Prohibited

It is the District's policy not to discourage persons from filing sexual harassment complaints. Retaliation against any student or other person for exercising the right to file a sexual harassment complaint is strictly prohibited. To avoid retaliation and the appearance of retaliation, students are directed:

1. To refrain from taking any action that dissuades any person from exercising the right to file a sexual harassment complaint.
2. To keep confidential the facts of any complaints or investigation made pursuant to this policy, including the identity of any witnesses or any facts which disclose the identity of the claimants or witnesses.
3. The person against whom a complaint has been filed is directed not to communicate with any complainant, witness or other person involved in any complaint either in person, by mail or telephone, or through any intermediary.

#### Allegations of Child Abuse

Allegations of child abuse, including violations of Penal Code 11165, 11165.1, and 11165.6, are not sexual harassment as defined by this Regulation. However, based on the facts and circumstances of a particular case and to the extent required by law, the District may, but is not required to, process such a complaint under this Regulation.

Allegations of child abuse will be reported to the appropriate agency for their investigations.

#### Confidentiality

All matters pertaining to the filing, investigation, and resolution of sexual harassment complaints shall be confidential. Files pertaining to sexual harassment complaints shall not become public record, to the extent allowed by law.

#### Notice to Students

The site administrator or designee shall ensure that all newly enrolled and currently enrolled students grades 4-12 are notified of the Board's policies and regulations in order to prevent incidents of sexual harassment within the District.

#### Responsible District Officer

Subject to the authority of the Governing Board and the Superintendent, the Associate Superintendent-Human Resources shall be responsible for overall implementation of policies and regulations prohibiting sexual harassment. Subject to the exceptions identified below, the Associate Superintendent-Human Resources, or designee, will conduct the investigation into formal complaints of sexual harassment, in which the alleged harasser is an employee. The site principal, or designee, will conduct the investigation into formal complaints of sexual harassment, in which the alleged harasser is a student. The Associate Superintendent-Human Resources shall ensure that this policy and regulation is appropriately distributed to employees and students, and, with the consent of the Superintendent, may initiate training and education programs as appropriate to enable employee and students to better understand the problems and consequences of sexual harassment.

#### Complaint Process

Students who feel aggrieved because of conduct that may constitute sexual harassment are encouraged, but not required, to directly inform the person engaging in such conduct that such conduct is unwelcome or offensive and should stop. However, if a direct discussion is uncomfortable or otherwise deemed inappropriate by the individual aggrieved because of alleged sexual harassment, then the following steps should be taken:

1. Informal Resolution (Optional)

The purpose of the informal complain process is to allow an individual who believes he/she has been sexually harassed or discriminated against to resolve the issue through a consultation process rather than the formal complaint process provided by this Regulation. When a student feels that he or she has been sexually harassed, he or she should contact a site administrator (*principal, deputy principal, learning director or counselor*). If the alleged victim contacts an employee other than a site administrator, it is the responsibility of that District employee to notify a site administrator that a complaint has been received. The site administrator shall contact the Responsible District Officer. However, if the Responsible District Officer is implicated in the complaint, the complainant should contact the Superintendent who will then serve as the Responsible District Officer or designate another appropriate person. If the Superintendent is implicated in the complaint, the complainant should contact a member of the Board. The Board will then designate a District employee or other appropriate person as the Responsible District Officer to resolve the complaint. The District representative shall complete Student Sexual Harassment Informal Complaint form (*Complaint handling incident report*) which is listed as Exhibit No. 2111 (1).

The Responsible District Officer shall counsel the complainant and the alleged offender and outline possible options for informal resolution of the complaint. If an informal resolution is achieved, the complainant's decision not to proceed with the filing of a formal complaint shall be obtained in writing, after the complainant receives and reviews the formal complaint procedures. If informal resolution of the complaint cannot be achieved within thirty (30) calendar days of the District's receipt of the complaint, the

Responsible District Officer or designee shall provide the complainant with a copy of this policy, and shall inform the complainant of the right to file a formal written sexual harassment complaint under this procedure.

2. Formal Complaints

If a student feels that he or she has been subjected to sexual harassment, the student should make a formal written complaint no later than six months from the date the alleged sexual harassment occurred, or the date the complainant first obtained knowledge of the facts of the alleged sexual harassment, unless the time for filing is extended by the Superintendent. Requests for filing extensions shall be made to the Superintendent in writing. The Superintendent may grant an extension for good cause for a period not to exceed ninety (90) days following the expiration of the time allowed. The site principal, or designee, will conduct the investigation into formal complaints of sexual harassment in which the alleged harasser is a student. The Associate Superintendent-Human Resources, or designee, will conduct the investigation into formal complaints of sexual harassment in which the alleged harasser is an employee.

The formal written complaint should be submitted using the Student Sexual Harassment Formal Complaint form provided and listed as Exhibit No. 2111 (2) stating the name of the complainant, the date of the complaint, the date of the alleged harassment, the name or names of the harasser(s), where such harassment occurred, a detailed statement of the circumstances constituting the alleged harassment, and the requested remedy.

3. Notice to Parties

Within ten (10) calendar days of receipt of a written complaint, or as soon thereafter as possible, the Responsible District Officer or other designated employee, or outside investigator(s), shall:

- a) notify the student's parent(s) of the complaint unless it is apparent from the complaint that such notification may be harmful to the student;
- b) meet with the student if necessary to obtain clarification of the student's written complaint of sexual harassment. Unless it is apparent from the complaint that notification of the parent may be harmful to the student, notify the student's parent(s) of the meeting;
- c) inform the alleged offender of the nature of the student's complaint. If the alleged offender is a student, notify the alleged offender's parent(s) of the complaint unless it is apparent from the complaint that notification may be harmful to the alleged offender;
- d) provide a copy of the District's sexual harassment policy and these procedures to the alleged offender; and
- e) individually advise the student and alleged offender that the complaint and the investigation including written reports and other written statements will be handled as confidentially as possible, consistent with a thorough investigation and appropriate disposition of the matter and current state and federal confidentiality and disclosure laws.

4. Investigation

The Responsible District Officer shall conduct, or cause to be conducted a thorough, objective, and equitable investigation of the complaint or designate appropriate individuals for that purpose. The investigation of complaints may be assigned to other staff or to outside persons or organizations. The investigation should, if at all possible, be commenced within fourteen (14) calendar days of receiving the written complaint or as soon thereafter as possible. An outside investigator or investigators may, subject to the Superintendent or designee authorization, be engaged depending on the nature and scope of the allegations. The term investigator includes neutral fact finders or other professional qualified by training and experience to assist in sexual harassment complaint procedures and process.

The Responsible District Officer, or designee, shall consult with all individuals reasonably believed to have relevant information, including the complainant and the alleged harasser(s), any witnesses to the conduct, and victims of similar conduct, if any, that the Responsible District Officer, or designee, reasonably believes may exist. The investigation shall be carried on discreetly, maintaining confidentiality of the complainant and the alleged offender insofar as legally and practically possible, while still conducting an effective and thorough investigation. In determining whether the alleged conduct constitutes sexual harassment, the Responsible District Officer, or designee, should look at the record as a whole and the totality of the circumstances, such as the nature of the alleged sexual harassment and the context in which the alleged incidents occurred.

5. Investigation Report and Decision

Within sixty (60) calendar days of receiving the formal complaint, the Responsible District Officer shall communicate in writing the District's final administrative decision to the complainant and the alleged offender. If, due to the nature and complexity of the evidence or the unavailability of relevant witnesses, additional time is required and the complainant agrees in writing to an extension, the time can be extended. When the site principal or designee is the Responsible District Officer, his/her final decision shall be reviewed by the Associate Superintendent, Curriculum Instruction and Support Services, who will communicate in writing the District's final administrative decision to the complainant and the alleged offender.

The District's final administrative decision shall include at least the following: (a) a summary of the investigative report; (b) an administrative determination regarding whether discrimination did or did not occur with respect to each allegation of the complaint; (c) a description of actions taken, if any, to prevent similar problems from occurring in the future; (d) the proposed resolution of the complaint; and (e) the complainant's and the alleged offender's right to appeal to the State Department of Education, and the procedures for initiating an appeal.

6. Appeal Procedures

If a complainant or an alleged offender is not satisfied with the results of the District's final administrative decision, the complainant or alleged offender may, within fifteen (15) calendar days of receipt of the District's decision, submit a written appeal to the State Department of Education. The party appealing the decision shall specify the reasons for the appeal and include with the appeal a copy of the complaint and the District's final administrative decision. Copies of all appeals shall be given to all other complainants and alleged offenders.

7. Remedial Actions

If the investigation reveals that there is reasonable cause to believe that sexual harassment has occurred, the District shall take appropriate action to ensure that the harassment ceases, and will not recur. The Responsible District Officer or designee will

proceed in the same manner as any other suspension or a suspension with recommendation for consideration of expulsion. The Responsible District Officer or designee must be prepared to judiciously review the information supporting the finding with the parents of the complainant and the accused.

When it appears that a sexual assault or battery may have occurred, the matter shall be referred to a law enforcement agency.

Relationship to other Enforcement Mechanisms

The District's sexual harassment policies and procedures are intended to supplement, and not replace, any applicable state and federal laws and regulations. Students may also request that other state and federal governmental agencies investigate complaints of sexual harassment. For example, any student who thinks he or she has been harassed or retaliated against for resisting or complaining about harassment may file a complaint with the following agencies:

California Department of Education  
721 Capitol Mall, P.O. Box 944272  
Sacramento, California 94244  
(916) 657-2451

Office for Civil Rights  
50 United Nations Plaza, Room 239  
San Francisco, California 94102  
(415) 556-4275

*Adopted: 8/2/95  
Amended: 4/10/96  
Amended: 9/22/99  
Amended: 4/13/05  
Reviewed: 12/6/05  
Amended: 6/11/07  
Amended: 7/14/09  
Reviewed: 6/15/10*

*42 U.S.C. 2000e to 2000e-17  
Title VII of the Civil Rights Act of 1994  
Penal Code Sections 11165-11174  
Civil Code Section 51.9  
Education Code 200-231.5  
5 CCR 4600, et seq.*

## E. SAFETY ISSUES

### CIVIL DEFENSE PLAN: EMERGENCY PROCEDURES

In accordance with California law the Clovis Unified School District Governing Board must annually review the District's emergency procedure plans. The following procedures have been adopted by the Board and shall remain in effect until further notice.

It is the declared policy of the Board to release students from school in the event of an attack on the continent of the United States or when warned by competent authority of an imminent attack. During such an emergency, the District will transport all students who normally use the school bus. Those students who provide their own transportation or walk to school will be expected to get home by the same method during the emergency.

Buses will travel *regular routes* but may consolidate stops on these routes in the interest of saving time. Stops will be dependent upon the time of day, weather conditions, age of students, etc.; *but all regular routes will be traveled in the normal sequence.*

Traffic conditions during an emergency are naturally an unknown factor. Buses may take longer to complete the routes than usual because of traffic congestion. Thus, parents may want their children to walk home during an actual emergency rather than to depend on school transportation. This parental decision should be based upon:

1. Age of child
2. Route from school to home
3. Distance from home to school

If parents wish their children who ordinarily use the school bus to walk home during an emergency, they must inform their children of this decision. It can be expected that during an emergency there will be a certain amount of uncertainty particularly in the minds of younger children. The best way to overcome this uncertainty is for the parents to be specific about the procedure for their children to follow in an emergency. Parents are urged to discuss the problem with their children frequently and test them of their knowledge of what to do under these conditions. *Parents are NOT to drive to the school to pick up their children;* this would only add to the traffic congestion both at the school and in the public streets.

This procedure conforms to the Fresno County Disaster Plan and the disaster plans of the City of Clovis and City of Fresno, and has been approved by the civil defense directors of those agencies.

### MEGAN'S LAW NOTIFICATION

The Clovis Unified School District places student safety as a number one priority each and every year. In an effort to keep our students safe from registered sex offender, Clovis will cooperatively with law enforcement to fully comply with all requirements of "Megan's Law" (AB 1562 Chapter 908, SB 1378 Chapter 909, PC 290 and 290.4).

It is law enforcement's responsibility to assess the relative danger of an offender and to notify the public upon determination of a risk.

Communication of information regarding registered sex offenders will be as follows:

1. If, and when, law enforcement notifies the District of residency or employment of a sex offender within school boundaries, the Superintendent's designee shall determine which central office and school staff need to be notified. This determination will be made on a case-by-case basis. Notification may be made to the following staff:
  - a. The principal of the school which is in the attendance area of the sex offender's residency or place of employment.
  - b. Teachers and classified personnel at that school, including staff responsible for visitor registration.
  - c. Principals and staff at adjacent schools, as appropriate.
  - d. Security staff.
  - e. Bus drivers.
  - f. Yard supervisors.
2. If an identified sex offender is seen on or nearby school grounds or around any student, staff shall immediately contact the District liaison.
3. At the District liaison's discretion, a staff member may also immediately inform local law enforcement about the presence of a sex offender.
4. A staff member who receives any information directly from law enforcement regarding registered offenders shall immediately contact the Superintendent's designee.
5. Every parent or guardian has the right and ability to contact law enforcement for additional information.

Any questions, inquiries or communication of information should be directed to: Student Services and School Attendance, 1465 David E. Cook Way, Clovis, CA 93611, Telephone Number 559-327-9202.

## NOTIFICATION OF PLANNED PESTICIDE USE

Assembly Bill 2260 (Healthy Schools Act of 2000), which became effective on January 1, 2001, reduces children's exposure to toxic pesticides through information and integrated pest management. For the 2010-11 school year, Clovis Unified School District may apply the following pest management products as necessity dictates

### PEST CONTROL

Product	Active Ingredient	Manufacturer	EPA	Purpose
Advance Ant Bait	Abamectin – B1-0.011%	Whitmire	499-370	Ants
Archer	Pyriproxifen – 1.3%	Syngenta	100-1111	Fleas
Avert	Abamectin – B1-0.05%	Whitmire	499-410	Cockroaches
Boractin	Orthoboric Acid – 99%	Rockwell Labs	73079-4	Ants, other insects
Borid	Orthoboric Acid – 99%	Waterbury	9444-129	Ants, other insects
Contrac	Bromadiolone – 0.005%	Bell Labs	12455-79	Rodents
Delta Dust	Deltamethrin – 0.05%	Bayer	432-772	Ants, other insects
Drione	Pyrethrins – 1.0%; Piperonyl Butoxide, technical – 10.0%; Amorphous Silica Gel – 40.0%	Bayer	432-992	Wasps
Intice	Orthoboric Acid – 5%	Rockwell Labs	73079-2	Cockroaches
Niban	Orthoboric Acid – 5%	Nisus	64405-2	Cockroaches
Suspend SC	Deltamethrin – 4.75%	Bayer	432-763	Insects, spiders
Termidor	Fipronil – 9.1%	BASF	7369-210	Ants
Wasp Freeze	d-trans Allethrin – 0.129%; Phenothrin – 0.120%	Whitmire	499-362	Wasps

### GROUNDS PEST CONTROL

Product	Active Ingredient	Manufacturer	EPA	Purpose
Advance Ant Bait	Abameltin 0.011%	Whitmire	499-370	Ants
Certainty	Sulfosulfuron	Monsanto	524-534	Weeds
Deadline	Metaldehyde 4%	Pace International	110990	Snails
Dimension 2EW	Dithiopyr	Dow AgroSciences	62719-542	Weeds
Dismiss	Sulfentrazone 39.6%	FMC	279-3370	Weeds
Dragnet	Permethrin 36.8%	FMC	279-3062	Insects
Ferromec AC	Nitrogen	PBI Gordon Corp.	None	Fertilizer
Fusilade II	Butyl phenoxypropanoate 24.5%	Syngenta	100-1084	Weeds
Gallery 75	Isoxaben 75%	Dow	62719-145	Weeds
Lontrel	Clopyralid 40.9%	Dow	62719-305	Weeds
Merit 75 WP	Imidacloprid 75%	Bayer	432-1318	Insects
Reward	Diquat Dibromide	Syngenta	100-1091	Weeds
Round Up Pro	Glyphosate 41%	Monsanto	524-475	Weeds
Round Up Pro Concentrate	Glyphosate 50.2%	Monsanto	524-529	Weeds
Sedgehammer	Halosulfuron-methyl 75%	Gowan	81880-1-10163	Weeds
Speed-Zone Southern	2,4-d,2-ethylhexyl ester 10.49%	PBI Gordon	2217-835	Weeds
Surflan AS	Oryzalin 41.4%	UPI	70506-44	Weeds
Surflan XL 2G	Oryzalin 1.0%	Helen Chemical	62719-136- 38167	Weeds
Target 6 Plus (MSMA)	Monosodium acid 47.6% methanearsonate	Luxembourg	42519-3	Weeds
Wilco Gopher Bait Type 2	Diphacinone 0.005%	Wilco	36029-50007-AA	Gopher
Wilco Squirrel Bait	P-chlorophenyl phenylacetyl 0.05%	Wilco	36029-50006-AA	Squirrels
Zenith 75 wsp	Imidacloprid	Prokoz	432-1318	Insects

Additional information on pest management products is available on the California Department of Pesticide Regulation's website [www.cdpr.ca.gov](http://www.cdpr.ca.gov). Clovis Unified School District does not use any pest management products with the signal word "danger," and in the majority of cases, the products the District uses fall into the safest category, "caution." Applicators receive annual safety training, strictly follow the U.S. EPA label instructions and only apply pesticides when they are necessary. The District will make every effort to apply pesticides when students are NOT present, but reserves the right to spray within the Laws of the State anytime it deems safe, using the utmost care while students are present. To register with the District to receive notification of individual pest management product applications at a specific school site, contact the Plant Operations Department at (559) 327-9492 to request a registration form. Registrants will be notified of individual applications at least 72 hours in advance.

## F. CURRICULUM

### ACCEPTABLE USE OF ELECTRONIC INFORMATION RESOURCES

### Board Policy/Administrative Regulation No. 7205

#### Board Policy

**PURPOSE:** This document sets forth the rights and responsibilities for students under the District's Student Use of Technology and Administrative Regulation No. 7205.

The Governing Board intends that technological resources provided by the District be used in a responsible and proper manner in support of the instructional program and for the advancement of student learning.

Students should expect no privacy in the context of personal files, e-mails, or while using the District's technological resources. All student use of District technology may be supervised and monitored. The District's monitoring of technology resources, including Internet usage, can reveal all activities engaged in while using the District's data network.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of District computers and consequences for unauthorized use and/or unlawful activities.

#### A. Online Services/Internet Access

1. The Superintendent or designee shall ensure that all District computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced.
2. The Board desires to protect students from access to harmful matter on the Internet or other on-line services. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students when using electronic mail, chat rooms and other forms of direct electronic communication.
3. Disclosure, use and dissemination of personal identification information regarding students are prohibited.
4. Employees shall supervise students while they are using on-line services and may ask teacher aides and student aides to assist in this supervision.

#### B. Development and Maintenance of Regulations

The District administration will develop and maintain regulations

1. to protect against the unauthorized disclosure, use or dissemination of personal or confidential information of students;
2. to limit access to inappropriate materials on the Internet and world wide web;
3. to protect against illegal activities, including computer security violations, actions taken to disrupt the performance of a computer system and the use of the Internet to engage in other criminal acts;
4. to prohibit use of inappropriate language;
5. to prohibit plagiarism;
6. to protect against actions or use that may disrupt or jeopardize the security or effective performance of the District's computer network or the Internet, and preventing unauthorized access;
7. for employees pertaining to the transmission of student confidential information via direct electronic communications to ensure that such transmissions are in compliance with the federal and state student privacy laws;
8. for employees and students to ensure the protection of student personal information when accounts are established or information is provided by or about students on third party web sites;
9. addressing the disclosure of student information, posting student-created material, and posting pictures of students on the District website;
10. to promote the effective educational use of the Internet, protect the privacy rights and other rights of students and employees, limit potential liability of the District for the inappropriate placement of material on the District website, and present a District website with an image that will reflect well on the District, schools, employees, and students;
11. that will protect the rights of copyright holders, including students and employees, related to material that is accessed through or placed in the Internet;
12. to specify acceptable and unacceptable uses of the computer network and of external electronic resources; and
13. to specify acceptable and unacceptable uses of electronic mail.
14. to provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services.

#### C. Contracts with Third Party Providers

The District will review contracts with third party providers of data management services to ensure compliance with federal and state student privacy laws.

#### D. Annual Notice

Each school will provide an annual written notice to the parents/guardians of students about the District Internet system, the policies governing its use, and the limitation of liability of the District. Parents/guardians and students must sign a users agreement acknowledging they have been provided a copy and have read and understand the policy, regulations and guidelines regarding the use of District's technological resources. This agreement also provides the option to have the parent/guardian designate permission for their student's unsupervised use of the Internet. Upon receipt of the executed agreement, the student will be issued an Internet Use Permit (or some other method of designating permission). Parents/guardians have the right at any time to investigate the contents of their child's e-mail files. Parents/guardians have the right to request the termination of their child's Internet access at any time by updating their student's Internet Permission Form and Student Use Agreement.

#### E. Administrative Responsibilities

The administrative responsibilities of the District administrative employees related to the District Internet system are as follows:

1. The Superintendent, or designee, will serve as the coordinator to oversee the District Internet system. The Superintendent is authorized to develop regulations and agreements for the use of the District Internet system that are in accord with this policy statement, and other District policies.
2. The building administrator, or designee, will serve as the building-level coordinators for the District Internet system, will develop building-level regulations necessary to implement this policy and District regulations, establish procedures to ensure adequate supervision of students using the system, maintain executed user agreements, and be responsible for interpreting this policy and related regulations at the building level.
3. The District Internet and Web Use Committee will be responsible for ongoing evaluation of the issues related to this policy, related regulations, and the strategies implemented by schools under this policy. The Internet and Web Use Committee will solicit input and feedback from employees, students, parents, and the community in this evaluation process.

This Board Policy also represents the District's good faith efforts to comply with Title II of the Americans with Disabilities Act, Child Internet Protection Act (CIPA) and to increase effective use of its web site.

In order to help ensure that the District adapts to changing technologies and circumstances, the Superintendent or designee shall regularly review this Board Policy, the accompanying Administrative Regulation and other procedures. He/she shall also monitor the District's filtering software to help ensure its effectiveness.

*(Amended: 7/8/09; Reviewed 6/15/10)*

## **Administrative Regulation**

**PURPOSE:** To define and delineate acceptable and unacceptable uses of District provided technological resources as well as technology tools and mobile devices that students bring to school from home.

The term "technological resources" in this Regulation refers to computers, Internet and Intranet access, server-based storage, e-mail and voice mail and other technology tools and mobile devices.

The term "network" in this regulation refers to a number of computers and other electronic tools that are connected to each other for the purpose of communication and data sharing.

### **A. Educational Purpose**

1. The District data network has been established for a limited educational purpose. The term "educational purpose" includes classroom activities, continuing education, professional or career development, and high-quality, educationally enriching personal research.
2. The District data network has not been established as a public access service or a public forum.
3. The District has the right to place reasonable restrictions on the material that students access or post through the system. Students are also expected to follow the rules set forth in this Regulation, the student disciplinary code, and the law in their use of the District data network.
4. Students may not use the District data network for commercial purposes. They may not offer, provide, or purchase products or services through the District data network.
5. Students may not use the District data network for political lobbying. They may use the system to communicate with elected representatives and to express their opinions on political issues.

### **B. External Electronic Information Resources**

1. Acceptable Use of External Electronic Information Resources includes but is not limited to:
  - a. legitimate purposes related to the District's educational mission by providing access to unique resources and an opportunity for collaborative work.
  - b. assignments that may require students to utilize external electronic information resources. As with any student activity, it is the responsibility of staff members to exercise care in monitoring and supervising, to the best of their ability, such student access to insure that students use such resources in accordance with District policy.
  - c. training students in the skills needed to access external electronic resources, the provisions of this Technology Use Policy, and the rules and procedures of the technological resource to which they are gaining access.
  - d. expecting students to use good judgment at all times to insure that their activities while online fall within the provisions of the District's technology use policy.
2. Unacceptable Use of External Electronic Information Resources includes, but is not limited to the following:
  - a. Any use of the District's technological resources for illegal, inappropriate, obscene or unauthorized purposes, or in support of such activities, is prohibited. Illegal activities shall be defined as a violation of local, state, and/or federal laws. Inappropriate use shall be defined as a violation of the intended use of the network, and/or purpose and goal. Obscene activities shall be defined as a violation of generally accepted social standards for use of a publicly-owned and operated communication vehicle. Restrictions against inappropriate language apply to all speech communicated through the District data network, including but not limited to public messages, private messages, and material posted on Web pages.
  - b. Attempting to gain unauthorized access to the District data network or to any other computer system through the District data network or go beyond authorized access. This includes attempting to log in through another person's account or access another person's files.
  - c. Attempting to circumvent District security measures and systems including the use of proxies to access blocked sites and or anonymous resources (email or otherwise).
  - d. Causing a disruption of the District's data network due to activities such as peer-to-peer file sharing.
  - e. Using the District data network to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of a person, etc.
  - f. Using obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
  - g. Posting information that could cause damage or a danger of disruption.
  - h. Engaging in personal attacks, including prejudicial or discriminatory attacks such as "cyberbullying."

- i. Harassing another person. Harassment is persistently acting in a manner that distresses or annoys another person. When a student is told by a person to stop sending him or her messages, they must stop.
- j. Creating, accessing, storing, 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, gender, sexual orientation, age, disability, religion or political beliefs. 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.
- k. Knowingly or recklessly posting false or defamatory information about a person or organization.
- l. Violating the rules of another organization's networks or computing resources.
- m. Using the District's technological resources to engage in commercial activities, product advertisement, soliciting votes, or political lobbying.
- n. Copying or transferring unauthorized copyrighted materials, violating license.
- o. Creating and/or placing a computer virus on any network or device. Deliberate attempts to degrade or disrupt system performance of the network or any other computer system or network on the Internet by spreading computer viruses is considered criminal activity under state and federal law.
- p. Using an impersonation. Real names must be used; pseudonyms are not allowed.
- q. Using the network to send or receive a message that is inconsistent with the school's code of conduct.
- r. Using the network to request home phone numbers and, later, making obscene, threatening, or annoying phone calls to the numbers.
- s. Disclosing, using or disseminating personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals located through the Internet without permission of their parents/guardians. Personal information includes the student's name, address, telephone number, social security number, or other individually identifiable information.
- t. Violating any state or federal law, or any provision of the Education Code.
- u. Using the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy.
- v. Tampering with computer hardware or software, unauthorized entry into computers, or knowledgeable vandalism or destruction of computer files is prohibited. Such activity is considered a crime under state and federal law.
- w. "Attacking" or arguing with correspondents; persuade them with facts and be polite.
- x. Posting messages to groups that the student does not know. The wider a student's network ID is sent out, the more opportunity provided for unwanted messages.
- y. Sending, or encouraging others to send, abusive messages.
- z. Installing software tools that could be used for accessing another system or account.
- aa. Using a teacher's computer for any purpose.
- bb. Deleting, copying or modifying another user's files or data.
- cc. Using the network for bandwidth intensive activities such as network games or transmission of large audio/video files or serving as a host for such activities.

C. District E-Mail

- 1. Acceptable use of District e-mail includes, but is not limited to the following:
  - a. Sending messages without interrupting a class or meeting.
  - b. Sending out information to a wide range of people in a nearly instantaneous manner.
  - c. Transmitting documents to a work group.
- 2. Unacceptable use of District e-mail includes, but is not limited to the following:
  - a. Personal business, commercial activity, product advertisement, or political lobbying.
  - b. Transmitting messages that are racist, sexist, inflammatory, threatening, or obscene.
  - c. Using another individual's account without written permission from that person. All use of the system must be under the user's own account.
  - d. Reading other users' electronic mail or files.
  - e. Attempting to interfere with other users' ability to send or receive electronic mail.
  - f. Attempting to delete, copy, modify or forge other users' mail.

The person in whose name an account is issued is responsible at all times for its proper use.

E-mail is not private. Messages relating to or in support of illegal activities must be reported to the authorities.

The District reserves the right to monitor any on-line communications for improper use. Electronic communications and downloaded material, including files deleted from a user's account, may be monitored or read by District officials to ensure proper use of the system.

D. Student Cellular Phones and Other Electronic Devices

Students shall not use a cellular phone or other electronic device without permission during the school day, at all school-sponsored activities, while riding on a school bus, or at any time while students are under the supervision of District employees, unless essential to the health of the student.

If a disruption occurs or a student uses any cellular phone or other electronic device for improper activities, a school employee may confiscate the device.

If there is reasonable suspicion the student is violating the law, Board Policy, Administrative Regulation, or other rules of the District, school officials may search the cellular phone or other electronic device, including, but not limited to, reviewing messages or viewing pictures.

If confiscated, the device will be returned at a time determined by school officials.

## E. Access to Materials

1. Students may not use the District data network to access material in violation of the following standards:
  - a. Prohibited Material. Prohibited material may not be accessed at any time, for any purpose. The District designates the following types of materials as prohibited: obscene materials, child pornography, material that appeals to a prurient or unhealthy interest in, or depicts or describes in a patently offensive way, violence, nudity, sex, death, or bodily functions, materials that promote or advocate satanic group membership, material that has been designated as for “adults” only, and material that promotes or advocates illegal activities.
  - b. Restricted Material. Restricted material may not be accessed by elementary or middle school students at any time for any purpose. Restricted material may be accessed by high school students in the context of specific learning activities that have been approved by a teacher. Materials that may fall within prohibited material that have clear educational relevance, such as material with literary, artistic, political, or scientific value, will be considered to be restricted. In addition, restricted material includes materials that promote or advocate the use of alcohol and tobacco, hate and discrimination, cult group membership, school cheating, and weapons. Sites that contain personal advertisements or facilitate making online connections with other people are restricted unless such sites have been specifically approved by the school.
  - c. Limited Access Material. Limited access material is material that is generally considered to be non-educational or entertainment. Limited access material may be accessed in the context of specific learning activities that are directed by a teacher or during periods of time that a school may designate as “open access” time. Limited access material includes such material as electronic commerce, games, jokes, recreation, entertainment, sports, and investments.

The District has installed a technology protection measure to help protect against access to inappropriate material. The determination of whether material is appropriate or inappropriate is based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measure.

## F. Privacy and Communication Safety Requirements

1. Personal contact information includes a student’s name together with other information that would allow an individual to locate them, including, but not limited to, their parent’s name, their home address or location, their work address or location, or their phone number.
  - a. Elementary or middle school students will not disclose their full name or any other personal contact information for any purpose.
  - b. High school students will not disclose personal contact information, except to education institutions for educational purposes, companies or other entities for career development purposes, or with specific staff approval.
  - c. As noted above, students will not disclose names, personal contact information, or any other private or personal information about other students under any circumstances. They will not forward a message that was sent to them privately without permission of the person who sent them the message.
  - d. Students will not agree to meet with someone they have met online without their parent’s approval and participation.
  - e. Students will promptly disclose to their teacher or other school staff any message they receive that is inappropriate or makes them feel uncomfortable. They should not delete such messages until instructed to do so by a staff member.

## G. Plagiarism and Copyright Infringement

1. Students will not plagiarize works they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were theirs.
2. Students will respect the rights of copyright owners in their use of materials found on, disseminated through, or posted to the Internet. Copyright infringement occurs when a person inappropriately reproduces a work that is protected by a copyright. Copyright law can be very confusing. If a student is uncertain whether it is appropriate to copy or use material, they should ask a teacher.

## H. System Security and Resource Limits

1. System Security
  - a. If a student has an individual domain or e-mail account, he or she is responsible for that individual account and should take all reasonable precautions to prevent others from being able to access it. Under no conditions should they provide their password to another person.
  - b. Students will immediately notify a teacher or the system administrator if they have identified a possible security problem. They are not to go looking for security problems, because this may be construed as an illegal attempt to gain access.
  - c. Students will avoid the inadvertent spread of computer viruses by following the District virus protection procedures.
  - d. Students will not attempt to gain access to a District system, another student or staff member’s computer or files by any means including the use of keyloggers or related software utilities.
2. Resource Limits

As noted above, the District data network has been established for a limited educational purpose.

  - a. Students will not download large files unless absolutely necessary. If necessary, the file should be downloaded at a time when the system is not being heavily used and immediately removed from the system computer to a personal computer.
  - b. Students will not misuse District, school, or personal distribution lists or discussion groups for sending irrelevant messages.
  - c. Students will check their e-mail frequently, delete unwanted messages promptly, and stay within e-mail quotas.
  - d. Students will subscribe only to approve high quality discussion groups that are relevant to school related tasks or career development.
  - e. Excessive use of the District data network may raise a reasonable suspicion that a student is using the system in violation of District policy and regulations.

## I. Student Rights and Expectations

1. Free Speech

A student’s right to free speech and access to information applies to his or her use of the Internet. The District may restrict access to materials for valid educational reasons. The District will not restrict access to information and ideas based on

viewpoint discrimination. The District data network is considered a limited public forum. The District may restrict student speech for valid educational reasons. The District will not restrict speech on the basis of a disagreement with the opinions expressed by a student.

2. Copyright

Students own the copyright to works that they have created in school or for a class assignment. If the work is created jointly, each student will have joint ownership of the copyright. Students and their parent/guardian must agree to post student work on the school or District web site. Student work will be posted with the student's copyright notice.

3. Privacy

As noted above, students should expect no privacy in the contents of personal files or while using the District Internet.

All student use of the Internet may be supervised and monitored. The District's monitoring of Internet usage can reveal all activities engaged in while using the District's network.

Routine maintenance and monitoring of the District data network may lead to discovery that a student has violated this Regulation, the student disciplinary code, or the law. An individual search will be conducted if there is reasonable suspicion that a student has violated this Regulation, the student disciplinary code, or the law. The investigation will be reasonable and related to the suspected violation.

Parents or guardians have the right to request to see the contents of their student's personal computer and e-mail files at any time.

4. Due Process

The District will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through the District data network.

a. In the event there is a claim that a student has violated this Regulation or student disciplinary code in their use of the District data network, the student will be provided with notice and an opportunity to be heard in the manner set forth in the student disciplinary code.

b. If the violation also involves a violation of other provisions of the student disciplinary code, it will be handled in a manner described in the code. Additional restrictions may be placed on the student's use of the District data network.

c. It is in the best interest of all users to have a smoothly running, secure network that can be counted on to function when needed. Network administrators are charged with securing the operation of District networks. It is the responsibility of District users to avoid violating security provisions. While some users may possess the knowledge and skills to overcome network security provisions, it would be an ethical violation to do so. Users who identify a security problem should notify the proper authority immediately.

d. Any user identified as a security risk will be denied access to the information system.

e. System operators will have access to all user accounts, including electronic mail. Violations of the use of technology policy or regulation will result in cancellation of the user's access to the system.

5. Privileges

The use of the District facilities and/or resources is a privilege, not a right, and inappropriate use of these facilities and/or resources will result in a cancellation of those privileges, disciplinary action and/or legal action in accordance with law and Board policy.

6. Vandalism

Students may not engage in vandalism of the District's technological resources. Vandalism is defined as any malicious attempt to harm or destroy data of another user or any other agencies or networks that are connected to the system. This includes, but is not limited to, the uploading or creation of computer viruses or accessing another system. Any vandalism will result in the loss of computer services, disciplinary action, and legal referral.

J. Limitation of Liability

1. The District does not guarantee that the functions or services provided through the District data network will be without error.

2. The District is not responsible for any damage a student may suffer, including but not limited to, loss of data, interruption of service, or exposure to inappropriate material or people.

3. The District is not responsible for the accuracy or quality of the information obtained through the system, caused by the District, the District's negligence or by the user's errors or omissions.

4. The District is not responsible for financial obligations arising through the unauthorized use of the system. Parents or guardians will be held financially responsible for any harm that may result from their intentional misuse of the system. A student may only use the system if his or her parent or guardian has signed a disclaimer of claims for damages against the District.

This Regulation is applicable to any user of the CUSD network, and refers to all information resources whether individually controlled, or shared, standalone or networked. Individual sites may define "conditions of use" for networks under their control. Such statements should be consistent with this overall regulation but may provide additional detail, guidelines and/or restrictions. Where such "conditions of use" exist, enforcement mechanisms defined therein shall apply. Where use of external networks is involved, policies governing such use also are applicable and must be adhered to.

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 personal 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.

It is the responsibility of the principal to ensure that each student and that student's parent or guardian receives a copy of these regulations at the beginning of each year (e.g. in the Student/Parent Handbook). Each site will also maintain a signed record acknowledging receipt of these regulations.

(Amended: 7/8/09; Reviewed 6/15/10)

**Exhibit**

**PURPOSE:** To establish criteria to guide educators in the selection and use of literature and supplemental materials. The following letter from the CUSD Governing Board informs parents of the Board's continuing aim to provide students with comprehensive, appropriate literature for students and informs parents that they may request alternate selections for their student.

Dear: Parent:

The Clovis Unified School District has developed a comprehensive literature curriculum which reflects the contributions of many religious, ethnic, racial and cultural groups to our American heritage and mirrors our pluralistic society. The core, extended core and supplemental literature sections for each course have been made with attention to maturity levels, abilities, and interests of the students served so as to foster factual knowledge and literary appreciation which will enrich and support the curriculum. Guided lessons have been designed for all works so that your student's experience in reading will enhance the understanding of themes characters, and social/cultural issues.

Since literature is a matter of taste, we encourage parents to review the core, extended core and supplementary literature which will be used in the course their student will be taking. To help parents review the selections, a brief summary will be provided by your child's classroom teacher.

If you have any questions regarding a title(s) on the reading list, please contact your student's teacher to discuss your concerns. We look forward to discussing specific works of literature with parents.

The Clovis Unified School District realizes its responsibility in allowing choice to educators, parents and students in the selection and use of instructional materials: the choice for educators to develop the most effective collection of materials, and the choice of parents and students to decline participation where personal values are in conflict with said materials. When selections are found to be in conflict with parent or student values, alternative assignments will be provided upon the receipt of a written or verbal parent request. Prior to requesting an alternate selection, parents are encouraged to read the entire piece of literature to ensure an informed choice can be made.

Board Policy No. 3305, Administrative Regulation No. 3305, and exhibits 3305(1) Recommended Supplemental Reading Books Form and 3305(2) Literature Evaluation Form can be found at [www.cusd.com/board/policies.htm](http://www.cusd.com/board/policies.htm).

*(Amended 4/29/09)*

## G. STUDENT RECORDS

### STUDENT RECORDS ACCESS AND PRIVACY RIGHTS OF PARENTS AND STUDENTS

Board Policy/Administrative  
Regulation No. 7101

#### Board Policy

**PURPOSE:** To assure compliance with Section 49060 et seq. of the California Education Code—Student Records Access and Privacy of Parents and Students.

The Board recognizes that educational interests of students require the collection of appropriate data which is necessary for the effective performance of those working for the student's educational welfare. At the same time, the Board respects the right of students and parents to privacy and their right to be informed of the school's plans for students.

#### A. Student Records

The Family Educational Rights and Privacy Act of 1974 and sections of the California Education Code establish the right of parents to have access to and privacy of information about their children contained in school records.

The Board directs the Superintendent to establish regulations governing the identification, description, and security of student records, as well as timely access for authorized persons to carry out the specific requirements and the statutory intent of legislation related to maintaining the confidentiality of student records. These regulations shall ensure parental rights to review, inspect, and copy student records and shall protect the student and his/her family from invasion of privacy.

In accordance with law the Superintendent designates the Associate Superintendent-Administrative Services as the certificated employee to serve as the custodian of records at the District level. Records of students are generally maintained at the site under the responsibility of the building principal.

#### B. Challenging Student Records

A parent may file a written request with the Superintendent or his/her designee to correct or remove any information recorded in the written records regarding his or her child which he or she alleges to be:

1. inaccurate (e.g., an error in transmittal);
2. an unsubstantiated personal conclusion or inference;
3. a conclusion or inference outside the observer's area of competence;
4. not based on personal observation of a named person with the time and place of the observation noted;
5. misleading; or
6. in violation of the privacy or other rights of the student.

#### C. Directory Information

The Superintendent or designee may release student directory information to representatives of the news media or nonprofit organizations in accordance with Board Policy and Administrative Regulation.

The Superintendent or designee may limit or deny the release of specific categories of directory information to any public or private nonprofit organization based on his/her determination of the best interests of District students. (*Education Code 49073*)

Colleges and prospective employers, including military recruiters, shall have access to directory information unless the parent/guardian has specified that the information not be released in accordance with law and Administrative Regulation.

(Amended 7/8/09; Reviewed 6/15/10)

#### Administrative Regulation

**PURPOSE:** To establish regulations to carry out the specific requirements and the statutory intent of legislation related to student records.

#### INTRODUCTION

The following are regulations established to carry out the specific requirements and the statutory intent of legislation related to student records.

#### A. GENERAL

##### 1. Definitions

- a. "Attendance" includes, but is not limited to, attendance in person by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom and the period during which a person is working under a work-study program.
- b. "Parent" means a natural parent, an adoptive parent or the legal guardian of a student, and representatives of the court in cases where child is a ward of the court. When parents are divorced or legally separated, generally both parents are entitled to copies of the records or other type of access, but only parents having legal custody of the student may consent to release records to others. However, both parents may grant consent if both have notified the school, in writing, that such an agreement has been made.
- c. "Student records" means any item of information directly related to an identifiable student, other than directory information, which is maintained by a school district or required to be maintained by an employee in the performance of his or her duties or maintained by a party acting for the District, whether recorded by handwriting, print, tapes, film, computer, microfilm or other means, unless otherwise protected. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record except when otherwise provided by law. (*34 CFR 99.3; Education Code 49061-49062; 5 CCR 430*)

"Student records" do not include informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute (for

purposes of this subdivision, "substitute" means a person who performs the duties of the individual who made the notes on a temporary basis, and does not refer to a person who permanently succeeds the maker of the notes in his or her position); records of the law enforcement unit of the District, subject to the provisions of 34 CFR 99.8; directory information; records created by or received by the District after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student; and grades on peer-graded papers before they are collected and recorded by a teacher. (34 CFR 99.3; Education Code 49061-49062; 5 CCR 430)

- d. "Mandatory permanent student records" are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation or administrative directive. (5 CFR 430)
  - e. "Mandatory interim student records" are those records which the schools are directed to compile and maintain for stipulated periods of time and then are destroyed in accordance with state law, regulation or administrative directive. (5 CFR 430)
  - f. "Permitted student records" are those records having clear importance only to the current educational process of the student. (5 CFR 430)
  - g. "Disclosure" means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in education records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)
  - h. "Directory information" means one or more of the following items: student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student.
  - i. "Access" means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record, an oral description or communication of a record or an accurate copy of a record, and a request to release a copy of any record. (Education Code 49061)
  - j. "Personally identifiable" includes, but is not limited to: (34 CFR 99.3)
    - 1) the name of a student or student's family, student's parents or other family members,
    - 2) address of a student,
    - 3) a personal identifier, such as the student's social security number or student number or biometric record (e.g. fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting),
    - 4) reasonable other direct identifiers, such as the student's date of birth, place of birth, and mother's maiden name
    - 5) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty, and
    - 6) information requested by a person who the District reasonably believes knows the identity of the student to whom the student record relates.
  - k. "Superintendent" for the purpose of this regulation, means the Superintendent, or his or her designated representative.
  - l. "School officials" means a current Board member; a person certified by the State and appointed by the Board to an administrative or supervisory position; a person certified by the State and under contract to the Board as an instructor; a person employed by the Board as a temporary substitute for administrative, supervisory or instructional personnel for the period of the employee's performance as a substitute; or a person employed by or under contract to the Board to perform a special task such as a secretary, a clerk, the Board attorney or auditor for the period of his/her performance as an employee or contractor.
  - m. "Legitimate educational interest" means a person who performs responsibilities pursuant to the Education Code, in closed session to consider matters concerning students; performs an administrative task required in the school employee's position description approved by the Board; performs supervisory or instructional tasks directly related to the student's education; or performs a service or benefit for the student or the student's family such as health care, counseling, student job placement or student financial aid.
  - n. "Custodian of Records" means the employee responsible for the security of student records maintained by the District and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)
2. Rights of Parents
- a. Parental Access to All Records
    - 1) Parents of students attending schools within the Clovis Unified School District shall have the right to inspect and review all education records related to their children. Parents shall be entitled to read such material personally in the presence of a school official. Under no circumstances are parents to remove the original record from the custody of the school. Parental access may be denied if prohibited by a court order.
    - 2) Where such records or data include information on more than one student, parents of any student shall be entitled to inspect and review only that part which pertains to their child. Requests for access to records must be granted within a reasonable period of time. A parent or guardian need only appear in person at the school during regular hours of the school day and request to see records. If for some reason the records are not immediately available, the request shall be granted within a reasonable period of time, but in no case to exceed five workdays after the request has been made. If student records are not centrally located, a parent shall be so notified. The requesting parent shall also be notified of the availability of qualified certificated personnel to interpret records when requested.
    - 3) A charge may be made for copies of records requested by parents or eligible students not to exceed the actual cost to furnish copies. Moreover, no charge shall be made for furnishing up to two transcripts of former students' records or up to two verifications of various records of former students. No charge may be made to search for or to retrieve any student records.
      - a) Site Level - Maintenance, Supervision and Release of Information.
        - 1) The building principal has primary responsibility for the maintenance, supervision and release of information contained in educational records relating to students.

- 2) The building principal may request the assistance of staff members responsible for recording and/or collecting information to interpret and/or release said information contained in student records.
  - 3) Certificated personnel may release and/or interpret, to persons having right to access, information which they collect and record in the performance of their assigned duties.
  - 4) Information which is reported on a routine basis, such as grades, academic work completed and attendance data may be released to persons having a right to access, by any member of the school staff who is either the permanent or temporary custodian of the records, unless otherwise provided by law.
  - 5) District psychologists are responsible for interpreting psychological evaluation.
  - 6) In interpreting student information, the building principal may request the assistance of staff members who did not personally record the information but who hold like responsibilities in their school of assignment.
- b) District Level - Maintenance, Supervision and Release of Information
- 7) The Superintendent or designee has primary responsibility for the maintenance, supervision and release of information contained in student records filed in the District office.
  - 8) The Superintendent or designee may request the assistance of other staff members who are the custodians of student records filed at the District Office, or the immediate supervisors of said custodians, in interpreting student information related to their specific area of assigned responsibility.
  - 9) All requests for access to the records of students with disabilities shall be directed to the Department of Special Education.
- b. Notification of Rights to Records Access
- Each parent or eligible student shall be informed of his or her rights under this procedure. This information shall be included in the statement "*Notice of Rights to Parents or Guardians of Minor Students*" to be provided each parent upon enrollment in a school within the Clovis Unified School District and at the beginning of each school year in the District's Student and Parent Rights and Responsibilities Handbook. The parent's signature on the "*Release of Pupil Information*" of each student will constitute a record of notification.
- c. Right to Challenge the Contents of a Student's Educational Records
- 1) A parent may file a written request with the Superintendent or his/her designee to correct or remove any information recorded in the written records regarding his or her child which he or she alleges to be:
    - a) inaccurate (e.g., an error in transmittal);
    - b) an unsubstantiated personal conclusion or inference;
    - c) a conclusion or inference outside the observer's area of competence;
    - d) not based on personal observation of a named person with the time and place of the observation noted;
    - e) misleading; or
    - f) in violation of the privacy or other rights of the student.
  - 2) Within 30 days of receipt of such request, the Superintendent or his/her designee shall meet with the parent and the certificated employee who recorded the information in question, if any, and if the employee is still employed by the District. The Superintendent or his/her designee shall then sustain or deny the allegation.
    - a) If the allegation is sustained, the Superintendent or his/her designee shall have the information corrected or removed and destroyed. However, the Superintendent or his/her designee shall not order a student's grade to be changed unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions related to the changing of the grade.
    - b) If the allegation is denied by the Superintendent or his/her designee the parent may file a written appeal with the Board within 30 days of receipt of the denial.
  - 3) Within 30 days of the receipt of an appeal of the Superintendent or his/her designee's denial, the Board shall, in closed session with the parent and the certificated employee who recorded the information, if any, and if the employee is presently employed by the District, determine whether to sustain or deny the allegation.
    - a) If the Board sustains the allegation it shall direct the Superintendent or his/her designee to correct or remove and destroy the information from the records of the student and so inform the parent in writing. However, the Superintendent or his/her designee shall not order a student's grade to be changed unless the teacher who determined the grade is, to the extent practicable, given an opportunity to state orally, in writing, or both, the reasons for which the grade was given and is, to the extent practicable, included in all discussions related to the changing of the grade.
    - b) The Board's decision is final. However, a parent who is not satisfied with the resolution of the problem may file a written complaint with the Family Policy and Regulations Office, U. S. Department of Education, as stated in 34 C.F.R. Part 99.
    - c) Records of administrative proceedings shall be maintained in a confidential manner and shall be destroyed one year after the decision of the Board unless the parent or guardian has initiated legal proceedings relative to the disputed information within the prescribed period.
  - 4) The Superintendent and/or the Board may convene a hearing panel to assist them in making a decision relative to an appeal.
  - 5) Any hearing panel convened by the Superintendent or the Board shall be composed of the following persons:
    - a) the principal of a school other than the school at which the record is on file;
    - b) a certificated employee appointed by the president of the Faculty Senate; and
    - c) a parent appointed by the Superintendent or his/her designee or the Board, depending upon who convenes the panel.
    - d) The persons appointed pursuant to subparagraphs b. and c. shall, if possible, not be acquainted with the student, his or her parent or the employee who recorded the information.
    - e) The principal appointed to the panel shall serve as its chairman.

- 6) Any hearing panel convened by the Superintendent or the Board shall, in closed session, hear the objections to the information which is the subject of the controversy and the testimony of the certificated employee who recorded the information in question, if any, and if still employed by the District. The hearing panel shall be provided with verbatim copies of the information which is the subject of the controversy.
  - a) A written finding shall be made setting forth the facts and decisions of the panel, and such findings shall be forwarded to the convening authority. The proceedings of the hearing shall not be disclosed or discussed by the panel members except in their official capacities.
- 7) If the final decision of the Board is unfavorable to the parent, or if the parent accepts an unfavorable decision by the Superintendent, the parent has the right to submit a written statement of his or her objections to the information. The statement shall become a part of the student's school record until such time as the information objected to is corrected or removed.

d. Rights of Eligible Students

Whenever a student has attained the age of 18 years, the permission or consent required of, and the rights accorded to, the parent or guardian of the student shall thereafter only be required of, and accorded to, the student.

B. ACCESS TO STUDENT RECORDS WITH WRITTEN PARENTAL CONSENT

Access to student records shall be permitted to any person for whom a parent of the student has executed written consent specifying the records to be released and identifying the party or class of parties to whom the records may be released. The recipient must be notified that the transmission of the information to others without the written consent of the parent is prohibited. The consent notice shall be permanently kept with the record file.

C. ACCESS TO STUDENT RECORDS WITHOUT WRITTEN PARENTAL CONSENT OR COURT ORDER

1. Access to those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:

- a. School officials (as defined in this regulation) and employees of the District, members of a school attendance review board appointed pursuant to Section 48321, and any volunteer aide, 18 years of age or older, who has been investigated, selected, and trained by a school attendance review board for the purpose of providing follow-up services to students referred to the school attendance review board, provided that that person has a legitimate educational interest to inspect a record.
- b. Officials and employees of other public schools or school systems, including local, county or State correctional facilities where educational programs leading to high school graduation, are provided where the student is directed to enroll, postsecondary institutions where the student seeks to enroll, intends to enroll, or where the student is already enrolled. Records will be forwarded upon a school's request so long as the disclosure is for purposes related to the student's enrollment or transfer.
- c. Authorized representatives of the Comptroller General of the United States, the Secretary of Education, and administrative head of an education agency, State education officials, or their respective designees, or the United States Office of Civil Rights, where the information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law, provided that except when collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for the audit, evaluation, and enforcement of federal legal requirements.
- d. Other state and local officials to the extent that information is specifically required to be reported pursuant to state law adopted prior to November 19, 1974.
- e. Parents of an 18 year old who is a dependent as defined in Section 152 of the Internal Revenue Code.
- f. A student 16 years of age or older or having completed the 10th grade who requests such access.
- g. Any district attorney who is participating in or conducting a truancy mediation program pursuant to Section 48263.5 of the Education Code or Section 601.3 of the Welfare and Institutions Code or participating in the presentation of evidence in a truancy petition pursuant to Section 681 of the Welfare and Institutions Code.
- h. A prosecuting agency for consideration against a parent or guardian for failure to comply with the Compulsory Education Law (Chapter 2, commencing with Section 48200 of Part 27 of Division 4 of Title 2) or with Compulsory Continuation Education (Chapter 3, commencing with Section 48400 of Part 27 of Division 4 of Title 2 of the Education Code).
- i. Any probation officer or district attorney for the purposes of conducting a criminal investigation or an investigation in regards to declaring a person a ward of the court or involving a violation of a condition of probation.
- j. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student, or for purposes of presenting evidence in a truancy petition pursuant to Section 681 of the Welfare and Institutions Code. The judge or probation officer shall certify in writing to the school district that the information will be used only for truancy purposes. A school district releasing student information to a judge or probation officer pursuant to this paragraph shall inform, or provide written notification to, the parent or guardian of the student within 24 hours of the release of the information

2. The school district may release information from student records to the following:

- a. Appropriate persons in connection with an emergency if the knowledge of the information is necessary to protect the health or safety of a student or other persons.
- b. Agencies or organizations in connection with a student's application for, or receipt of, financial aid. However, information permitting the personal identification of students or their parents may be disclosed only as may be necessary for purposes as to determine the eligibility of the student for financial aid to determine the amount of the financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.
- c. The county elections official, for the purpose of identifying students eligible to register to vote, and for conducting programs to offer students an opportunity to register to vote. The information, however, shall not be used for any other purpose or given or transferred to any other person or agency.
- d. Accrediting associations in order to carry out their accrediting functions.
- e. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing,

validating, or administering predictive tests, administering student aid programs, and improving instruction, if the studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of the organizations and the information will be destroyed when no longer needed for the purpose for which it is obtained.

- f. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents as provided in Section 49068. This information shall be in addition to the student's permanent record transferred pursuant to Section 49068.

No person, persons, agency, or organization permitted access to student records pursuant to this section shall permit access to any information obtained from those records by any other person, persons, agency, or organization without the written consent of the student's parent. However, this paragraph shall not be construed as to require prior parental consent when information obtained pursuant to this section is shared with other persons within the educational institution, agency, or organization obtaining access, so long as those persons have a legitimate interest in the information.

The restrictions imposed by this section are not intended to interfere with the giving of information by school personnel concerning participation in athletics and other school activities, the winning of scholastic honors and awards and other like information.

Notwithstanding the restrictions imposed by this section, the Superintendent, at his or her discretion, may provide statistical information to the staff of a college, university or educational research and development organization or laboratory if such information is necessary to a research project or study conducted, sponsored, or approved by the college, university or educational research and development organization or laboratory, provided that students will not be personally identifiable in the information provided.

Notwithstanding any other provision of this regulation, the District may participate in an interagency data information system that permits access to a computerized database system within and between governmental agencies or districts as to information or records which are nonprivileged, and where release is authorized as to the requesting agency under state or federal law or regulation, if each of the following requirements are met: (1) Each agency and school district shall develop security procedures of devices by which unauthorized personnel cannot access data contained in the system. (2) Each agency and school district shall develop procedures or devices to secure privileged or confidential data from unauthorized disclosure. (3) Each school district shall comply with the access log requirements of Section 49064 and 5 CCR 435. (4) The right of access granted shall not include the right to add, delete, or alter data without the written permission of the agency holding the data. (5) An agency or school district may not make public or otherwise release information on an individual contained in the database where the information is protected from disclosure or release as to the requesting agency by state or federal law or regulation.

#### D. ACCESS TO STUDENT RECORDS WITH COURT ORDER OR LAWFULLY ISSUED SUBPOENA

Information concerning a student shall be furnished in compliance with a court order or a lawfully issued subpoena. Unless otherwise instructed by the court, the District shall, prior to disclosing a record pursuant to a court order or subpoena, attempt to give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, in advance, if lawfully possible within the requirements of the judicial order or subpoena. (*34 CFR 99.31; 5 CCR 435, and Education Code 49077*)

The service of a lawfully issued subpoena or a court order solely for the purpose of causing an employee to produce a school record pertaining to any student may be complied with by that employee, in lieu of the personal appearance as a witness in the proceeding, by submitting to the court, or other agency, or person designated in the subpoena, at the time and place required by the subpoena or court order, a copy of that record, accompanied by an affidavit certifying that the copy is a true copy of the original record on file in the school or school office. The copy of the record shall be in the form of a photostat, microfilm, microcard, or miniature photograph or other photograph.

#### E. BLANKET AUTHORIZATION FOR RELEASE OF STUDENT DIRECTORY INFORMATION

1. For the efficient operation of the school and for the benefit of the student, the school may secure written blanket authorization from the parent for the release of information noted below to specified agencies.
2. Each organization or agency (with the exception of the press) must sign a statement annually, or at the time of release of information to the effect that it will not release information to others. Forms from the employers or potential employers must be kept permanently in the student's file. Forms from other blanket agencies, unless information was provided on an individual student basis, may be retained in the school office central file subject for audit or inspection.
3. Agencies, groups or individuals to be included in the blanket authorization are as follows:
  - a) Press or other organizations may receive information regarding student awards, participation in athletics and other school activities, the winning of scholastic and other awards and honors and other similar information, addresses and/or telephone numbers must not be included.
  - b) Room mothers may receive names, addresses and directory listed telephone numbers of students they represent.
  - c) Employers or potential employers may receive information as to student's age, scholastic record and school staff employment recommendations.
  - d) Names and addresses of graduating seniors may be furnished to any official of a private business or professional school or college approved by the California State Superintendent of Public Instruction. These institutions may only use such this information for purposes directly related to their own solicitation activities. NOTE: The Superintendent may impose a reasonable charge for such lists to defray preparation and distribution costs.
  - e) Career guidance information relating to students and graduating seniors including names and addresses of high school seniors to official employment or recruitment representatives of private industry; Federal, State and local government agencies and the military forces of the United States.
    - 1) The numbers of graduating seniors whose names and addresses appear on lists distributed to such representatives shall be determined by the Superintendent in light of the apparent employment needs of each such representative. In addition to names and addresses, such lists may also include descriptions of the certificates and/or diplomas relative

to the occupational competencies awarded or expected to be awarded by the Clovis Unified School District to such students.

- 2) Representatives of private and public employers who request such lists must agree as a condition precedent to receiving such lists that they will keep such lists confidential, use them only for their own employment purposes and not make them available to companies which are engaged in the business of producing mailing lists.

F. RELEASE OF DIRECTORY INFORMATION

1. The following is information in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed: *(34 CFR 99.3; Education Code 49061)*

- a. Name
- b. Address
- c. Telephone number
- d. Date and place of birth
- e. Major field of study
- f. Participation record in officially recognized activities and sports
- g. Weight and height of athletic team members
- h. Dates of attendance
- i. Degrees and awards received
- j. Most recent previous school attended

2. Notification to Parents/Guardians

At the beginning of each school year in the Student and Parent Rights and Responsibilities Handbook, all parents/guardians shall be notified as to the categories of directory information the school or District plans to release and the recipients of the information. The notification shall also inform parents/guardians of their right to refuse to let the District designate any or all types of information as directory information and the period of time within which a parent/guardian must notify the District in writing that he/she does not want a certain category of information designated as directory information. *(34 CFR 99.37; Education Code 49063, 49073)*

The Superintendent or designee shall notify parents/guardians that they may request the District not release the name, address, and telephone number of their child to military recruiters, employers, or institutions of higher education without prior written consent. *(20 USC 7908)*

3. Parent/Guardian Consent

Directory information shall not be released regarding any student whose parent/guardian notifies the District in writing that such information not be disclosed without the parent/guardian's prior consent. *(20 USC 1232g, 7908; Education Code 49073)*

For a former student, the District shall continue to honor any valid request to opt out of the disclosure of directory information made while the student was in attendance at the District, unless the opt-out request has been rescinded. *(34 CFR 99.37)*

*(Amended 7/8/09; Reviewed 6/15/10)*

## H. COMPLAINTS

### UNIFORM COMPLAINT PROCEDURES — PROGRAMS

Board Policy/A.R. No. 9208

#### Board Policy

**PURPOSE:** To establish uniform complaint procedures for certain state and federal programs and unlawful discrimination.

The Board recognizes that the District has primary responsibility for insuring that it complies with state and federal laws and regulations governing educational programs. The District shall follow Uniform Complaint Procedures pursuant to state regulations when addressing complaints alleging unlawful discrimination or failure to comply with the law regarding the following:

1. Adult Basic Education
2. Consolidated Categorical Aid Programs
3. Migrant Education
4. Career Technical and Technical Education and Career Technical Training Programs
5. Child Care and Development Programs
6. Child Nutrition Programs
7. Special Education Programs
8. Federal School Safety Plan Requirements

The District shall also follow the Uniform Complaint Procedure when addressing complaints of unlawful discrimination on the basis of ancestry, ethnic group identification, national origin, religion, age, gender, actual or perceived sex, sexual orientation, color, race, or physical or mental disability, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by the District, which is funded directly by, or that receives or benefits from any state financial assistance. The District shall investigate and seek to resolve complaints at the local level.

The District's Uniform Complaint Procedure does not apply to the following types of complaints:

1. Complaints regarding materials used in the instruction of pupils (*see Board Policy No. 3306, Reconsideration of Learning Resources*)
2. Complaints regarding alleged deficiencies related to instructional materials, the conditions of a facility that is not maintained in a clean or safe manner or in good repair, teacher vacancies or misassignments, and the provision of intensive instruction and services to students who have not passed one or both parts of the high school exit examination after the completion of grade 12 (*see Board Policy No. 9211, Uniform Complaint Procedures Regarding Areas Included in Williams Settlement*)
3. Employee complaints alleging sexual harassment (*see Board Policy No. 6301, Sexual Harassment*),
4. Pupil complaints alleging sexual harassment (*see Board Policy/Administrative Regulation No. 2111, Sexual Harassment*), and
5. Complaints by the public regarding District personnel and practices (*see Board Policy No. 9207, Formal Complaints Regarding District Personnel and Practices*).

Discrimination issues involving Title IX of the Educational Amendments of 1972 shall be referred to the U. S. Office of Civil Rights (OCR). Title IX complaints shall only be referred to the OCR if there is no state discrimination law or regulation at issue. Unless otherwise negotiated through a memorandum of understanding/agreement, a preliminary inquiry and/or investigation concerning these complaints shall be conducted by OCR. The complainant shall be notified by certified mail if the complaint has been transferred to OCR by the Superintendent.

Complaints concerning special education programs shall be addressed in accordance with the regulations and procedures of the Special Education Local Planning Area (SELPA). However, the SELPA's complaint procedure must comply with the Uniform Complaint Procedures outlined in this policy.

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board acknowledges and respects pupil and employee rights to privacy. Complaints shall be investigated in a manner that protects these rights. The identity of any complainant alleging discrimination shall be kept confidential as appropriate and permitted by law.

The Superintendent or designee shall ensure that employees designated to receive and investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.

#### Responsibilities of Complainant

The Complainant:

1. Shall receive the District Complaint Procedures.
2. Shall file the Complaint in writing and follow the steps in the District Complaint Procedures Administrative Regulation.
3. May appeal to the state agency for resolution if he/she is dissatisfied with the decision of the District.
4. May appeal to the State Superintendent of Public Instruction if the complainant is dissatisfied with the determination of the state agency.

#### Responsibilities of the District

The District:

1. Shall designate a staff member to be responsible for complaint resolution.
2. Shall develop complaint procedures consistent with *California Code of Regulations, Title 5, sections 4600-4670*.
3. Shall inform pupils, employees, parents/guardians, the District advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties at least annually of approved Uniform Complaint Procedures, including the opportunity to appeal the District's decision or to seek civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainant. The District will make this information available by publication in its informational materials, including the Student and Parent Rights and Responsibilities Handbook given to each pupil upon registration in the District and at the beginning of each school year. This information shall

also be available on the District's website at [www.cusd.com](http://www.cusd.com). Notification to appropriate private school officials or representatives shall be given at the annual consultation meeting between CUSD and private school officials.

4. Shall resolve the complaint through an informal complaint process or through the formal complaint procedures by completing an investigation and a written report within 60 calendar days of receipt of a formal complaint. The time period for completion may be extended by written agreement of the complainant.

The District's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

5. Shall submit, on notification of an appeal, information requested by the California State Department of Education (CDE):
  - a. The original complaint.
  - b. A copy of the District's decision.
  - c. A summary of the nature and extent of the investigation conducted by the District, if not covered in the District's decision.
  - d. A copy of the investigation file, including but not limited to, all notes, interviews and documents submitted by the parties or gathered by the investigator.
  - e. A report of any action taken to resolve the complaint.
  - f. A copy of the Uniform Complaint Procedures.
  - g. Such other relevant information as the CDE may require.
6. May appeal to the State Superintendent of Public Instruction if the District is dissatisfied with the state agency's decision.

(Reviewed: 6/15/10)

## Administrative Regulation

**PURPOSE:** In accordance with Board Policy and law, uniform complaint procedures shall be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, child nutrition programs, and special education programs.

The District shall also follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under the law including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any District program or activity that receives or benefits from state financial assistance.

The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis.

The Governing Board designates the following Responsible District Officer to receive uniform complaints and ensure District compliance with law:

Associate Superintendent, Curriculum Instruction and Support Services  
Clovis Unified School District  
1450 Herndon Avenue  
Clovis, CA 93611-0599  
(559) 327-9000

### A. NOTIFICATIONS

The Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of District complaint procedures and information about available appeals, civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainants and conditions under which a complaint may be taken directly to the California Department of Education. Such notification to pupils, employees, parent/guardians, the District advisory committee, school advisory committees, and other interested parties shall be included in the Student and Parent Rights and Responsibilities Handbook given to each CUSD pupil upon registration in the District and at the beginning of each school year. This information is also available on the District's website at [www.cusd.com](http://www.cusd.com). Notification to appropriate private school officials or representatives shall be given at the annual consultation meeting between CUSD and private school officials.

An investigation of alleged program violations or unlawful discrimination shall be initiated by filing a complaint not later than six months from the date the alleged violation or discrimination occurred, or the date the complainant first obtained knowledge of the facts of the alleged program violations or discrimination unless the time for filing is extended by the Superintendent, upon written request by the complainant setting forth the reasons for the extension request. Such extension by the Superintendent shall be made in writing. The period for filing may be extended by the Superintendent for good cause for a period not to exceed 90 days following the expiration of the six-month period. The Superintendent shall respond immediately upon receipt of a request for an extension.

### B. DEFINITIONS

1. *Complaint:* A complaint is a written and signed statement alleging a violation of federal or state law or regulation, which may include an allegation of unlawful discrimination.
2. *Complainant:* Any person, including any parent/guardian of a pupil, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination in programs and activities funded by the State or receiving any financial assistance from the State or allegations of unlawful financial assistance from the State.
3. *Appeal:* An appeal is a request made in writing by a complainant for reconsideration or reinvestigation of a complaint at a

level higher than the source of a preceding decision unsatisfactory to the complainant.

### C. COMPLAINT PROCEDURES

The following procedures shall be used to address all complaints which allege that the District has violated federal or state laws or regulations governing educational programs including allegations of unlawful discrimination in programs and activities funded directly by the State or receiving any financial assistance for the State. The timeline for filing a complaint and/or an appeal to the District's decision is outlined in the complaint flow chart. See Exhibit No. 9208 (2).

The Associate Superintendent, Curriculum Instruction and Support Services shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with the California Code of Regulations, Title 5, Section 4633.

#### 1. Informal Resolution

The purpose of the informal complaint process is to allow an individual who believes there has been a program violation or he/she has been discriminated against to resolve the issue through a consultation process at the site level rather than the formal complaint process provided by this Regulation.

When an individual feels there has been a program violation or that he/she has been discriminated against, he/she should contact the principal or department head who shall separately counsel the complainant and the alleged offender and outline possible options for informal resolution of the complaint. If informal resolution of the complaint is achieved, the complainant's decision not to proceed with the filing of a formal complaint shall be obtained in writing, after the complainant receives and reviews the formal complaint procedures. A copy of this resolution shall be forwarded to the Responsible District Officer (Associate Superintendent, Curriculum Instruction and Support Services).

If informal resolution of the complaint cannot be achieved within thirty (30) calendar days of the contact by complainant, the complainant shall be provided with the copy of this policy and regulation, and shall be informed of the right to file a formal written complaint with the Associate Superintendent, Curriculum Instruction and Support Services under this procedure.

#### 2. Formal Complaint

- a. Any individual, public agency or organization may file a written complaint of alleged noncompliance with the Associate Superintendent, Curriculum Instruction and Support Services.
- b. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, District staff shall help the complainant to file the complaint.
- c. The formal written complaint should state the name of the complainant, the date of the complaint, the names(s) of any witnesses, a detailed statement of the circumstances constituting the alleged violation or discrimination, and the requested remedy.

#### 3. Notice to Parties

Within ten (10) calendar days of receipt of a written complaint, or as soon thereafter as possible, the Associate Superintendent, Curriculum Instruction and Support Services or other designated employee, or outside investigator(s), shall:

- a. meet with the complainant if necessary to obtain clarification of the individual's written complaint;
- b. inform the alleged offender of the nature of the complaint;
- c. provide a copy of the District's uniform complaint policy and these procedures to the alleged offender; and
- d. advise the complainant and alleged offender that the complaint and the investigation including written reports and other written statements will be handled as confidentially as possible, consistent with a thorough investigation and appropriate disposition of the matter and current state and federal confidentiality and disclosure laws.

#### 4. Investigation

The Associate Superintendent, Curriculum Instruction and Support Services shall conduct, or cause to be conducted, a thorough, objective, and equitable investigation of the complaint or designate appropriate individuals for that purpose. The investigation of complaints may be assigned to other staff or to outside persons or organizations. The investigation should, if at all possible, be commenced within fourteen (14) calendar days of receiving the written complaint or as soon thereafter as possible. An outside investigator or investigators may, subject to Superintendent or designee authorization, be engaged depending on the nature and scope of the allegations. The term investigator includes neutral fact finders or other professional knowledgeable about the law/programs that he/she is assigned to investigate.

The investigator(s) shall consult with all individuals reasonably believed to have relevant information, including the complainant and any witnesses to the conduct, and victims of similar conduct, if any, that the investigator(s) reasonably believes may exist.

When determining whether the alleged discriminatory conduct constitutes a violation, the investigator should consider the totality of the circumstances including, as appropriate, but not limited to:

- a. The nature of the alleged misconduct or violation
- b. How often the alleged misconduct or violation occurred
- c. Whether there were past incidents or continuing patterns of misconduct or violation

#### 5. Investigation Report and Decision

Within sixty (60) calendar days of receiving the formal complaint, unless due to the nature and complexity of the evidence or the unavailability of relevant witnesses additional time is required and the complainant agrees in writing to an extension, the Associate Superintendent, Curriculum Instruction and Support Services shall communicate in writing the District's final administrative decision to the complainant and the alleged offender. The District's final administrative decision shall include at least the following:

- a. the findings of fact based on the evidence gathered,
- b. conclusion of law,
- c. disposition of the complaint,
- d. the rationale for such a disposition,
- e. corrective actions, if any are warranted,
- f. notice of the complainant's right to appeal to the State Department of Education, and
- g. the procedures to be followed for initiating an appeal to the California Department of Education.

The District's final administrative decision shall be provided in English. If the complainant speaks a primary language other than English, the District shall also provide the decision in the complainant's primary language whenever feasible or when required by law.

#### 6. Appeal Procedures

If a complainant or an alleged offender is not satisfied with the results of the District's final administrative decision, the complainant or alleged offender may, within fifteen (15) calendar days, submit a written appeal to the State Department of Education. The party appealing the decision shall specify the reasons for the appeal and whether the facts are incorrect and/or the law is misapplied.

The appeal should include a copy of the complaint and the District's final administrative decision. Copies of all appeals shall be given to all other complainants and alleged offenders.

#### 7. Remedial Actions

If the investigation reveals there is reasonable cause to believe that a violation or discrimination has occurred, the District shall take appropriate action to ensure that the violation or discrimination ceases and will not recur. Depending upon the totality of the circumstances, appropriate action may include, but is not limited to:

- a. Staff training
- b. Program modification
- c. Employee counseling
- d. Employee discipline (as a matter of law, employee discipline is confidential and cannot be shared with the complainant)

Remedial action should be designed to further the goals of ending the discrimination, of deterring similar future misconduct and of remedying the effects of the discrimination.

Discrimination shall be deemed to constitute just and reasonable cause for employee discipline and shall be deemed to be insubordination and a violation and refusal to obey the school laws of California or reasonable regulations for the good governance of the District.

#### D. RELATIONSHIP TO OTHER ENFORCEMENT MECHANISMS

The District's discrimination policies and procedures are intended to supplement, and not replace, any applicable state and federal laws and regulations. For example, a complainant who believes he or she has been discriminated or retaliated against for complaining about discrimination may file a complaint with the agencies referenced below. A complainant may request that other state and federal governmental agencies investigate complaints of discrimination by filing a complaint with the State Department of Education and the Office of Civil Rights. Employees may also file complaints with the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission.

California Department of Education  
1430 N Street  
Sacramento, California 95814  
(916) 319-0797

Fair Employment and Housing  
Fresno District Office  
1320 East Shaw Avenue, Suite 150  
Fresno, California 93710  
(559) 445-5373

Office of Civil Rights  
50 United Nations Place, Room 239  
San Francisco, California 94102  
(415) 556-4275

Equal Employment Opportunity Commission  
1265 W. Shaw Avenue, Suite 103  
Fresno, California 93711  
(559) 487-5793

(Amended: 1/14/09; Reviewed 6/15/10)

### **UNIFORM COMPLAINT PROCEDURES REGARDING AREAS INCLUDED IN THE WILLIAMS SETTLEMENT**

### **Board Policy/Administrative Regulation No. 9211**

#### **Board Policy**

**PURPOSE:** To establish a uniform complaint procedure to resolve complaints specified in Education Code 35186 regarding the Williams Settlement.

The Board recognizes that the District has primary responsibility for insuring that it complies with state and federal laws and regulations governing educational programs. Persons responsible for conducting investigations shall be knowledgeable about the matters that they are assigned to investigate. The District shall follow this complaint procedure to identify and resolve deficiencies in four primary areas: textbooks and instructional materials, the condition of a facility that poses an emergency or urgent threat to the health and safety of students or staff, teacher vacancy and misassignment, and the provision of intensive instruction and services to students who have not passed one or both parts of the California High School Exit Examination (CAHSEE) after the completion of grade 12.

This complaint procedure does not apply to the following types of complaints:

1. Complaints regarding the appropriateness of learning resources or other instructional materials (see Board Policy/Administrative Regulation No. 3306, Reconsideration of Learning Resources)
2. Employee complaints alleging sexual harassment (see: Board Policy/Administrative Regulation No. 6301, Sexual Harassment)
3. Pupil complaints alleging sexual harassment (see: Board Policy/Administrative Regulation No. 2111, Sexual Harassment)
4. Complaints by the public regarding personnel or practices of the District (see: Board Policy/Administrative Regulation No. 9207, Formal Complaints Regarding District Personnel and Practices)
5. Complaints alleging District violation of certain state and federal programs and unlawful discrimination (see: Board Policy/Administrative Regulation No. 9208, Uniform Complaint Procedures Regarding Categorical Programs/Discrimination)

The Board prohibits retaliation in any form for the filing of a complaint or for participation in complaint procedures. Such

participation shall not in any way affect the status, grades, or work assignments of the complainant.

The Board acknowledges and respects pupil and employee rights to privacy. Complaints shall be investigated in a manner that protects these rights. The identity of any complainant shall be kept confidential as appropriate and permitted by law; however, complaints and responses shall be considered public records.

The Superintendent or designee shall ensure that employees designated to receive and investigate complaints are knowledgeable about the laws and programs for which they are responsible.

Such employees may have access to legal counsel as determined by the Superintendent or designee.

#### Responsibilities of Complainant

The Complainant:

1. Shall receive a copy of the Uniform Complaint Procedures without charge.
2. Shall file the complaint in writing and follow the steps in the Uniform Complaint Procedures Administrative Regulation.
3. If dissatisfied with the resolution of the school Principal or Superintendent's designee, may describe the complaint to the Governing Board during public comment at a regularly scheduled meeting of the Board.
4. If dissatisfied with the resolution proffered by the school Principal or Superintendent's designee, and if the complaint involves a condition of a facility that poses an emergency or urgent threat as defined in Education Code section 17592.72(c)(1), has the right to file an appeal to the Superintendent of Public Instruction within fifteen days, who shall provide a written report to the State Board of Education describing the basis for the complaint and, as appropriate, a proposed remedy for the issue described in the complaint.

#### Responsibilities of the District

The District:

1. Shall designate a staff member to be responsible for complaint resolution.
2. Shall develop complaint procedures consistent with California Code of Regulations, Title 5, sections 4600-4687.
3. Shall inform parents and the public at least annually of approved Uniform Complaint Procedures, including the opportunity to appeal the District's decision or to seek civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainant. The District shall make this information available by publication in its informational materials, including the Student and Parent Rights and Responsibilities Handbook given to each pupil upon registration in the District and at the beginning of each year. This information can also be found at [www.cusd.com](http://www.cusd.com).
4. Shall resolve a complaint with respect to alleged deficiencies related to instructional materials, the condition of a facility that poses an emergency or urgent threat to the health and safety of students or staff, teacher vacancies and misassignments, and the failure to provide intensive instruction and services to students who have not passed one or both parts of the high school exit examination after the completion of grade 12, by completing an investigation and remedying all such valid complaints within 30 working days from the date the complaint was received and providing a written response within 45 working days.
5. Shall report summarized data on the nature and resolution of all complaints to the Governing Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

(Reviewed: 6/15/10)

#### **Administrative Regulation**

**PURPOSE:** The procedures outlined in this administrative regulation provide a process for filing a complaint regarding alleged deficiencies related to instructional materials, the condition of a facility that is not maintained in a clean or safe manner or in good repair, teacher vacancies or misassignments, and the failure to provide intensive instruction and services to students who have not passed one or both parts of the high school exit examination after the completion of grade 12.

#### Compliance Officers

Complaints shall be filed with the Principal or Principal's designee of the school site at which the alleged violation has occurred. A complaint about problems beyond the authority of the school Principal shall be forwarded by the school site in a timely manner, but not to exceed ten (10) working days, to the appropriate District official for resolution. The Principal shall provide a copy of the complaint to the Responsible District Officer identified below for maintenance of records regarding complaints received pursuant to this procedure. The Principal may seek the assistance of the Responsible District Officer in identifying which District official is appropriate to investigate and/or resolve each complaint. The Responsible District Officer shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with the *California Code of Regulations, Title 5, section 4632*.

Associate Superintendent-Administrative Services  
Clovis Unified School District  
1450 Herndon Avenue  
Clovis, CA 83611-0599  
559-327-9000

#### Notifications

The Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4621, including the annual dissemination of Uniform Complaint Procedures and information about available appeals, civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainants and conditions under which a complainant may appeal to the Superintendent of Public Instruction. Such notification shall be in the District's informational materials, including the Student-Parent Rights and Responsibilities Handbook given to each student upon registration in the District or at the beginning of each school year. This information is also available at [www.cusd.com](http://www.cusd.com).

A notice shall be posted in each classroom in each school in the District notifying parents, guardians, pupils, and teachers of the following:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials each student, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home to complete required homework assignments.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies and misassignments. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present.
4. A pupil, including an English learner, who has not passed the high school exit examination by the end of grade 12 must be provided the opportunity to receive intensive instruction and services after completion of grade 12 for two consecutive academic years or until the student has passed both parts of the exam, whichever comes first.

#### Complaint Procedures

The District shall provide a complaint form to receive complaints regarding alleged deficiencies related to instructional materials, the condition of facilities that pose an emergency or urgent threat to the health or safety of students or staff, or any alleged teacher vacancy or misassignment. The complaint form shall include a space to indicate whether the complainant requests a response. Complaint forms shall be available in the office of each school principal, at the District Office or on the District's website at [www.cusd.com](http://www.cusd.com). All complaints and responses shall be public records. Complainants shall not be subject to retaliation as a result of the filing of a complaint.

#### 1. Filing the Complaint

- a. Any individual, public agency or organization may file a written complaint of alleged noncompliance. A complaint form will be provided by the District; however, the complainant is not required to use the form to file a complaint. A complaint may be filed anonymously. A complainant who identifies himself or herself shall receive a response sent to the mailing address provided if he or she indicates that a response is requested.
- b. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, District staff shall help the complainant to file the complaint.
- c. The complaint should state the date of the complaint and a detailed statement of the circumstances constituting the alleged deficiency, and the requested remedy. A complainant may add as much text to explain the complaint as he or she wishes.

The complaint shall be filed with the principal of the school where the alleged violation occurred or with his/her designee. A complaint about problems beyond the authority of the school principal shall be forwarded in a timely manner not to exceed ten (10) working days to the appropriate District official for resolution.

The Superintendent has assigned the District official listed below to receive and investigate complaints regarding deficiencies related to intensive instruction and services for pupils who have not passed the exit examination. If a complaint related to the exit exam provision is filed with the principal or his/her designee, it shall be forwarded immediately to the designated District official.

Associate Superintendent, Curriculum Instruction and Support Services  
 Clovis Unified School District  
 1450 Herndon Avenue  
 Clovis, CA 93611-0599  
 559-327-9000

#### 2. Investigation of the Complaint

The Principal or appropriate District official, as applicable, shall make all reasonable efforts to investigate any problem within his/her authority. If the complainant has identified himself/ herself, the investigation shall provide an opportunity for the complainant or the complainant's representative, or both, to present information relevant to the complaint.

#### 3. Response and Written Report

The Principal or the appropriate District official shall remedy a valid complaint within a reasonable time period but not to exceed thirty (30) working days from the date the complaint was received. The Principal or the appropriate District official shall report to the complainant the resolution of the complaint within forty-five (45) working days of the initial filing to the mailing address provided if the complainant identifies himself/herself and requested a response. The Principal or the appropriate District official, as applicable, shall report the resolution of the complaint to the Responsible District Officer within forty-five (45) working days of the initial filing of the complaint.

If 15 percent or more of the students enrolled in a District school providing instruction in kindergarten, or any of grades 1 to 12, inclusive, speak a single primary language other than English, and Education Code Section 48985 is otherwise applicable, the response, if requested by the complainant, and report shall be written in English and the primary language in which the complaint was filed.

#### 4. Appeal

A complainant not satisfied with the resolution of the Principal or the appropriate District official has the right to describe the complaint to the Governing Board during public comment at a regularly scheduled meeting of the Board. If the complaint involves a condition of a facility that poses an emergency or urgent threat, a complainant who is not satisfied with the resolution proffered by the Principal or the appropriate District official has the right to file an appeal to the Superintendent of Public Instruction within 15 calendar days from the date of the District's response as provided in Education Code section 35186(d).

FLOW CHART FOR UNIFORM COMPLAINT PROCESS REGARDING  
AREAS INCLUDED IN WILLIAMS SETTLEMENT

LEVEL	PRESENTS COMPLAINT TO	TYPE OF PROCESS	NUMBER OF DAYS TO FILE	NUMBER OF DAYS TO RESPOND
FORMAL	PRINCIPAL <sup>1</sup>	IN WRITING	NA	45 WORKING DAYS
APPEAL	DISTRICT GOVERNING BOARD	VERBAL	AT A REGULARLY SCHEDULED MEETING	NA
APPEAL REGARDING CONDITION OF FACILITIES <sup>2</sup>	SUPERINTENDENT OF PUBLIC INSTRUCTION	IN WRITING	WITHIN FIFTEEN <u>CALENDAR</u> DAYS OF GOVERNING BOARD RESPONSE	NA

- 1 If the complaint is beyond the principal's authority, he/she shall forward it to the District Office with ten working days from the date the complaint was received.  
If the complaint is regarding the alleged failure to provide intensive instruction and services related to passage of the high school exit exam, the complaint shall either be filed with, or immediately forwarded to, the Associate Superintendent, Curriculum Instruction and Support Services.
- 2 If the complaint is regarding the condition of a facility that poses an emergency or urgent threat and the complainant is not satisfied with the resolution offered by the District, he/she may file an appeal within fifteen calendar days to the Superintendent of Public Instruction.

(Amended: 1/14/09; Reviewed: 6/15/10)

# I. BUS TRANSPORTATION

## BUS TRANSPORTATION INFORMATION

The general policy of the District is to make a transportation program available for students who live outside an established radius zone as outlined below and for those meeting the eligibility criteria for ridership.

1. The established radius zone\* distance for students shall be as follows:
  - a. For grades K-6, the radius zone will be drawn at a distance of one (1) mile from the school site.
  - b. For grades 7-12, the radius zone will be drawn at a distance of two and one half (2.5) miles from the school site.

Students who live within the radius zones as defined above will not be provided transportation regardless of the distance to the school.

2. Modifications to the radius zone distance may be for special pockets\*\* as outlined below. Students who live inside special pockets as defined will not be eligible for home-to-school transportation regardless of the distance to school.

\* Radius zone: The area measured by drawing a circular radius from a central location established at the school site campus and around the school within the school's attendance boundary.

\*\* Special pockets: Areas of a neighborhood that are outside the radius zones but with similar walking conditions of students not receiving transportation.

## REQUIREMENTS FOR RIDING A SCHOOL BUS

The following bus passenger requirements are presented in order that each student who rides the bus will arrive safely, on time, and in the proper frame of mind to learn.

- a. Arrive at your bus stop five minutes before the scheduled leave time.
- b. Wait for your bus in a safe place at least 12 feet off of the roadway. You must wait on the same side of the road the bus stops to pick you up.
- c. Wait until the bus is completely stopped, enter your bus in an orderly manner and take your seat immediately. Utilize lap / shoulder belts when available on the bus.
- d. Guidelines to follow when utilizing lap/shoulder belts:
  - (1) Fastening: To fasten, insert the latch plate (the metal "tongue" attached to one side of the webbing) into the proper buckle (the receptacle that comes out from the "bight" in the back of the seat, a slot in the seat cushion, or from the side). The latch plate inserts into the buckle until you hear an audible snap sound and feel it latch. Make sure the latch plate is securely fastened in the buckle.
  - (2) Unfastening: To unfasten, push the buckle release button and remove the latch plate from the buckle. The buckle has a release mechanism that, when manually operated during "unbuckling," breaks the bond and separates the two sections.
  - (3) Acceptable placement of passenger restraint systems on pupils: Adjust the lap belt to fit low and tight across the hips/pelvis, not the stomach area. Place the shoulder belt snug across the chest, away from the neck. Never place the shoulder belt behind the back or under the arm. Position the shoulder belt height adjuster so that the belt rests across the middle of the shoulder. Failure to adjust the shoulder belt properly would reduce the effectiveness of the lap/shoulder belt system and increase the risk of injury in a collision.
  - (4) Passenger restraint systems shall be used at all times the school bus or school pupil activity bus is in motion except when exempted in subdivisions (e) and (f) of this section.
  - (5) When not in use, passenger restraint systems shall be fully retracted into the retractors so that no loose webbing is visible, or stored in a safe manner per the school bus manufacturer's instructions.
- e. Be courteous to your school bus driver and fellow passengers.
- f. All students attending grades 7-12 shall have in their possession a valid school site ID card when utilizing school bus transportation. Students will be required to show their school site ID card daily to the driver prior to boarding the bus for their home to school transportation. Failure to follow this regulation may result in denial of transportation. This regulation does not affect pre-K to 6th grade students.
- g. Students are automatically assigned to the bus stop that is located closest to their home location. Students shall utilize the bus assigned to this bus stop only. (1) Exceptions to this regulation will be permitted only on a daily basis when the student has a written statement bearing the parent's signature, and signed by a school administrator. The written statement shall be forwarded to the bus driver. (2) "Daily passes" will NOT be accepted for community funded buses.
- h. The District has outfitted its fleet of school buses with audio and visual recording devices to ensure that our passengers and drivers are provided the highest level of safety at all times while aboard our buses. These devices record both video and audio throughout the interior of the school bus.
- i. Cell phones ARE NOT to be used on a school bus just as in a classroom setting. Students may use cell phone only in emergencies.

## POSTED BUS RULES OF CONDUCT

### ALL SCHOOL AND CUSD REGULATIONS APPLY WHILE ON OR NEAR A SCHOOL BUS!

1. Fighting (physical contact) \*\*\* fighting (verbal altercation)\*\* is prohibited.
2. Threatening behavior and/or harassment of any kind is prohibited. \*\*\*
3. Weapons, smoking, laser pens, drugs, or alcohol is forbidden on or near a school bus. \*\*\*
4. Cross the street in front of the bus and only under the supervision of your bus driver. \*\*\*
5. Follow the instructions of your bus driver at all times. \*\*
6. Students are to remain seated and facing the front while the bus is in motion. **If the bus is so equipped, students SHALL appropriately utilize seat belts at all times.** \*\*
7. Keep your arms and head inside the bus at all times. \*\*
8. Profanity, indecent language, or obscene gestures is prohibited. \*\*
9. Any property defaced or destroyed on the school bus will be paid for by the student and/or their parent/guardian. \*
10. Eating, drinking, and chewing gum are prohibited. \*
11. Spitting or throwing objects on the bus or out the window is prohibited. \*

12. Loud or boisterous noises, singing or whistling will not be permitted. \*
13. Glass objects, inflated balloons, cleats, radios, tape recorders, roller blades, skateboards will not be permitted. \*
14. Animals or insects (dead or alive) are not allowed on the bus.\*

**Failure to comply with these rules will result in the following:**

\*\*\* Zero Tolerance – 10 day suspension from bus

\*\*Level One – 5 day suspension from bus – 1 warning prior to referral

\*Level Two – 2 day suspension from bus – 2 warnings prior to referral

**Failure to abide by one or more of these rules may result in the loss of bus riding privileges.**

California law governing school buses and school pupil activity buses (SPAB) holds a “driver responsible for the orderly conduct of pupils while they are on the bus.” (5 CCR 14103.) It also states a school bus or SPAB bus “shall not be put into motion until all passengers are seated, and all passengers must remain seated while the vehicle is in motion.” (13 CCR 1217.) This means that students cannot use the restroom facilities aboard a SPAB bus while the bus is in motion. Failure to abide by one or more of these rules shall result in the loss of bus riding privileges.

Each bus driver will be responsible for the bus and for all passengers at all times, except when students are under the sole jurisdiction of a faculty member at the activity or event which they are attending.

**PROCEDURE FOR ISSUING A WARNING OF UNSATISFACTORY CONDUCT ON OR NEAR A SCHOOL BUS**

Before issuing a “Notice of Unsatisfactory Conduct” the driver is required to issue a “Warning of Unsatisfactory Conduct on or Near a School Bus” for Level 1 & 2 infractions as follows:

1. Level 1 infractions require the driver to issue ONE written warning slip before issuing a “Notice of Unsatisfactory Conduct”
2. Level 2 infractions require the driver to issue TWO written warning slips before issuing a “Notice of Unsatisfactory Conduct”
3. A maximum of two warnings shall be issued per student, per item as indicated on the warning report. Appropriate discipline will be determined and administered by the school site administrator.

**BUS DISCIPLINE PROCEDURES**

1. Violation of the posted rules and regulations shall result in the loss of bus riding privileges. A student who rides the bus in the Clovis Unified School District is disciplined in accordance with the statutes of the State of California and will be subject to disciplinary actions for violation of any of the Posted Rules of Conduct for CUSD, as outlined in District Policy.
2. Disciplinary actions shall normally apply progressive discipline procedures when the driver issues a “Notice of Unsatisfactory Conduct On or Near School Bus” referral as outlined:
  - a. The first referral and second referral the school site administrator issues appropriate discipline as outlined:
    - “Zero Tolerance” section equals a 10 day suspension from bus
    - “Level One” section equals a 5 day suspension from bus
    - “Level Two” section equals a 2 day suspension from bus
  - b. The third referral: suspension from all CUSD buses for the remainder of the school year.
  - c. In cases where the disciplinarian determines that the student behavior causes a danger to person or property, the student shall be immediately suspended from ridership.

**PROCEDURES FOR OPERATION OF SCHOOL BUSES AND SPAB/CHARTER OPERATIONS WHEN ATMOSPHERIC CONDITIONS REDUCE VISIBILITY TO 200 FEET OR LESS**

1. Determining Foggy Day Schedules: This process has been developed to serve the entire District as best as possible.
  - a. Seven transportation employees are strategically located throughout the 199 square mile District.
  - b. Between 5:30 and 5:40 a.m. the designated employees survey their area and determine whether hazardous driving conditions are present.
  - c. The information is gathered from ALL areas of the District. If the majority of information points to hazardous atmospheric conditions throughout the District, a foggy day schedule is announced.
2. The following procedures will be used to implement a foggy day schedule in the Clovis Unified School District on extremely foggy days:
  - a. A decision will be made no later than 6:00 a.m. whether or not the departure time of buses must be delayed.
  - b. If departure times of school buses must be delayed, an announcement will be made on KVPT TV, Channel 18, and KMJ 580 AM radio, starting no later than 6:15 a.m. There will be continuous broadcasting on these channels.
  - c. If buses within the District are delayed, the word “Schedule A” or “Schedule B” will appear after the name of the District.
  - d. “Schedule A” means that buses will be delayed two hours. If fog conditions require, “Schedule B” means that buses will be delayed four hours. If fog conditions require that “Schedule B” is necessary, all transportation for morning kindergarten classes will be canceled. Recreation runs may need to be canceled due to heavy afternoon fog. A decision should be made prior to the P.M. buses leaving the site.
  - e. Out of town activity trips will be reviewed and, if needed, delayed until such time as conditions improve. Out of town or late activity trips may be canceled due to these conditions. Students who walk or provide their own transportation to school should arrive at the normal time. Unless an additional announcement is made, afternoon bus runs and athletic runs will operate on a regular schedule.

**WALKING TO AND FROM SCHOOL BUS STOPS**

1. Use crosswalks and/or intersections to cross streets. Do not cross in the middle of the block.
2. Use sidewalks where available. If no sidewalks are available, do not walk in the roadway.
3. Arrive at the bus stop five (5) minutes prior to stop time.
4. If you are late to the bus and need to cross the street, wait for your bus driver to escort you across the street.
5. Never run to or from the bus.
6. Go directly home.

## RED LIGHT ESCORT CROSSING INFORMATION

1. Remain seated until the bus is stopped.
2. Exit bus and wait on sidewalk until driver verbally tells you it is safe to cross the roadway. Failure to follow this procedure shall result in a ten (10) day suspension from the bus.
3. Cross the street in the area between the driver and the front of the bus.
4. Walk quickly across the street, do not run or play in the street.

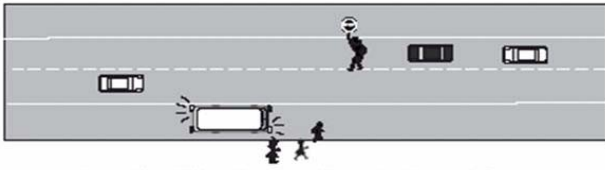
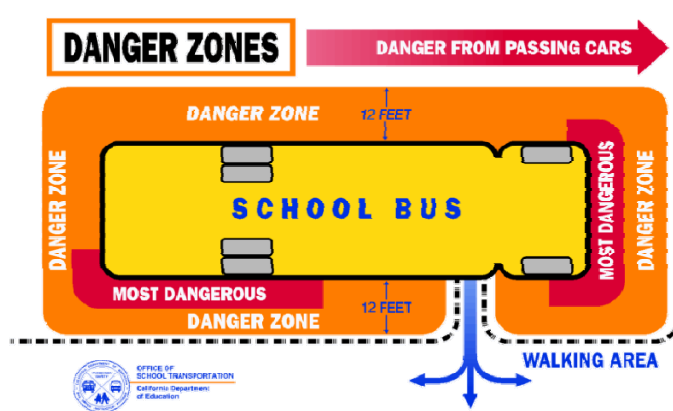


Figure Unit VII-12. Passenger Unloading-Escorted Crossover

## SCHOOL BUS DANGER ZONES

Some of the danger zones children are commonly found in while loading or unloading the bus are shown in the diagram below. Never stop and play in the following zones:

1. Directly in front of the bus.
2. The area near the entrance door.
3. The area near the front tires (on either side of the bus).
4. The area near the rear tires (on either side of the bus).
5. Directly behind the bus.



## SAFE RIDING PRACTICES AND EMERGENCY PROCEDURES

Board Policy and State law require all pupils in pre-kindergarten, kindergarten, and grades 1<sup>st</sup> to 8<sup>th</sup> who receive home to school transportation be given appropriate classroom instruction in safe bus riding practices and participate in an emergency bus evacuation drill.

The training must include the following:

1. Proper loading and unloading procedures, including escorting by the driver.
2. How to safely cross the street, highway, or private road.
3. Instruction in the use of passenger restraint systems.
4. Proper passenger conduct.
5. Location of emergency equipment.
6. Bus evacuation procedures – pupils will evacuate the school bus through emergency exit doors.

## TRANSPORTATION OF STUDENTS BY PRIVATE VEHICLE

Board Policy No. 8302

### Board Policy

**PURPOSE:** To establish guidelines for drivers of private vehicles when transporting students.

The District may provide transportation for students, employees, and other individuals for field trips and other school-related trips approved according to Board Policy and Administrative Regulation. School-related organizations requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the Governing Board.

The Superintendent or designee shall determine the most appropriate and cost-effective mode of transportation for each approved trip which could include privately-owned vehicles, charter buses or District-owned buses or vehicles. When students will be transported by private vehicle, Administrative Regulation No. 8302, which can be found at [www.cusd.com/board/policies.htm](http://www.cusd.com/board/policies.htm), shall be followed. Exhibits 8302-1 Private Vehicle Driver Application; 8302-2 Private Vehicle Driver Instructions; 8302-3 Agreement to Transport Students; and 8302-4 Permission for Student to Be Transported by Private Vehicle can be found at [www.cusd.com/board/policies.htm](http://www.cusd.com/board/policies.htm).

(Adopted 3/24/10)

**J. EXHIBITS**  
**Exhibit**

**No. 2105 (1)**

Student Services and School Attendance  
1465 David E. Cook Way • Clovis, CA 93611-0574  
Phone: 559-327-9200 • Fax: 559-327-9222

**PETITION FOR EXEMPTION FROM DRESS AND GROOMING COMPLIANCE**

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

School of Attendance: \_\_\_\_\_ Student ID #: \_\_\_\_\_

I hereby petition for my child to be exempt from compliance with the following provisions of the Clovis Unified School District Governing Board Policy No. 2105 - Dress and Grooming:

\_\_\_\_\_  
\_\_\_\_\_

Reason: \_\_\_\_\_

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

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

City: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

The following information is submitted in support of this request for an exemption from compliance with Governing Board Policy No. 2105 - Dress and Grooming, due to religious beliefs:

1. Organized religious affiliation: \_\_\_\_\_

2. Name of local church, temple, tabernacle, or house of worship: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

3. Name and title of local religious leader or elder: \_\_\_\_\_

\_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

4. Verification of religious affiliation:

Name and title of person verifying religious affiliation: \_\_\_\_\_

Signature of person verifying religious affiliation: \_\_\_\_\_

*FOR DISTRICT USE:*

Date: \_\_\_\_\_ Exemption Approved \_\_\_\_\_ Exemption Denied \_\_\_\_\_

Reason: \_\_\_\_\_

\_\_\_\_\_

Signature of School Official: \_\_\_\_\_

**SECONDARY ACCEPTABLE BACKLESS SHOES (EXAMPLES)**



**SECONDARY UNACCEPTABLE BACKLESS SHOES (EXAMPLES)**



*(Reviewed: 5/27/09)*



Student Services and School Attendance
1465 David E. Cook Way • Clovis, CA 93611-0574
Phone: 559-327-9200 • Fax: 559-327-9222

OPEN ENROLLMENT TRANSFER APPLICATION

Mailing label goes here.
Please do not write in this area.

Completed applications must be returned to the Office of Student
any comprehensive school.

Student's Full Legal Name: \_\_\_\_\_

Male Female Date of Birth: \_\_\_\_\_ CUSD Student ID#: \_\_\_\_\_

Grade Requesting: \_\_\_\_\_ Current School of Attendance: \_\_\_\_\_

Requesting transfer from (school of residence) \_\_\_\_\_ to (requested school) \_\_\_\_\_

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

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work/Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

SPECIAL EDUCATION: If applicable, please check the following services your student receives.

- Resource Specialist (RSP) Speech/Language Hearing Impaired Special Day Class (SDC) Visually Impaired 504 Plan
Other (please describe)

CONDITIONS OF TRANSFER - PLEASE READ

- Should transfer applications to attend a particular school exceed the capacity of that school, selection of students to enroll will be made through a random, unbiased process that prohibits an evaluation of whether any student should be enrolled based upon his or her academic or athletic performance. Children requiring special programs or classes will only be admitted to those schools offering such programs or classes on the basis of space availability. All students, including transfer students, are subject to capping and busing.
In the case of boundary changes, approved transfers may require reapplication.
Parents/guardians will be responsible for providing daily transportation to and from the school of choice.
Intradistrict transfers are valid for one school year. For a transfer valid for more than one year, the parent/guardian must apply for an Open Enrollment Transfer between September 1 and December 1 of the preceding school year. Any transfers may be revoked at the District's discretion. If the transfer is revoked, the student may return to his or her resident school provided there is space available to justify the student's return. If there is not sufficient capacity, the student will be subject to an administrative transfer to another school at the District's discretion. Once a transfer is accepted, the student may not return to his or her home school without applying for an additional transfer.
Students entering grades 7-12 who have accepted a transfer for the first time will be ineligible for athletic participation for one calendar year (365 days) from the date of first attendance within the District at the student's new school. The 365 days of ineligibility may be appealed to the CUSD Eligibility Committee. The appeal will follow the hardship guidelines under CIF Rule 208. To appeal, obtain Form 510 from the Athletic Director at the new school. The completed Form 510 will be processed and then sent to the CUSD Eligibility Committee for a decision regarding the appeal. CIF rules state that if a student grades 7-12 grade chooses to go through the open enrollment transfer process a second time and receives an open enrollment transfer for educational purposes, the student will then be athletically ineligible for the remainder of his/her intermediate school and high school career at the new school of attendance. Athletes awaiting appeal decisions cannot participate in any athletic activity unless the parent/guardian has signed the "To Practice Release" form. If the athlete is deemed ineligible, the athlete is to stop practice and turn in his/her athletic gear. If an athlete qualifies under the Sibling Rule stated in Board Policy No. 5106, he/she will have unrestricted eligibility under CIF Rule 208.

If my transfer application is approved, I plan to file for an appeal for athletic eligibility (GRADES 7-12 ONLY): Yes No
My child meets the eligibility requirements of the Sibling Rule (Board Policy No. 5106): Yes No

Older Sibling's Name: \_\_\_\_\_ Current Grade: \_\_\_\_\_ Current School: \_\_\_\_\_

PARENT CERTIFICATION: I have read and understand all the transfer stipulations mentioned above and verify all the information provided is correct. I understand that if the information proves to be incorrect through error, omission or misstatement, my transfer application may be denied.

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

FOR DISTRICT USE ONLY
DENIED: Your transfer has been denied for reason #
1. There is no space available at this time.
2. Approval would contribute to an inappropriate racial/ethnic balance.
3. There is a documented safety concern.
4. Special education Services are not available or impacted.
Date: \_\_\_\_\_

FOR DISTRICT USE ONLY
APPROVED: Your transfer has been approved for reason
to the following schools effective through
K-6
Intermediate
High School
OP Open Enrollment
PE Parent Employment
FA Sibling Rule per Board Policy No. 5106

PARENT INFORMATION - APPEAL PROCESS
If you were denied for reason #1, your child has been placed on a randomized waiting list. Space availability will be monitored and you will be notified if space becomes available. There is no appeal.
If you were denied for reasons #2 through #4, you may appeal this decision within 30 days from the date above by submitting your appeal in writing to the Student Services and School Attendance Transfer Appeals Board. Letters are to be mailed to the address provided at the top of the form. You will be notified in writing of the results of your appeal.

PARENT INFORMATION - ACCEPTANCE PROCESS
In order to complete the open enrollment approval process, you must report to your school of choice with this form by and sign an "Open Enrollment Acceptance of Transfer Approval" form. If you fail to sign the acceptance form by this date, the approval will automatically be rescinded.
Please retain a copy of this application for your records. You may be asked to produce this form when your child moves to intermediate and/or high school.
All the abovementioned conditions of transfer will apply once the transfer is accepted and the student is enrolled at their school of choice
IF, AFTER YOU SIGN THE OPEN ENROLLMENT ACCEPTANCE OF TRANSFER APPROVAL FORM, YOU DECIDE FOR ANY REASON YOU WISH YOUR CHILD TO ATTEND SCHOOLS OTHER THAN THOSE LISTED ABOVE, YOU WILL NEED TO APPLY FOR ANOTHER TRANSFER.



Student Services and School Attendance
1465 David E. Cook Way • Clovis, CA 93611-0574
Phone: 559-327-9200 • Fax: 559-327-9222

INTRADISTRICT TRANSFER APPLICATION

Mailing label goes here. Please do not write in this area.

Completed applications must be returned to the Office of Student Services and School Attendance or any comprehensive school

This transfer request is: [ ] New [ ] Extended [ ]

PLEASE PRINT:

Requested School Year: Today's Date:

Student's Full Legal Name:

[ ] Male [ ] Female

Date of Birth:

CUSD Student ID#:

Grade Requesting: Current School of Attendance:

Requesting transfer from (school of residence) to (requested school)

Parent/Guardian Name:

Address:

City:

Zip:

Home Phone:

Work/Cell Phone:

Email:

SPECIAL EDUCATION: If applicable, please check the following services your student receives.

- [ ] Resource Specialist (RSP) [ ] Speech/Language [ ] Hearing Impaired [ ] Special Day Class (SDC) [ ] Visually Impaired [ ] 504 Plan
[ ] Other (please describe)

REASON FOR REQUEST: Select ONE option only. Verification is required and must be attached.

- [ ] Parent Employment [ ] Childcare [ ] Medical [ ] Change of Legal Address (can only be used ONE time)
[ ] Other (please explain)

CONDITIONS OF TRANSFER - PLEASE READ

- Should transfer applications to attend a particular school exceed the capacity of that school, selection of students to enroll will be made through a random, unbiased process that prohibits an evaluation of whether any student should be enrolled based upon his or her academic or athletic performance. Children requiring special programs or classes will only be admitted to those schools offering such programs or classes on the basis of space availability. All students, including transfer students, are subject to capping and busing.
In the case of boundary changes, approved transfers may be revoked and require reapplication.
Parents/guardians will be responsible for providing daily transportation to and from the school of choice.
Intradistrict transfers are valid for one school year. For a transfer valid for more than one year, the parent/guardian must apply for an Open Enrollment Transfer between September 1 and December 1 of the preceding school year. Any transfers may be revoked at the District's discretion. If the transfer is revoked, the student may return to his or her resident school provided there is space available to justify the student's return. If there is not sufficient capacity, the student will be subject to an administrative transfer to another school at the District's discretion. Once a transfer is accepted, the student may not return to his or her home school without applying for an additional transfer.
Students entering grades 7-12 who have accepted a transfer for the first time will be ineligible for athletic participation for one calendar year (365 days) from the date of first attendance within the District at the student's new school. The 365 days of ineligibility may be appealed to the CUSD Eligibility Committee. The appeal will follow the hardship guidelines under CIF Rule 208. To appeal, obtain Form 510 from the Athletic Director at the new school. The completed Form 510 will be processed and then sent to the CUSD Eligibility Committee for a decision regarding the appeal. CIF rules state that if a student grades 7-12 grade chooses to go through the open enrollment transfer process a second time and receives an open enrollment transfer for educational purposes, the student will then be athletically ineligible for the remainder of his/her intermediate school and high school career at the new school of attendance. Athletes awaiting appeal decisions cannot participate in any athletic activity unless the parent/guardian has signed the "To Practice Release" form. If the athlete is deemed ineligible, the athlete is to stop practice and turn in his/her athletic gear. If an athlete qualifies under the Sibling Rule stated in Board Policy No. 5106, he/she will have unrestricted eligibility under CIF Rule 208.

If my transfer application is approved, I plan to file for an appeal for athletic eligibility (GRADES 7-12 ONLY):

[ ] Yes [ ] No
[ ] Yes [ ] No

My child meets the eligibility requirements of the Sibling Rule (Board Policy No. 5106):

Older Sibling's Name: Current Grade: Current School:

PARENT CERTIFICATION: I have read and understand all the transfer stipulations mentioned above and verify all the information provided is correct. I understand that if the information proves to be incorrect through error, omission or misstatement, my transfer application may be denied.

Signature of Parent/Guardian: Date:

FOR DISTRICT USE ONLY
DENIED: Your transfer has been denied for reason #
1. There is no space available at this time.
2. Approval would contribute to an inappropriate racial/ethnic balance.
3. There is a documented safety concern.
4. Special Education services are not available or are impacted.
5. The reason for the transfer request does not meet Governing Board criteria.
6. There is no space available; a second choice school has been assigned. (See box on the right)
7. Intradistrict transfers cannot be renewed. An open enrollment transfer was required to continue enrollment.
Date:

FOR DISTRICT USE ONLY
APPROVED: Your transfer has been approved for FOR DISTRICT USE ONLY
APPROVAL: Your transfer has been approved for reason:
CC Childcare
CU Curricular reasons
IN A third party document shows intent to relocate to a new address
OT Another reason given which is justifiable.
PE Parent employment
PW Parent employed within the requested school's boundaries
SR Transfer was renewed until the open enrollment window opens
ME This is a medical or disciplinary safety concern
FA Sibling Rule per Board Policy No. 5106
HL Student is homeless per McKinney-Vento Federal Law
GR Student is a high school senior
Date:

PARENT INFORMATION - APPEAL PROCESS
• If you were denied for reason #1, your child has been placed on a randomized waiting list. Space availability will be monitored and you will be notified if space becomes available. There is no appeal.
• If you were denied for reasons #2 through #7, you may appeal this decision within 30 days from the date above by submitting your appeal in writing to the Student Services and School Attendance Transfer Appeals Board. Letters are to be mailed to the address provided at the top of the form. You will be notified in writing of the results of your appeal.
• becomes available. There is no appeal.
• If you were denied for reasons #2 through #4, you may appeal this decision within 30 days from the date above by submitting your appeal in writing to the Student Services and School Attendance Transfer Appeals Board. Letters are to be mailed to the address provided at the top of the form. You will be notified in writing of the results of your appeal.

PARENT INFORMATION - ACCEPTANCE PROCESS
• This approved application and all enrollment documents must be presented to the approved school within ten (10) school days of the effective date listed above or the approval will be rescinded.
• All of the abovementioned conditions will apply once the transfer is accepted.
IN ORDER TO CONTINUE ENROLLMENT AT THE APPROVED SCHOOL FOR THE FOLLOWING SCHOOL YEAR, AN OPEN ENROLLMENT TRANSFER IS REQUIRED AS OUTLINED IN BOARD POLICY NO. 2208



Fresno County Office of Education  
 Larry L. Powell, Superintendent  
 1111 Van Ness • Fresno, CA 93721-2000  
 (559) 265-3000

# Interdistrict Attendance Permit

Date: \_\_\_\_\_

New  Renewal

**Parents/Guardians:**

Name: \_\_\_\_\_ Phone: (H) \_\_\_\_\_ (W) \_\_\_\_\_

Name: \_\_\_\_\_ Phone: (H) \_\_\_\_\_ (W) \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Name of Pupil	Date of Birth	Current Grade	Special Ed. Yes/No

Student's District of Residence: \_\_\_\_\_

I request that the student(s) listed above be allowed to attend the \_\_\_\_\_  
District/School of Choice

School District through the \_\_\_\_\_ academic year.

**Reason:**  Employment Related [Note: This is a request for residency through employment, not an interdistrict transfer (E.C. 48204 (b))]  
 Child Care  Other \_\_\_\_\_

**Explain the Reason for the Request** (You may attach additional pages): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Local School District Action • District of Residence	
School District: _____	<input type="checkbox"/> Approved <input type="checkbox"/> Denied*
_____ <small>Signature - Authorized Representative</small>	_____ <small>Date</small>
Terms: _____	

Local School District Action • District of Attendance	
School District: _____	<input type="checkbox"/> Approved <input type="checkbox"/> Denied*
_____ <small>Signature - Authorized Representative</small>	_____ <small>Date</small>
Terms: _____	
<b>This permit may be revoked by the District of Attendance for violation of stated terms of the agreement.</b>	

*\*If denied or no action is taken within 30 days, parent has a right to appeal before the County Board of Education (265-3001).*

**White** - County Office • **Canary** - District of Residence • **Pink** - District of Attendance • **Gold** - Parent/Guardian

S & R • mg 04/04

## CUSD SITE-BASED CATEGORICAL FUNDED PROGRAMS FOR 2010-11

SCHOOL	EIA	ELAP	TITLE I Part A	TITLE II	TITLE III - EL	TITLE III - Immigrant
Bud Rank Elementary	X	X		X	X	X
Cedarwood Elementary	X	X		X	X	X
Century Elementary	X	X		X	X	X
Clovis Elementary	X	X	X	X	X	X
Cole Elementary	X	X		X	X	X
Community Day School (elementary)	X	X	X	X	X	X
Copper Hills Elementary	X	X		X	X	X
Cox Elementary	X	X		X	X	X
Dry Creek Elementary	X	X		X	X	X
Fancher Creek Elementary	X	X	X	X	X	X
Fort Washington Elementary	X	X		X	X	X
Freedom Elementary	X	X		X	X	X
Fugman Elementary	X	X		X	X	X
Garfield Elementary	X			X	X	X
Gettysburg Elementary	X	X		X	X	X
Jefferson Elementary	X	X	X	X	X	X
Liberty Elementary	X	X		X	X	X
Lincoln Elementary	X	X	X	X	X	X
Maple Creek Elementary	X	X		X	X	X
Miramonte Elementary	X	X	X	X	X	X
Mountain View Elementary	X	X		X	X	X
Nelson Elementary	X	X	X	X	X	X
Pinedale Elementary	X	X	X	X	X	X
Reagan Elementary	X	X		X	X	X
Riverview Elementary	X	X		X	X	X
Red Bank Elementary	X	X		X	X	X
Sierra Vista Elementary	X	X	X	X	X	X
Tarpey Elementary	X	X	X	X	X	X
Temperance-Kutner Elementary	X	X	X	X	X	X
Valley Oak Elementary	X	X		X	X	X
Weldon Elementary	X	X	X	X	X	X
Woods Elementary	X	X		X	X	X
Alta Sierra Intermediate	X	X		X	X	X
Clark Intermediate	X	X		X	X	X
Granite Ridge Intermediate	X	X		X	X	X
Kastner Intermediate	X	X		X	X	X
Reyburn Intermediate	X	X		X	X	X
Buchanan High	X			X	X	X
Clovis East High	X			X	X	X
Clovis High	X			X	X	X
Clovis North	X			X	X	X
Clovis West High	X			X	X	X
Alternative Education Schools	X			X	X	X
Community Day School (secondary)	X			X	X	X

## CLOVIS UNIFIED SCHOOL DISTRICT

*The following information is included on the Zero Tolerance Policy notification card in English and Spanish and is provided to the student in the Registration Packet upon enrollment and at the beginning of the school year. The Notification card is available in through the District's Form Bank.*

### NOTIFICATION - ZERO TOLERANCE

The Governing Board of the Clovis Unified School District has declared that the schools operated by the Clovis Unified School District have a Zero Tolerance Policy applicable to sexual battery, battery, possession of a firearm, possession of a knife, possession of a dangerous object, possession of explosive devices, sale of controlled substances, possession of controlled substances, vandalism where property damage exceeds \$100, repeated mutual combat, robbery or extortion, participation in gang motivated intimidation, assault on or threats to school staff, and terroristic threats.

Any student who commits one of the offenses listed above shall be immediately suspended by the principal and recommended for expulsion from the Clovis Unified School District.

All acts of physical violence, possession or use of weapons, or Education Code, Penal Code or Health and Safety Code or other violations will be recorded for each student on their Mandatory Interim Record including information on suspensions and expulsions. Such records may be removed upon graduation, or by petition.

For purposes of this policy, definitions of terms used will be as defined in the California Education Code, Penal Code, Health and Safety Code, and Regulations of the State Fire Marshal where applicable. An object used in a threatening manner shall be considered a weapon even if its normal use is not as a weapon.

Trespassing on school grounds by students not enrolled in that school, and who have not received clearance by the school principal, shall be recorded as a suspendable violation and a third violation shall be a violation of this policy.

In every case where a student violates a provision of the Penal Code or the Health and Safety Code or commits another offense referenced by this policy, the student will be taken into custody and cited or taken to juvenile detention facility or the county jail.

I acknowledge that I have read and understand the Clovis Unified School District Zero Tolerance Policy (Board Policy No. 2110). This policy has been provided to me in the Parent and Student Rights and Responsibility Handbook and I realize the consequences of my actions if I violate the policy.

_____	_____
<i>Student Signature</i>	<i>Date</i>
_____	_____
<i>Date of Birth</i>	<i>School of Attendance</i>
_____	_____
<i>Parent Signature</i>	<i>Date</i>
_____	_____
<i>School Official Signature</i>	<i>Date</i>

*Adopted: 6/8/94  
Amended: 7/6/94  
Amended: 9/28/05  
Reviewed: 10/10/07  
Amended: 7/8/09  
Reviewed: 6/15/10*



**STUDENT SEXUAL HARASSMENT INFORMAL COMPLAINT**

*(Complaint handling incident report to be completed by site principal or designee)*

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

School of Attendance: \_\_\_\_\_

Principal or Designee: \_\_\_\_\_

Facts of Complaint: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Final Resolution: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Complainant has received and reviewed the District’s Student Sexual Harassment Policy and Administrative Regulation No. 2111. Complainant is satisfied with the above mentioned resolution, and is electing not to file a formal complaint.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

*Complainant*

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

*School Representative*

Amended: 9/22/99  
Amended: 4/13/05  
Reviewed: 12/6/05  
Reviewed: 6/11/07  
Amended: 7/15/09  
Reviewed: 6/15/10



**STUDENT SEXUAL HARASSMENT FORMAL COMPLAINT**

*Prior to completing this form, please read the following information (See Board Policy & Administrative Regulation No. 2111 for additional information):*

- Accurate completion of this form will ensure the immediate and thorough investigation of your complaint.
- This form should be submitted to the principal or another administrator at your school if the complaint is against a student or to the Associate Superintendent-Human Resources at the District Office if the complaint is against a CUSD employee.
- An investigation will be conducted promptly and fairly and all information will be confidential.
- Appropriate and immediate action will be taken if the District’s harassment policy (No. 2111) has been violated. No retaliation against a student for filing a complaint will be condoned.
- You will be notified of the outcome of the investigation.

*Please complete all sections, including signature and date.*

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

School of Attendance: \_\_\_\_\_

Name(s) of the harasser(s): \_\_\_\_\_

\_\_\_\_\_

Date and time the harassment occurred: \_\_\_\_\_

Location of the harassment: \_\_\_\_\_

\_\_\_\_\_

Please provide a detailed statement of the circumstances constituting the harassment: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



**CLOVIS UNIFIED  
SCHOOL DISTRICT**

Technology Resources Use  
**STUDENT USER AGREEMENT**

Student Name: \_\_\_\_\_  
*Please Print*

I understand that the District may provide me access to the District’s technological resources for educational purposes, and that this access is a privilege, not a right. I acknowledge that I have been provided, read and understand policies, regulations and guidelines regarding the use of District’s technological resources. I further acknowledge that inappropriate use of the District’s technological resources shall result in a cancellation of my student user privileges, disciplinary action and/or legal action in accordance with law, Board Policy and Administrative Regulations.

I have read, understand, and will abide by Board Policy and Administrative Regulation No. 7205 regarding Student Use of Technology.

\_\_\_\_\_  
Student Signature Date

\_\_\_\_\_  
School Site ID#

\_\_\_\_\_  
Parent/Guardian Signature Date

*Permission for Internet Use:*

- I hereby give permission for my child to use the Internet. I understand that this permission includes permission for my child to independently access information through the Web, receive e-mail communications through a class account and engage in other educationally relevant electronic communication activities and provide personal information to others for education or career development reasons or as approved by school staff.
- I do not give permission for my child to use the Internet except when supervised as a part of regular, classroom instruction.

\_\_\_\_\_  
Parent/Guardian Signature Date

*Adopted: 1/5/05  
Amended: 10/26/06  
Reviewed: 6/22/07  
Amended: 6/18/08  
Reviewed: 6/15/10*



1450 Herndon Avenue  
Clovis, CA 93611-0567  
559-327-9000

Date Received
---------------

COMPLAINT FORM

Name: \_\_\_\_\_ Date Filed: \_\_\_\_\_

Address: \_\_\_\_\_ City/Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Other Phone: \_\_\_\_\_ Email: \_\_\_\_\_

I wish to complain against *(person, program or activity)*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Location: \_\_\_\_\_ Date of incident: \_\_\_\_\_

Please specify the nature of your complaint and list specifics of *what, when, where, how and who was there*:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Attach additional pages if necessary*

Names and addresses and/or other contact information for witnesses or persons who can provide more information regarding this complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggestions for an appropriate remedy or resolution of this complaint:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I certify under penalty of perjury that the foregoing statements and attachments are true and correct.*

Date: \_\_\_\_\_ Signature of Complainant: \_\_\_\_\_

*Please file this complaint form with the appropriate school principal/department head or at the District Office, 1450 Herndon Avenue, Clovis*



1450 Herndon Avenue  
Clovis, CA 93611-0567  
559-327-9000

Date Received

WILLIAMS UNIFORM COMPLAINT PROCEDURES FORM

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, teacher vacancy or misassignment, or the lack of opportunity to receive intensive instruction and services to pupils who did not pass one or both parts of the high school exit examination by the end of grade 12.

Complainants need not use this form in order to file a complaint. All complaints and responses are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response Requested?  Yes  No

Contact Information:

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

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell/Work Phone: \_\_\_\_\_

Email address, if any: \_\_\_\_\_

Location of the problem that is the subject of this complaint:

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

Course Title/Grade Level and Teacher Name: \_\_\_\_\_

Room Number/Name of Room/Location of Facility: \_\_\_\_\_

Date problem was observed: \_\_\_\_\_

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please use the appropriate District complaint procedure listed in Board Policy No. 9211.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.) Please request assistance of District staff in filing the complaint if needed.

1. Textbooks and instructional materials: (Education Code 35186; 5 CCR 4681)

- A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or State adopted or District adopted textbooks or other required instructional materials to use in class.

- A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
  - Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
  - A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4681)
- A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
  - A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners pupils in the class.
  - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
3. Facility conditions: (Education Code 35186, 35292.5; 5 CCR 4683)
- A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the District determines appropriate.
  - A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
  - The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.
4. High school exit exam intensive instruction and services: (Education Code 35186)
- Intensive instruction and services were not provided pursuant to Section 37254 to pupils who have not passed one or both parts of the high school exit examination after the completion of grade 12.

---

Provide as much detail as necessary to describe your complaint attaching additional sheets as necessary. Please request assistance of District staff in filing the complaint if needed.

