



## Rights & Responsibilities of Parents & Students Annual Notice for 2022-2023 School Year

### **Rio School District**

*Educating Students for the 21st Century*

Dear Parent/Guardian,

The State of California law requires that school districts provide notice to the parents or legal guardians of minor students at the beginning of each year regarding their rights and responsibilities under state law. Districts are also obligated to provide notice on certain additional topics under federal law.

The enclosed booklet contains a large number of legally mandated notices. Your familiarity with the contents of this notice will assist you in fully participating in the education of your child in the Rio School District. Please read this document in its entirety and place it with your records for future reference.

The law requires that parents/guardians sign a document acknowledging receipt of the enclosed notice. Please sign the acknowledgement form included and return it to your child's school. By signing the acknowledgment, you are merely agreeing you have received the mandated notifications. If you have any questions or concerns, please contact your school's principal. Thank you for your cooperation and best wishes for a great new school year.

*Sincerely,*

*Dr. John Puglisi  
Superintendent*

*The Rio School District prohibits discrimination, intimidation, harassment (including sexual harassment), and bullying against students, employees, and job applicants based on actual or perceived age, ancestry, ethnicity, ethnic group identification, parental status, pregnancy status, color, mental or physical disability, gender, gender identity, gender expression, genetic information, immigration or citizenship status, marital status, medical condition, nationality, national origin, race, religion, political affiliation, sex, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.*

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## KEY TO ACRONYMS

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AR	Administrative Regulation of the Rio School District
BP	Board Policy of the Rio School District
CC	California Civil Code
CCR	California Code of Regulations
CDE	California Department of Education
CFR	Code of Federal Regulations
EC	California Education Code
HSC	California Health and Safety Code
PC	California Penal Code
RSD	Rio School District
USC	United States Code
VC	California Vehicle Code
WIC	California Welfare and Institutions Code

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## YOUR CHILD'S SAFETY

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### **ASBESTOS MANAGEMENT PLAN**

RSD has available upon request a complete, updated management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact Charlie Fichtner, Director of Facilities, at [cfichtner@rioschools.org](mailto:cfichtner@rioschools.org). (40 CFR 763.93)

### **CUSTODY ISSUES**

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

### **DISASTER PREPAREDNESS**

Each Rio School District school site has a Comprehensive School Safety Plan, which includes a disaster preparedness plan and emergency procedures. Copies are available to read at each school office. Fire, earthquake, and emergency drills are held periodically at each school. The California Department of Education is required to electronically distribute disaster preparedness educational materials to school districts and county offices of education in, at least, the three most dominant primary languages spoken by English learners in California. Documents are posted on the CDE website at: (EC 32282.5)

<https://www.cde.ca.gov/ls/ep/schoolemergencyres.asp>

### **SCHOOL SAFETY: BULLYING**

The Rio School District is committed to the prohibition of discrimination, harassment, intimidation, and bullying. Annual training will be provided to all staff who work with students, to prevent bullying and cyberbullying. You may find a list of education web pages describing the staff training at: <https://www.cde.ca.gov/ls/ss/se/bullyres.asp>. The CDE webpage also provides a list of statewide resources, including community-based organizations, that provide support to youth, and their families, who have been subjected to school-based discrimination, harassment, intimidation, or bullying. If you or your child should experience any bullying

on campus, at school events, or on the way to or from school, please contact a school counselor or the school principal, who are available to assist you in identifying and stopping this behavior. (EC 234.4, 32283.5)

**GUN FREE SAFE SCHOOLS**

The Federal Gun Free Safe Schools Act and California law prohibit the possession of firearms on school campuses. Pursuant to these laws, any student found in possession of a firearm will be subject to arrest and will be recommended for expulsion immediately. Upon finding that the student was in possession of a firearm, the governing board shall expel the student. The term of expulsion shall be up to one calendar year. "Possession" includes, but is not limited to, storage in lockers, purses, backpacks, or automobiles. (EC 48915(c); PC 626.9)

**IMITATION FIREARMS**

An imitation firearm means any BB device, toy gun, replica of a firearm, or other device that is so substantially similar in coloration and overall appearance to an existing firearm as to lead a reasonable person to perceive that the device is a firearm. It is a criminal offense to openly display or expose any imitation firearm in a public place. Per EC 48900(m), a student may be suspended from school or recommended for expulsion for possession of an imitation firearm. (EC 48900; PC 16700, 20170)

**PERSISTENTLY DANGEROUS SCHOOLS**

Federal law requires a school district that has a school identified as persistently dangerous to notify parents/guardians of each student attending that school of the designation and offer students the option to transfer to a safe school within the district. Notification regarding status of the school and the offer to transfer may be made simultaneously. Notification must also be done in a timely manner; that is, within ten school days from the date the district learns that the school has been identified as persistently dangerous. Under 5 CCR 11992, persistently dangerous is defined as a specified number of firearm violations by non-students on school grounds or during school-sponsored activities, plus expulsions for certain violations of EC 48915(a) and (c) and EC 48900.3 (Hate violence) over the course of three school years. The option to transfer to a safe school within the district must also be made to students who become the victim of a violent criminal offense at the school the student attends. Offer to transfer should occur within 14 calendar days. (5 CCR 11992; 20 USC 7912)

**PESTICIDE PRODUCTS**

The District refined its integrated pest management program to insure a safe school environment. Pesticides are applied by trained specialists, generally on weekends with no wide area spraying. Fields and school grounds that are to be treated in the normal rotation of maintenance work will have warning signs posted at least 24 hours prior to the application and will remain posted until 72 hours after the application. When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons or the school site, the warning sign will be posted immediately upon application and will remain posted until 72 hours after the application. Warning signs will include the term "Warning/Pesticide Treated Area", the name of the product and manufacturer, the product's registration number, intended areas and dates of application, and reason for the pesticide application. (EC 17610.1, 17612, 48980.3)

The District intends to apply the following pesticides at the school sites during the upcoming year:

PRODUCT NAME	ACTIVE INGREDIENT(S)	REASON(S) FOR USE	INTENDED AREAS
Wilco Gopher Bait-12455-5000-AA Wilco Squirrel Bait-36029- 20	Diphacinone .005%	Gopher	Fields and Facilities
Fumitoxin-5857-1	Aluminum Phosphide 55%	Gopher	
Termidor-7969-210	Fipronil 9.1%	General pest	
Bifen-53883-118	Bifenthrin 7.9%	General pest	
Fastrac Rodent Bait- 12455-95	Bromethalin .01	Rodents	

To receive notification of individual pesticide applications, parents/guardians can register with Charlie Fichtner, Director of Facilities, at [cfichtner@rioschools.org](mailto:cfichtner@rioschools.org). Parents/guardians who register for this notification will be notified at least 72 hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

Parents/guardians seeking access to information on pesticides and pesticide use reduction developed by the Department of

Pesticide Regulation pursuant to California Food and Agricultural Code 13184, can do so by accessing the Department's website at [www.cdpr.ca.gov](http://www.cdpr.ca.gov). A copy of the District's Integrated Pest Management Plan can be obtained by contacting Charlie Fichtner, Director of Facilities, at [cfichtner@rioschools.org](mailto:cfichtner@rioschools.org).

### **REPORT OF MISSING CHILDREN**

Specified persons, including school teachers, administrators, aides, playground workers, and bus drivers, are required to report missing children to a law enforcement agency in a timely manner, in order to provide those children a necessary level of protection when they are at serious risk. (EC 49370)

### **CHILD ABUSE AND NEGLECT REPORTING**

The Rio School District is committed to protecting all students in its care. All employees of the District are considered mandated reporters, required by law to report cases of child abuse and neglect whenever there is reasonable suspicion abuse or neglect has occurred. Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on their training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred, nor does it require a specific medical indication of child abuse or neglect. District employees may not investigate to confirm a suspicion. (PC 11164 et seq.)

Child abuse or neglect includes the following:

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation (as defined in PC 11165.1)
3. Neglect of a child (as defined in PC 11165.2)
4. Willful harming or injuring of a child or the endangerment of the person or health of a child (as defined in PC 11165.3)
5. Unlawful corporal punishment or injury (as defined in PC 11165.4)

Child abuse does not include:

1. A mutual fight between minors
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of their employment
3. An injury caused by any force that is reasonable and necessary for a person employed by or engaged in a school:
  - a. To stop a disturbance threatening physical injury to people or damage to property
  - b. For purposes of self-defense
  - c. To obtain possession of weapons or other dangerous objects within control of a student
  - d. To exercise the degree of control reasonably necessary to maintain order, protect property, protect the health and safety of students, and maintain proper and appropriate conditions conducive to learning
4. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by a student.
5. Homelessness or classification as an unaccompanied minor.

All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (*i.e.*, Police or Sheriff's Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies. Parents/guardians of students also have a right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; you may also notify the District of an incident by contacting the Human Resources Department at (805) 485-3111.

### **EMPLOYEE INTERACTIONS WITH STUDENTS**

To provide a positive school environment that protects the safety and well-being of district students, all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, are expected to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety. (EC 44050)

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

- Initiating inappropriate physical contact

- Maintaining personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the principal  
When communicating electronically with students, employees shall use district equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.
- Socializing or spending time with students outside of school-sponsored events, except as participants in community activities
- Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
- Transporting a student in a personal vehicle without prior authorization
- Entering into or attempting to form a romantic or sexual relationship with any student
- Engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature

An employee who observes or has evidence of another employee's inappropriate conduct must immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect must file a report pursuant to the District's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct will be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy will be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee will notify local law enforcement as appropriate. An employee who has knowledge of, but fails to report, inappropriate employee conduct may also be subject to discipline. Immediate intervention will be implemented when necessary to protect student safety or the integrity of the investigation.

The District prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the District's complaint process will be subject to discipline.

### **SAFETY CONCERNS**

Each school site examines safety issues and ensures a safe campus. If you have concerns about safety items at your school, contact your principal who can advise you of the proper way to address your safety concerns.

### **SCHOOL BUSES - PASSENGER SAFETY**

Upon registration, parents/guardians of students not previously transported in a school bus, shall receive written information on school bus safety as specified. All students in pre-kindergarten, transitional-kindergarten, kindergarten and grades 1 to 8, shall receive written information on school bus safety (*i.e.*, a list of school bus stops near each student's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all students riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit. (EC 39831.5)

### **SCHOOL SAFETY PLANS**

Each school district is responsible for the overall development of comprehensive school safety plans for its schools and that all school staff be trained on this plan. (EC 32280, 32281).

Each school site council or school safety planning committee shall notify, in writing, specified persons and entities about the required public meeting to allow members of the public an opportunity to express an opinion about the school safety plan before its adoption by the Governing Board. Specified persons or entities shall include: the mayor; a representative of the local school employee organization; a representative of parent organizations including the parent teacher organization and parent teacher clubs; a representative of each teacher organization at the school site; a representative of the student body government; and all other persons that have indicated they want to be notified. (EC 32288)

Each school shall report on the status of its school safety plan in the annual school accountability report card. (EC 32286)

Each school district is required to annually notify the State Department of Education by October 15 of any school that has not complied with EC 32281. (EC 32288(c))

EC 32289 authorizes the filing, under the Uniform Complaint Procedures, of a complaint for noncompliance with the school safety planning requirements. (EC 32289)

### **SCHOOL VISITORS**

The Rio School District encourages visits to the schools and programs operated by the Rio School District by parents/guardians, members of the community, and other interested persons in order to view the education program and facilities and to offer constructive comments. Parents/guardians, community members, and other interested persons may attend school programs such as open house occasions, special program events, and observe classroom activities.

Classroom visits by members of the community and other interested persons should be arranged in advance with the teacher, principal, or principal designee in charge. Approval or denial will be based upon whether there is a reasonable basis to conclude that the visit will interfere with school activities. In all cases, responsible adult behavior shall be required of all visitors. Visitors who pose a threat to the health and safety of students, teachers, or other personnel or who otherwise disrupt the normal operations of the school shall be removed.

Possession of unauthorized dangerous instruments, weapons, or devices is prohibited on school premises or any other place where a teacher or a student is required to be in connection with assigned school activities. No electronic listening or recording device may be used by students or visitors in a classroom without the teacher and principal's permission.

No one, other than those designated on the emergency card, will be permitted to take a child from school. All school visitors are required to check in at the school office as soon as they arrive. Parents/guardians must report to the office before going to a classroom. Parents/guardians who have a complaint are to request an appointment with the staff member and/or the principal. No disruption of school activities or verbal/physical assaults will be tolerated by visitors on campus. (EC 44810, 44811)

Administration has the authority to direct non-students to leave campus. No outsider shall enter or remain on school grounds during school hours without having registered with the principal or designee, except to proceed expeditiously to the office of the principal or designee for the purpose of registering. Signs shall be posted specifying the hours during which registration is required, the registration location, and the penalties for violation of registration requirements. In order to register, all visitors must provide the following information upon request: name, address and occupation; age, if less than 21; purpose in entering school grounds; and proof of identity. (PC 626.7, 626.8, 627.2, 627.3, 627.6)

## **CIVILITY ON SCHOOL GROUNDS**

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor and shall be punishable by a fine of not more than five hundred dollars (\$500). It is unlawful for any person, except a parent/guardian acting toward their minor child, to intentionally or to attempt to injure, intimidate, interfere by force, threat of force, physical obstruction, or nonviolent physical obstruction with any person attempting to enter or exit any public or private school grounds. (CC 1708.9; EC 32210)

## **RESPONSE TO IMMIGRATION ENFORCEMENT**

Pursuant to EC 234.7, districts are mandated to adopt policy consistent with a model policy developed by The California Attorney General which limits assistance with immigration enforcement at public schools.

The RSD Governing Board is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status. District staff shall not solicit or collect information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law. The District will first exhaust the parent/guardian's instruction concerning a student's care in the emergency contact information in the parent/guardian's absence and to avoid contacting Child Protective Services unless the District is unable to arrange for care based on parental instruction. (EC 234.7) No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of the student's immigration status. The District shall receive and investigate related complaints based on immigration status in accordance with its Uniform Complaint Procedures. (EC 200, 220, 234.1)

The following "know your rights" information regarding immigration-enforcement actions is provided by the California Attorney General.

### Know Your Educational Rights

#### *Your child has the right to a free public education*

- All children have a right to equal access to free public education, regardless of their or their parents' immigration status.
- All children in California:
  1. Have the right to a free public education.
  2. Must be enrolled in school if they are between 6 and 18 years old.
  3. Have the right to attend safe, secure, and peaceful schools.

4. Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
5. Have equal opportunity to participate in any program or activity offered by the school without discrimination.

#### *Information required for school enrollment*

- Schools must accept a variety of documents from the student’s parent/guardian or guardian to demonstrate proof of child’s age or residency.
- Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

#### *Confidentiality of personal information*

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parent/guardian before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student “directory information.” If so, the school district must provide parent/guardian with written notice of the directory information policy and provide the option to refuse release of your child’s information.

#### *Family safety plans if you are detained or deported*

- You can update your child’s emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
- You can complete a Caregiver’s Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for your child.

#### *Right to file a complaint*

- Your child has the right to report a hate crime or file a complaint to the school district if they are discriminated against, harassed, intimidated or bullied because of their actual or perceived nationality, ethnicity, or immigration status.

#### Checklist for Immigrant Students and Families Attending Public Schools

##### *You do not have to share the following information with school officials:*

- You do not have to share information, including passports or visas, regarding the immigration status of students, parent/guardian, or other family members.
- You do not have to provide Social Security numbers (SSN) or cards.
  1. When completing the “Free and Reduced-Price Meals” form, only provide the last four digits of the SSN of the adult household member who signs the application.
  2. If the family meets the income eligibility requirements and no adult household member has a SSN, your child still qualifies. Check the “No SSN” box on forms where applicable, to ensure that applications are complete.
  3. If any household member participates in CalFresh, CalWORKs (California Work Opportunity and Responsibility for Kids), or FDPIR (Food Distribution Program on Indian Reservations), no adult household member needs to provide the last four digits of their SSN to qualify the student for free or reduced-price meals at school.
- When providing information for proof of a student’s residency or age, you do not have to use documents that could reveal information related to immigration status.

##### *Take steps to protect student information:*

- Ask for the school’s written privacy policies regarding student information.
- Review the school’s policy for “directory information”—which allows for public release of basic student information—and consider whether to opt out of releasing of that information.

##### *Take steps to prepare for situations where one or more parent/guardian or guardians are detained or deported:*

- Develop and keep in a safe place a “Family Safety Plan” that includes the following information:
  1. Name of a trusted adult to care for your child if no parent/guardian.
  2. Emergency phone numbers and instructions on where to find important documents (birth certificates, passports, Social Security cards, doctor contact information, etc.).  
[https://www.lirs.org/assets/2474/bna\\_beinformed\\_safetyplanningtoolkit.pdf](https://www.lirs.org/assets/2474/bna_beinformed_safetyplanningtoolkit.pdf) (example plan)
- Make sure that your child’s school always has current emergency contact information, including alternative contacts if no parent/guardian is available.

For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact: Bureau of Children’s Justice, California Attorney General’s Office, P.O. Box 944255, Sacramento, CA

94244-2550, (800) 952-5225, [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), <https://oag.ca.gov/bcj/complaint>.

### **SEX OFFENDER NOTIFICATION – “MEGAN’S LAW”**

Information about registered sex offenders in California can be found on the California Department of Justice’s Internet website at <http://meganslaw.ca.gov/>. The website also provides information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

### **SUN-PROTECTIVE CLOTHING & SUNSCREEN**

Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including but not limited to hats. Schools shall also allow students the use of sunscreen during the school day without a physician’s note or prescription. (EC 35183.5)

### **TOBACCO FREE CAMPUS**

In accordance with state and federal law, the use of tobacco and nicotine products is prohibited in all RSD facilities and vehicles, and within 250 feet of a youth sports event. Under HSC 104495, smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground is also prohibited, except on a public sidewalk located within 25 feet of the playground. Tobacco products include, but are not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, or an electronic device (e.g., electronic cigarette, cigar, pipe, or hookah) that delivers nicotine or other vaporized liquids. Signs will be prominently displayed at all entrances to school property stating, “Tobacco use is prohibited.” In addition, as a recipient of Tobacco Use Prevention Education (TUPE) funds, the RSD has adopted and enforces a tobacco-free policy, which is communicated to school staff, parents/guardians, students, and the community. Any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. Information about smoking cessation support programs must be made available and encouraged for students and staff. (EC 48901; HSC 104420, 104495)

### **ELECTRONIC NICOTINE DELIVERY SYSTEMS (E-CIGARETTES)**

The Rio School District prohibits the use of electronic nicotine delivery systems (ENDS) such as e-cigarettes, hookah pens, cigarillos, and other vapor-emitting devices, with or without nicotine content, that mimic the use of tobacco products on all district property and in district vehicles at all times. ENDS are often made to look like cigarettes, cigars and pipes, but can also be made to look like everyday items such as pens, asthma inhalers and beverage containers. These devices are not limited to vaporizing nicotine; they can be used to vaporize other drugs such as marijuana, cocaine, and heroin.

PC 308 prohibits the sales of e-cigarettes to minors which means that students should not be in possession of any such devices. Students using, in possession of, or offering, arranging, or negotiating to sell ENDS can be subject to disciplinary action, particularly because ENDS are considered drug paraphernalia, as defined by HSC 11014.5.

### **WALKING OR RIDING A BICYCLE TO SCHOOL**

Parents/guardians of children who walk or ride their bicycles to school are asked to go over a safe route to school with their children. Walkers may not take short cuts through private property. All children are expected to display good behavior on the way to and from school. A person under 18 years of age shall not operate a bicycle, a non-motorized scooter, or a skateboard, nor shall they wear in-line or roller skates, nor ride upon a bicycle, a non-motorized scooter, or a skateboard as a passenger unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards. (VC 21212)

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## **HEALTH**

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### **NOTICE REGARDING THE DISTRICT’S PARTICIPATION IN THE LEA MEDI-CAL BILLING PROGRAM**

The District, in cooperation with the California Departments of Health Care Services and Education, participates in a program that allows the District to be reimbursed with federal Medicaid dollars for select health services provided to enrolled Medi-Cal students at school. The money received through this program is directly reinvested into expanding and improving health and social services for all students.

In accordance with the state and federal rules and guidelines, we are notifying you that some information may be released from your student’s records to our reimbursement recovery vendor, Paradigm Healthcare Services, LLC and to the Department of Health Care Services (DHCS) for claiming purposes only (and your child’s Medi-Cal benefits may be accessed). This information is only released if we have received your consent to do so. Your consent may have been provided to the District when you registered your student for school, as part of your back-to-school paperwork, or during the IEP/IFSP development and review process (if applicable).

**All information that is shared is encrypted and transmitted securely** to both our vendor and to DHCS. The education records that may be shared as a result of our participation in this program include:



- Student name, date of birth, and health-related evaluation, intervention, and referral information (for services received at school)
- Practitioners' notes related to these health services and select data from child's IEP/IFSP (if applicable)

You have the right to withdraw your consent to disclose your student's information at any time—feel free to visit your school's front desk to discuss this program. **Please note that students will not be denied services they require to attend school, and a parent/guardian will never be billed by the school district for services provided as a result of their consent, or non-consent.** Further, while Medi-Cal is reimbursing the District for select health services, your child's Medi-Cal benefits should not be impacted in any way. We participate in this program in an effort to obtain federal funding for the Medi-Cal reimbursable health services already being performed at school, and then use this funding to expand services that are available to all students.

Additional notes:

- Confidentiality & Privacy. The District's reimbursement recovery is bound by a contract that contains specific provisions to keep student records confidential, ensuring information is not used or disclosed inappropriately; further, our vendor is HIPAA compliant. In addition, the District and DHCS are bound by agreements that include specific provisions about the use of the information shared in this program, and governing security protocols.
- Third Party Liability. If your student is enrolled in Medi-Cal and is also covered by a third-party insurer, DHCS may attempt to recover third party liability if they pay a school-based claim submitted by us. This occurs due to the assignment of third-party liability rights that were provided when your application to Medi-Cal was approved.

### **CONCUSSION AND HEAD INJURIES**

A concussion is a type of brain injury, and all brain injuries are serious. A concussion can be caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. It can range from mild to severe and can disrupt the way the brain normally works. Even though most concussions are mild, **all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly.** In other words, even a "ding" or a bump on the head can be serious. You can't see a concussion and most sports concussions occur without loss of consciousness. As such, any athlete who is suspected of sustaining a concussion or head injury in a school-sponsored athletic activity will be immediately removed from the athletic activity for the remainder of the day, and will not be permitted to return to the athletic activity until they are evaluated by a licensed health care provider who is trained in the management of concussions and is acting within the scope of their practice. The athlete will not be permitted to return to the athletic activity until they receive written clearance to return to the athletic activity from that licensed health care provider. If the licensed health care provider determines the athlete has a concussion or head injury, the athlete must also complete a graduated return-to-play protocol of no less than 7 days in duration under the supervision of a licensed health care provider.

On a yearly basis, a concussion and head injury information sheet (with the information below) must be signed and returned by the athlete and the athlete's parent before the athlete initiates practice or competition. This requirement does not apply to an athlete engaging in an athletic activity during the regular schoolday or as part of a physical education course. (EC 49475)

### **SUDDEN CARDIAC ARREST**

Sudden cardiac arrest (SCA) is when the heart stops beating, suddenly and unexpectedly. When this happens, blood stops flowing to the brain and other vital organs. SCA is not a heart attack; it is a malfunction in the heart's electrical system, causing the victim to collapse. The malfunction is caused by a congenital or genetic defect in the heart's structure. SCA is more likely to occur during exercise or sports activity, so athletes are at greater risk. These symptoms can be unclear and confusing in athletes. Often, people confuse these warning signs with physical exhaustion. If not properly treated within minutes, SCA is fatal in 92 percent of cases. As such, a student who passes out or faints while participating in or immediately following a school-sponsored athletic activity, or who is known to have passed out or fainted while participating in or immediately following an athletic activity, must be removed from participation at that time by the athletic director, coach, athletic trainer, or authorized person. A student who is removed from play after displaying signs and symptoms associated with sudden cardiac arrest may not be permitted to return to participate in an athletic activity until the student is evaluated and cleared to return to participate in writing by a physician and surgeon. This requirement does not apply to athletic activity conducted during the regular schoolday or as part of a physical education course. (EC 33479 et seq.)

For more information and resources, visit the CDE webpage at: <https://www.cde.ca.gov/pd/ca/pe/scaprevention.asp>.

### **PRESCRIPTION OPIOIDS**

An opioid is a controlled substance that can be prescribed by a health care provider to relieve moderate-to-severe pain, after a surgery or injury, or for certain health conditions. Opioids include prescription drugs such as hydrocodone, oxycodone, morphine, and codeine. Although these medications can be an important part of treatment, they carry serious risks of addiction and overdose, especially with prolonged use.

On a yearly basis, an acknowledgement of receipt of the Factsheet must be signed and returned by the athlete and the athlete's parent/guardian before the athlete initiates practice or competition. This requirement does not apply to athletic activity conducted during the regular schoolday or as part of a physical education course. (EC 49476)

### **CONFIDENTIAL MEDICAL SERVICES**

School authorities may excuse any student in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the student's parent/guardian. (EC 46010.1)

### **SCHOOL MEALS**

Free school meals are available to all students per the California Universal Meals. New incoming students will need to complete an alternative income form. (EC 49501.5)

### **USDA NONDISCRIMINATION STATEMENT**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: How to File a Complaint, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

1. Mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;
2. Fax: (202) 690-7442; or
3. Email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

### **IMMUNIZATIONS**

Students must be immunized against certain communicable diseases. Students are prohibited from attending school unless immunization requirements are met for age and grade. The District shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The District may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parent/guardian has consented in writing.

Parents/guardians of students in any school may not submit a personal beliefs exemption to a currently required vaccine. A personal beliefs exemption on file at school prior to January 1, 2016 will continue to be valid until the student enters the 7th grade.

Medical exemptions can only be issued through the California Immunization Registry – Medical Exemption (CAIR-ME) website. A medical exemption filed at the school before January 1, 2020 will remain valid until the earliest of:

- When the student enrolls in the next grade span (TK/K-6th grade or 7th-12th grade).
- The expiration date on the temporary medical exemption.
- Revocation of the exemption because the issuing physician has been subject to disciplinary action from the physician's licensing entity.

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents/guardians must continue to provide immunizations records for these students to their schools.

The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

A student not fully immunized may be temporarily excluded from a school or other institution when that child has been exposed

to a specified disease and whose documentary proof of immunization status does not show proof of immunization against one of the communicable diseases described above. (EC 48216, 49403; HSC 120325-120375)

California schools are required to check immunization records for all new student admissions at TK/K through 12th grade and all students advancing to 7th grade before entry. Please refer to the "Guide to Immunization Requirements for School Entry" at [shotsforschool.org](http://shotsforschool.org) for the most updated information on immunizations and their exemptions.

### **HEALTH CARE COVERAGE**

Your child and family may be eligible for free or low-cost health coverage. For information about health care coverage options and enrollment assistance, contact or go to [www.CoveredCA.com](http://www.CoveredCA.com).

### **MEDICATION AT SCHOOL**

Students who are required to take prescribed medication during the regular school day, may be assisted by the school nurse or other designated school personnel if the school receives the following: (1) written statement of instructions from the physician or surgeon detailing the method, amount and time schedules by which the medication is to be taken; and (2) a written statement from the parent/guardian of the student asking school personnel to assist in administering the medication as set forth in the statement of the physician or surgeon. (EC 49423)

Students may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school receives the following: written statement of instructions from the physician or surgeon or physician assistant detailing the method, amount and time schedules by which such medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine or inhaled asthma medication. All requests are to be approved by the school nurse prior to use. (EC 49423.1)

Parents/guardians of a student on a continuing medication regimen for a non-episodic condition shall inform the school of the medication being taken, the current dosage, and the name of the supervising physician. With parent/guardian consent, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of any adverse side effects, omission, or overdose. (EC 49480)

Below is the guidance from the California Department of Education to parents/guardians for children who need medication at school.

1. Talk to your child's doctor about making a medicine schedule so that your child does not have to take medicine while at school.
2. If your child is regularly taking medicine for an ongoing health problem, even if the medicine is only taken at home, give a written note to the school nurse or other designated school employee at the beginning of each school year. You must list the medicine being taken, the current amount taken and the name of the doctor who prescribed it. (EC 49480)
3. If your child must take medicine while at school, give the school a written note from you and a written note from your child's doctor or other health care provider, who is licensed to practice in California. Provide new, updated notes at the beginning of each school year and whenever there is any change in the medicine, instructions, or doctor. (EC 49423)
4. As a parent/guardian, you must supply the school with all medicine your child must take during the school day. You or another adult must deliver the medicine to school, except medicine your child is authorized to self-carry and self-administer.
5. All controlled medicine must be counted and recorded on a medicine log when delivered to the school. You or another adult who delivered the medicine should verify the count by signing the log.
6. Each medicine your child must be given at school must be in a separate container labeled by a pharmacist licensed in the United States. The container must list your child's name, doctor's name, name of the medicine, and instructions for when to take the medicine and how much to take.
7. Pick up all discontinued, outdated, and/or unused medicine before the end of the school year.
8. Know and follow the medicine policy of your child's school.

### **MEDICAL ASSISTANCE AT SCHOOL**

The emergency card will be used to contact parents/guardians in the event of a medical emergency. It is important to note on the emergency card any specific directions regarding medical treatment and/or emergency care.

The school will act in the absence of parent contact to ensure appropriate medical treatment is provided even if the parent/guardian cannot be reached. This means the school may make available medical or hospital services for students while at or on the way to or from any school activity.

It is important to know that the school district, school district employee, school principal, physician, or hospital treating the student cannot be held liable for the reasonable treatment of a child when the child is ill or injured during regular school hours, and requires reasonable medical treatment, and the parent/guardian cannot be reached, unless the parent/guardian has previously filed with the school district a written objection to any medical treatment other than first aid. (EC 49407)

School districts have the option to provide parents with student insurance for medical and hospital services needed for student injuries while involved in school-related activities. (EC 49472)

### **MEDICAL SERVICES INFORMATION**

The Board recognizes the importance of taking appropriate action whenever an accident or illness threatens the safety, health or welfare of a student at school or during school-sponsored activities. To facilitate immediate contact with parents/guardians on such occasions, the Board requires parents/guardians to furnish the schools with specific and current information. (See above section.)

The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical “do not resuscitate” orders. Staff shall not accept or follow any such orders. In addition, staff shall not take responsibility for accepting, maintaining and transmitting to emergency medical care personnel any written requests from parents/guardians that emergency services be withheld.

### **PHYSICAL EXAMINATION**

The school nurse or other appropriately trained individuals may conduct exams of the student’s vision, hearing, or scoliosis throughout the year and will notify parents/guardians of any suspected problems and provide them with recommendations or requests for further action. A parent/guardian may annually file with the principal a written statement withholding consent to the physical examination of their child. Any such student will be exempt from any physical examination but will be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected. (EC 49451, 49452, 49452.5, 49455, 49456)

### **ENTRANCE HEALTH SCREENING**

State law requires that the parent/guardian of each student provide the school documentary proof within 90 days after entrance to first grade that the student has received a health screening examination by a doctor within the prior 18 months through the “Report of Health Examination for School Entry” form. Students may be excluded, beginning the 91st day after the student’s entrance into the first grade, up to 5 days from school for failing to comply or not providing a waiver. Free health screening is available through the local health department. (HSC 124085, 124100, 124105)

### **ORAL HEALTH ASSESSMENT**

Many things influence a child’s progress and success in school – and one of the most important is their health. Children must be healthy to learn and children with cavities are not healthy. Cavities are preventable, but they affect more children than any other chronic disease. Additionally, dental disease is one of the most common reasons for school absences, and children in pain, even when they attend class, are unable to concentrate and learn.

Baby teeth are very important – they are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school. Tooth decay is an infection that does not heal and can be painful if left without treatment. If cavities are not treated, children can become sick enough to require emergency room treatment, and their adult teeth may be permanently damaged.

To make sure children are ready for school, state law requires that children have an oral health assessment (dental check-up) by May 31 in either kindergarten or first grade, whichever is their first year in public school. Assessments that have happened within the 12 months before the child enters school also meet this requirement. The law specifies that the assessment must be done by a licensed dentist or other licensed or registered dental health professional. The school and District will maintain the privacy of all students’ health information. A student’s identity will not be associated with any report produced as a result of this requirement. (EC 49452.8)

For children with Medi-Cal/Denti-Cal insurance, parents can find a dentist who takes this insurance by calling (800) 322-6384 or by visiting the Denti-Cal website at <https://www.denti-cal.ca.gov/>. To find a low, or no-cost clinic in the community, visit [www.californiahealthplus.org](http://www.californiahealthplus.org) or [www.211.org](http://www.211.org), or call 211.

### **STUDENT WELLNESS**

The Governing Board recognizes the link between student health and learning and provides a comprehensive program promoting healthy eating and physical activity. The LEA supports and reinforces health literacy through health education, physical education, health services, nutrition services, psychological and counseling services, a safe and healthy school environment, and parent/guardian and community involvement. The Board has adopted goals for nutrition and physical education, parent engagement and other school-based activities that are designed to promote student wellness in a manner that RSD determines appropriate. (42 USC 1751)

RSD’s nutrition education and physical education programs is consistent with the expectations established in the state’s curriculum

frameworks, and designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

The Nutritional Services Department assists to ensure that all school sites implement RSD's wellness policy. (42 USC 1751)

To encourage consistent health messages between the home and school environment, LEA disseminates health and nutrition information to parents/guardians through school newsletters, handouts, parent/guardian meetings, school website, and other communications.

The LEA has adopted nutrition guidelines selected by RSD Nutrition Department for all foods available on each campus during the school day, with the objectives of promoting student health and reducing childhood obesity. (42 USC 1751)

Each school posts RSD's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (EC 49432)

## **MENTAL HEALTH**

In order to initiate access to available student mental health services, you may contact a school counselor at the school site for community-based referrals or you may contact Ventura County Behavioral Health (VCBH) at (805) 981-6830. (EC 49428)

## **EMERGENCY TREATMENT FOR ANAPHYLAXIS**

Anaphylaxis is a severe and potentially life-threatening allergic reaction that can occur after encountering an allergic trigger, such as food, medicine, an insect bite, latex or exercise. Symptoms include narrowing of the airways, rashes or hives, nausea or vomiting, a weak pulse and dizziness. It is estimated that approximately 25% of the anaphylactic reactions occur during school hours to students who had not previously been diagnosed with a food or other allergy. Without immediate administration of epinephrine followed by calling emergency medical services, death can occur. Being able to recognize and treat it quickly can save lives. As such, the District provides epinephrine auto-injectors to school nurses and trained personnel and authorizes them to use epinephrine auto-injectors for any student who may be experiencing anaphylaxis, regardless of known history. (EC 49414)

## **TYPE 2 DIABETES**

Type 2 diabetes in children is a preventable/treatable disease. The following information is intended to raise awareness about this disease. Contact the school nurse or administrator, or the student's health care provider if you have questions.

Type 2 diabetes is the most common form of diabetes in adults.

- Until a few years ago, type 2 diabetes was rare in children but it is becoming more common especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.

- The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
- In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.
- Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.
- Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

### Risk Factors

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

- Being overweight. The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
- Family history of diabetes. Many affected children have at least one parent with diabetes or have a significant family history of the disease.
- Inactivity. Being inactive further reduces the body's ability to respond to insulin.
- Specific racial/ethnic groups. Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- Puberty. Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

### Warning Signs and Symptoms

Warning signs and symptoms of type 2 diabetes in children develop slowly and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs and not everyone who has these symptoms necessarily has type 2 diabetes.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fat levels

### Prevention Methods and Treatments

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

- Eat healthy foods. Make wise food choices. Eat foods low in fat and calories.
- Get more physical activity. Increase physical activity to at least 60 minutes every day.
- Take medication. If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

### Types of Diabetes Screening Tests That Are Available

- Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test. A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.
- Fasting blood sugar test. A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

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## INSTRUCTION

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### **CAREER COUNSELING AND COURSE SELECTION**

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

### **CHILD ABUSE PREVENTION TRAINING**

Whenever child abuse prevention training information is presented to students, parents/guardians are to be told in advance about these programs and may refuse to have their children participate in them. (WIC 18976.5)

### **EDUCATION FOR FOSTER PUPILS**

All students in foster care are entitled to a meaningful opportunity to meet the challenging state academic achievement standards to which all students are held. They shall be placed in the least restrictive educational programs and have access to the same academic resources, services, and extracurricular and enrichment activities that are available to all students. As required by law, Nadia Villapudua, Director of Pupil Services, at [nvillapudua@rioschools.org](mailto:nvillapudua@rioschools.org) or (805) 485-3111, has been designated as the foster care educational liaison for the Rio School District. The liaison serves as an advocate for all foster children that reside within the District, and ensures that every foster child has a proper school placement, transfer of records, and immediate enrollment in school. School enrollment is not contingent upon receipt of a student's academic or medical records. Because school stability is

extremely important to a child living in foster care, a foster child is allowed to remain in the school of origin as long as the child is in foster care, or until the end of the school year if the child leaves foster care mid-year. School of origin means the school that the foster child attended when the student first entered foster care, the last school of enrollment, or any school the foster child attended within the last 15 months. If any dispute arises as to the school placement of a foster child, the student has the right to remain in the school of origin pending the resolution of the dispute. The RSD liaison can assist parents or students in the dispute resolution process. (EC 48204, 488850 et. seq)

The California Department of Education, in consultation with the California Foster Youth Education Task Force, has developed the following standardized notice of the educational rights of foster children:

<https://www.vcoe.org/Special-Populations/Foster-Youth-Services>.

## **EDUCATION FOR HOMELESS CHILDREN & YOUTH**

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all homeless school -aged children to the same free and appropriate public education that is provided to non-homeless students.

A homeless student is defined as a person between the ages of birth (Early Head Start and Head Start Programs) and twenty-two (special education students) who lacks a fixed, regular, and adequate nighttime residence and may:

- Live in an emergency or transitional shelter; abandoned building, parked car, or other facility not designed as a regular sleeping accommodation for human beings;
- Live “doubled-up” with another family, due to loss of housing stemming from financial problems (e.g., loss of job, eviction or natural disaster);
- Live in a hotel or motel;
- Live in a trailer park or campsite with their family;
- Have been abandoned at a hospital;
- Reside in a home for school-aged, unwed mothers or mothers-to-be if there are no other available living accommodations; or
- Be abandoned, runaway, or pushed out youth or migrant youth that qualifies as homeless because the youth is living in circumstances described above.

A homeless student has the right to attend either the school of origin (the school that the student was last enrolled in, any school the student attended within the last 16 months, or the school attended when permanently housed) or the current school of residence. If a dispute arises over school selection or enrollment, the parent/guardian has the right to dispute the school’s decision by contacting the District’s homeless liaison, Nadia Villapudua, Director of Pupil Services, at [nvillapudua@rioschools.org](mailto:nvillapudua@rioschools.org) or (805) 485-3111.

The law requires the immediate enrollment of homeless students, which is defined as “attending class and participating fully in school activities”. Schools cannot delay or prevent the enrollment of a student due to the lack of school or immunization records. It is the responsibility of the District homeless liaison to refer parents/guardians to all programs and services for which the student is eligible. Referrals may include, but are not limited to: free nutrition, special education services, tutoring, English Language Learners programs, Gifted and Talented Education program, preschool, before and after school services or any other program offered by the school or District. The District shall ensure that transportation is provided, at the request of the parent/guardian/unaccompanied homeless youth, to and from the school of origin, if feasible.

Unaccompanied youth, such as teen parents not living with their parent/guardian or students that have run away or have been pushed out of their homes, have access to these same rights. (42 USC 11432)

To ensure that each school identifies all homeless and unaccompanied youths enrolled at the school, a housing questionnaire is administered at least once a year. The questionnaire can be made available in the primary language of the student’s parent or unaccompanied youth upon request. Notice of the educational rights of homeless youth and resources available to persons experiencing homelessness, as well as the name and contact information of the educational liaison for homeless youth, are posted on the District and school websites. The notice of education rights is also posted in the District and school offices. (EC 48851, 48852.6)

## **INDEPENDENT STUDY**

The Independent Study program serves as an optional alternative instructional strategy by which students may reach curriculum objectives and fulfill graduation requirements. Independent Study offers a means of individualizing the education plan for students whose needs may be best met through study outside of the regular classroom setting. (EC 51745-51749.6)

Independent Study is a voluntary program that entails a commitment by both the parent/guardian and student and is NOT the same as distance learning provided during the pandemic – it may not be appropriate for all students. An Independent Study Agreement is reviewed with, and signed by, the student and parent/guardian with the following guidelines:

- Prior to enrollment, parents/guardians and students have a right to request a conference with the school administrator.
- Students will complete their work independently at home based on an online, standards-aligned curriculum.
- Student attendance will be monitored through virtual check-ins and completion of independent work.

If a student has an IEP or 504 Plan, enrollment in Independent Study is a placement decision and is only allowed if the Student's IEP or 504 Plan specifically provides for that participation; an IEP or 504 meeting is required prior to any change of placement.

Please contact the school principal or Maria Rivera at [mrivera@rioschools.org](mailto:mrivera@rioschools.org) or (805) 485-3111 for further information about Independent Study for your student.

### **INSTRUCTIONAL PROGRAMS**

The curriculum, including titles, descriptions, and instructional aims of every course, shall be compiled at least once annually in a prospectus. Each school site shall make its prospectus available for review upon request. When requested, the prospectus shall be reproduced and made available. School officials may charge for the prospectus an amount not to exceed the cost of duplication. (EC 49063, 49091.14)

### **INVOLVING USE OF ANIMALS**

The teacher of any course that utilizes live or dead animals or animal parts shall inform students of their rights, including the right to refrain from participation in the educational project and not be discriminated against based on the decision to exercise their rights. A student's objection to participation shall be substantiated by a note from the parent/guardian. The teacher is required to develop alternative education projects and tests, if possible, that would require a comparable time and effort investment by the student. A student who chooses an alternative educational project must still pass all examinations from the course in order to receive credit; however, if the tests require the harmful or destructive use of animals, the student may, similarly, ask for alternative tests. (EC 32255, 32255.1, 32255.3, 32255.4)

### **INSTRUCTION FOR PUPILS WITH TEMPORARY DISABILITIES**

Temporary disability means a physical, mental, or emotional disability incurred while a student is enrolled and after which the student can reasonably be expected to return without special intervention. Temporary disability is not a disability for which a student is identified as an individual with exceptional needs. (EC 48204, 48206.3-48208)

A student with a temporary disability which makes attendance in the regular day classes or the alternative educational program in which the student is enrolled impossible or inadvisable, may receive individualized instruction provided in the student's home for one hour a day, following the same calendar as regular school – meaning, vacations and holidays are observed on the same schedule. Individualized instruction is only provided to students who will be unable to attend school for longer than four weeks, and the need for individualized instruction is substantiated by a physician licensed to practice medicine in the State of California.

A student with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. It is the responsibility of the parent/guardian to notify the site administrator at the current school of enrollment and the school district in which the hospital or other residential health facility is located of the presence of a student with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the student will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

A student with a temporary disability who is receiving individual instruction in a qualifying hospital may remain enrolled in the district of residence or charter school to facilitate the timely reentry in their prior school after the hospitalization has ended. If necessary, the district of residence may provide instruction in the home for the days not receiving instruction in the hospital setting, depending upon the temporary doctor orders. The total days of instruction may not exceed the maximum of five days with both school settings and attendance may not be duplicated. The supervisor of attendance shall ensure that absences from the regular school program are excused until the student is able to return to the regular school program.

### **LANGUAGE ACQUISITION PROGRAM**

Parents/guardians may choose a language acquisition program that best suits their child. A language acquisition program is an educational program designed for English learners to ensure English acquisition as rapidly and effectively as possible and provides standards-based instruction that work in tandem with English language development (ELD) standards through Integrated and Designated ELD. (EC 310)

In an effort to help close the achievement gap that separates English learners from their native English-speaking peers, Rio School District provides language acquisition programs with the following goals:

- Ensure that English learners acquire full proficiency in English as rapidly and effectively as possible and attain parity with native speakers of English.



- Ensure that English learners, within a reasonable period of time, achieve the same rigorous grade-level academic standards that are expected of all students.

In order to accomplish these goals, all English learners are provided with designated and integrated ELD instruction targeted to their English proficiency level and appropriate academic instruction in a language acquisition program.

Program options include the following:

- **Dual-Language Immersion Program:** A classroom setting that provides language learning and academic instruction for native speakers of English and native speakers of Spanish, with the goals of high academic achievement, first and second language proficiency, and cross-cultural understanding [EC 306(c)(1)].
- **Structured English Immersion:** A classroom setting for English learners in which nearly all classroom instruction is provided in English but with a curriculum and presentation designed for pupils who are learning English. At minimum, English learners will be provided a program of Structured English Immersion. [EC 305(a)(2) and 306(c)(3)]. Primary language support may be provided, as needed.

To support the proposed program goals, sufficient resources are effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement.

To the extent possible, the school will offer any language acquisition program requested by the parents of 30 or more students at the school or by the parents of 20 or more students in the same grade level. For more information, contact your school principal.

## RELIGIOUS BELIEFS

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

## SCHEDULE OF MINIMUM DAYS & PUPIL-FREE STAFF DEVELOPMENT DAYS

Parents/guardians of all students are to be informed of the schedule of minimum days and pupil-free staff development days. Parents/guardians shall be advised no later than one month prior to any scheduled minimum days or pupil-free staff development days. To review the school calendar for the current school year, please visit the District’s webpage at: (EC 48980(c))

<https://rioschools.org/calendar/>

## SEXUAL HEALTH AND HIV PREVENTION EDUCATION

The California Healthy Youth Act requires schools to provide students with integrated, comprehensive, accurate, and unbiased sexual health and human immunodeficiency virus (HIV) prevention education at least once in middle school and once in high school. *(See the notification on “Instruction for Pupils in Grades 7 through 12” below for the specific content of the instruction.)* The District may also elect to provide comprehensive sexual health or HIV prevention education consisting of age-appropriate instruction earlier than grade 7.

The Governing Board shall not require students to attend a sex education or a family life education course offered in the schools. When such classes are offered, the parent/guardian of each student enrolled in such class shall first be notified in writing of the class no fewer than 14 days before the instruction is delivered if arrangements for the instruction are made after the beginning of the school year. Opportunity shall be provided to each parent/guardian to inspect and review materials to be used, and request in writing that their child not receive comprehensive sexual health or HIV prevention education, or participate in research on student health behaviors and risks. (EC 48980(a))

If a school elects to provide comprehensive sexual health education or HIV/AIDS prevention education by outside consultants or guest speakers, the notice shall include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information stating the right of the parent/guardian to request a copy of EC 51933, 51934 and 51938.

It is the intent of the Legislature to encourage students to communicate with their parents/guardians about human sexuality and HIV and to respect the rights of parents/guardians to supervise their children’s education on these subjects. The Legislature recognizes that while parents/guardians support medically accurate, comprehensive sex education, parents/guardians have the ultimate responsibility for imparting values regarding human sexuality to their children.

## INSTRUCTION FOR PUPILS IN GRADES 7 THROUGH 12

The required comprehensive sexual health and HIV prevention education must be provided by instructors trained in the appropriate courses. The instruction whether taught by school district personnel or outside consultants, shall include all of the following: (EC 51934)

- Information on the nature of HIV, as well as other sexually transmitted infections, and their effects on the human body.
- Information on the manner in which HIV and other sexually transmitted infections are and are not transmitted, including information on the relative risk of infection according to specific behaviors, including sexual activities and injection drug use.
- Information that abstinence from sexual activity and injection drug use is the only certain way to prevent HIV and other sexually transmitted infections and abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy. This instruction shall provide information about the value of delaying sexual activity while also providing medically accurate information on other methods of preventing HIV and other sexually transmitted infections and pregnancy.
- Information about the effectiveness and safety of all federal Food and Drug Administration (FDA) approved methods that prevent or reduce the risk of contracting HIV and other sexually transmitted infections, including use of antiretroviral medication, consistent with the federal Centers for Disease Control and Prevention
- Information about the effectiveness and safety of reducing the risk of HIV transmission as a result of injection drug use by decreasing needle use and needle sharing.
- Information about the treatment of HIV and other sexually transmitted infections, including how antiretroviral therapy can dramatically prolong the lives of many people living with HIV and reduce the likelihood of transmitting HIV to others.
- Discussion about social views on HIV and AIDS, including addressing unfounded stereotypes and myths regarding HIV and AIDS and people living with HIV. This instruction shall emphasize that successfully treated HIV-positive individuals have a normal life expectancy, all people are at some risk of contracting HIV, and the only way to know if one is HIV-positive is to get tested.
- Information about local resources, how to access local resources, and students' legal rights to access local resources for sexual and reproductive health care such as testing and medical care for HIV and other sexually transmitted infections and pregnancy prevention and care, as well as local resources for assistance with sexual assault and intimate partner violence.
- Information about the effectiveness and safety of all FDA-approved contraceptive methods in preventing pregnancy, including, but not limited to, emergency contraception. Instruction on pregnancy shall include an objective discussion of all legally available pregnancy outcomes, including, but not limited to, all of the following:
  - Parenting, adoption, and abortion.
  - Information on the law on surrendering physical custody of a minor child 72 hours of age or younger.
  - The importance of prenatal care.
- Information about sexual harassment, sexual assault, sexual abuse, and human trafficking. Information on human trafficking shall include both of the following: information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance; and information on how social media and mobile device applications are used for human trafficking
- Information about adolescent relationship abuse and intimate partner violence, including the early warning signs thereof.

School districts may provide optional instruction, as part of the comprehensive sexual health education and HIV prevention education, regarding the potential risks and consequences of creating and sharing sexually suggestive or sexually explicit materials through cell phones, social networking, internet websites, computer networks, or other digital media. (EC 51934(b))

The purpose of this instruction and legislation is to provide students with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases, as well as to encourage students to develop healthy attitudes concerning adolescent growth and development, body image, gender roles, sexual orientation, dating, marriage, and family.

This legislation does not apply to description or illustration of human reproductive organs that may appear in a textbook, adopted pursuant to law, on physiology, biology, zoology, general science, personal hygiene, or health. (EC 51932)

The District may contract with outside consultants with expertise in comprehensive sexual health education or HIV prevention education, or both, including those who have developed multilingual curricula or curricula accessible to persons with disabilities, to deliver the instruction or to provide training for school district personnel. All outside consultants and guest speakers shall have expertise in comprehensive sexual health education and HIV prevention education and have knowledge of the most recent medically accurate research on the relevant topic or topics covered in their instruction. (EC 51936)

The District shall cooperatively plan and conduct in-service training for all school district personnel that provide HIV prevention education. In developing and providing in-service training, the District shall cooperate and collaborate with the teachers of the District who provide HIV prevention education and with the State Department of Education. (EC 51935)

A student may not attend any class in comprehensive sexual education or HIV prevention education, or participate in any anonymous, voluntary, and confidential test, questionnaire, or survey on student health behaviors and risks, if the school has received a written request from the student's parent/guardian excusing the student from participation.

A student may not be subject to disciplinary action or academic penalty if the student's parent/guardian declines to permit the

student to receive comprehensive sexual health education or HIV prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on student health behaviors and risks. (EC 51939)

## **SPECIAL EDUCATION**

Individuals with Disabilities Education Act (IDEA) is a federal law that requires school districts to provide a “free, appropriate public education” (FAPE) to eligible children with disabilities. FAPE means that special education and related services are to be provided as described in an individualized education program (IEP) to eligible students at no cost.

To be eligible for this program, a child must be evaluated and found to have one of the following disabilities and need special education and/or related services:

- Autism
- Deaf-blindness
- Emotional disturbance
- Hearing impairment (including deafness)
- Intellectual disabilities
- Multiple disabilities
- Orthopedic impairment
- Other health impairment
- Speech and language impairment
- Specific learning disability
- Traumatic brain injury
- Visual impairment
- Established medical condition (preschool only)

The Rio School District actively seeks out and evaluates students that are suspected of having a disability who reside in or attend a private school within our district boundaries in order to provide them with appropriate educational opportunities in accordance with state and federal law. In addition, a parent/guardian, teachers, and appropriate professionals may refer a student who is believed to have a disabling condition that may require special education programs or services. Parents/guardians can request a special education assessment at any time by submitting a request in writing, noting the date of the request and all areas of concern to the school principal. For assistance in submitting a written request, please contact your child’s school principal or Nadia Villapudua, Director of Pupil Services, at (805) 485-3111.

Within 15 days of a request, the parent/guardian will receive either a notice and an Assessment Plan noting the areas the District proposes to assess, or a notice indicating why the District declines to assess. The parent/guardian has the right to appeal this decision.

To move forward with an assessment, the parent/guardian must provide written consent and return the Assessment Plan to the school.

Testing and assessment materials and procedures for evaluation and placement of children with disabilities will be selected and administered so as not be racially, culturally, or sexually discriminatory. Such materials or procedures shall be provided and administered in the child’s native language or mode of communication, unless clearly not feasible and no single procedure shall be the sole criterion for determining an appropriate educational program for a child. As part of initial evaluation (if appropriate) and as part of any reevaluation, the IEP Team and other qualified professional as appropriate, shall review existing evaluation data on the child including evaluations and information provided by the parents/guardians of the child, current classroom-based assessments and observations, and teacher and related services providers’ observations.

Within 60 days of receipt of the signed Assessment Plan, all assessments will be completed and an IEP meeting will be held to discuss the student’s eligibility.

If a student is found eligible, an IEP will be developed. An IEP will include specific goals to address the student’s needs and services to support achieving those goals.

If you need any assistance with this process, talk to your principal or contact Nadia Villapudua, Director of Pupil Services, at (805) 485-3111 or [nvillapudua@rioschools.org](mailto:nvillapudua@rioschools.org). For further assistance, you may also contact the **Ventura County Special Education Local Plan Area** at (805) 437-1560; they can connect you with professionals who are knowledgeable about special education and/or other parents/guardians of children with special needs.

Parents/guardians have protections under state and federal procedural safeguards, including the right to file a complaint and/or request mediation or due process hearing. Please refer to the Parent and Adult Student Rights for Special Education at [www.vcselfpa.org](http://www.vcselfpa.org) for an explanation of these rights. For further information about parent rights, contact Nadia Villapudua, Director

of Pupil Services, at [nvillapudua@rioschools.org](mailto:nvillapudua@rioschools.org). You may also contact the California Department of Education, 1430 N Street Sacramento, CA 95814, (916) 319-0800.

## **SECTION 504**

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. The Rio School District provides a free and appropriate public education (FAPE) to all students regardless of the nature or severity of their disability. In addition, qualified students with disabilities are provided an equal opportunity to participate in programs and activities that are integral components of the District's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities. (29 USC 794; 34 CFR 104.32)

To qualify for Section 504 protections, the student must have a mental or physical impairment which substantially limits one or more major life activities. For the purpose of implementing Section 504, the following terms and phrases shall have only the meanings specified below:

1. Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine.
2. Mental impairment means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.
3. Substantially limits major life activities means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. Major life activities also include major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system.

The District has a responsibility to identify, evaluate, and if eligible, provide students with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. Additionally, a parent/guardian, teacher, other school employee, or community agency may refer a student to the principal or Section 504 Coordinator for identification as a student with a disability under Section 504. Upon receipt of a referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability will consider the referral and determine whether an evaluation is appropriate. This determination will be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team will develop a written 504 services plan specifying the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

For additional information about the rights of parents of eligible students, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact Nadia Villapudua, Director of Pupil Services, at (805) 485-3111 or [nvillapudua@rioschools.org](mailto:nvillapudua@rioschools.org).

## **STATEWIDE TESTING**

### California Assessment of Student Performance and Progress (CAASPP)

CAASPP is a system that includes a number of assessments that are administered each spring to students in specified grade levels. These tests were created specifically to gauge each student's performance and progress in English language arts, mathematics, and science. The assessments measure the skills called for by the standards, including the ability to write clearly, think critically and solve problems. CAASPP tests are given statewide and therefore provide an opportunity to measure the skills of all students against the same academic standards.

### English Language Proficiency Assessments for California (ELPAC)

The ELPAC is aligned with the California English Language Development Standards. It consists of two separate English Language Proficiency assessments: one for the initial identification of students as English learners and the other for the annual summative assessment to identify students' English language proficiency level and to measure their progress in learning English.

### Physical Fitness Test (PFT)

The PFT for students in California schools is administered in the spring. The main goal of the test is to help students in starting lifelong habits of regular physical activity. Students in grades 5 and 7 take the fitness test which consists of 5 areas of fitness: aerobic capacity, abdominal strength and endurance, trunk extensor strength and flexibility, upper body strength and endurance, and flexibility.

A parent/guardian may annually submit to the District a written request to excuse their student from any or all parts of the CAASPP assessments for the school year, and such a request shall be granted by the Superintendent or designee. Requests for exemption can be submitted to the school site principal. If a parent submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent and included in the student's records. Requests are valid only for the current school year. Please note that there is no opt-out or exemption for the PFT or ELPAC testing. For more information or questions regarding statewide testing, please contact the school principal.

### **STUDENT USE OF THE INTERNET & ON-LINE SERVICES**

The Rio School District provides access for students to the Internet as an educational tool. Because the Internet is uncensored and can be misused, no student shall be allowed access to the Internet unless the student and the student's parent/guardian have read and signed the RSD's "Acceptable Use Agreement." Efforts will be made to assure that no student uses the internet unless that student and the student's parents have signed off on the Use Agreement. RSD will provide reasonable supervision of students using its access to the Internet and take appropriate steps to reasonably prevent students from accessing inappropriate or harmful matter. Students shall also take responsibility to not initiate access to inappropriate or harmful matter while using RSD technology. Students using internet access shall have no expectation of privacy in their use of RSD computers, devices, internet services, shared document or email services. Staff may monitor or examine all system activities to ensure proper use of the system. Students who fail to abide by RSD Internet rules may be subject to disciplinary action of students and legal action. (47 CFR 54.520; 15 USC 6501-6506, 47 USC 254; PC 313)

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## **STUDENT ATTENDANCE**

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### **ABSENCES**

If a child is absent from school, the parent/guardian is to call the school as soon as possible. Students are expected to make up classroom work missed while absent.

Student absences will be marked unexcused if the school does not receive proper verification after three school days.

Studies show that there is a direct correlation between good school attendance and student achievement; therefore, it is important that parents/guardians reinforce the importance of good school attendance and make every effort to send their child to school on a regular basis.

In order for an absence to be excused, the reason for such absence must meet the criteria specified under EC 48205, as provided below.

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

- (1) Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
- (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, 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.
- (9) For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
- (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
- (11) For the purpose of participating in a cultural ceremony or event.
- (12) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

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

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

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

(e) For purposes of this section, the following definitions apply:

(1) "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people.

(2) "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

No student may have their grade reduced or lose academic credit for any absence or absences excused pursuant to EC 48205 (see above) when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (EC 48980(i))

If any minor is a habitual truant, or is a chronic absentee, or is habitually insubordinate or disorderly during attendance at school, the student may be referred to an attendance supervisor, a school attendance review board (SARB) or the Ventura County District Attorney's Office. (EC 48260 and 48263)

For students declared a ward of the court pursuant to WIC 602, school staff are to bring to the attention of the juvenile court and to the student's probation officer within ten days of the students being reported as truant from school one or more days or tardy on one or more days without valid excuse, in the same school year or in a succeeding year. (EC 48267)

### **ABSENCES FOR RELIGIOUS INSTRUCTION**

Students, with the written consent of their parents/guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction at their respective places of worship or at other suitable place(s) away from school property designated by the religious group, church, or denomination. The student must attend school at least the minimum school day and cannot be excused from school for such purpose on more than four days per school month. (EC 46014)

### **NOTICE OF ALTERNATIVE SCHOOLS**

The following notice is required per EC 58501, and shall be posted in at least two places normally visible to students, teachers, and visiting parents/guardians at each school for the entire month of March in each year.

California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines an 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/her desire to learn.

(c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.

(d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.

(e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located. (EC 58500 and 58501)

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 at each school 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.

### **COMPULSORY EDUCATION**

#### Residency

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located. (EC 48200)

A student may alternatively comply with the residency requirements for school attendance in a school district, if the student is any of the following: placed in a regularly established licensed children's institution, licensed foster home, or a family home within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; a foster or

homeless child who remains in the school of origin; a migratory child or a child of a military family who continues to attend the student's school of origin; an emancipated minor who resides within the boundaries of the school district; a student who lives in the home of a caregiving adult that is located within the boundaries of the school district and the caregiving adult submits an affidavit to that effect; a student residing in a state hospital located within the boundaries of the school district; a student confined to a hospital or other residential health facility within the boundaries of the school district for treatment of a temporary disability; the student's parent/guardian resides outside the boundaries of the school district but is employed within the boundaries of the school district and lives with the student at the place of employment for a minimum of three days during the school; and the student's parent/guardian was a resident of California who departed the state against their will due to a transfer by a government agency that had custody of the parent, a lawful order from a court or government agency authorizing the removal of the parent/guardian, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student was enrolled in a California public school immediately before moving out of state as a result of their parent/guardian's departure. (EC 48204 et seq.)

The District may also deem a student as having complied with residency requirements for school attendance in the District if one or both parents/guardians of the student are employed within the boundaries of the District for a minimum of 10 hours during the school week. (EC 48204(b))

#### "Truancy"

A truant is any student subject to compulsory full-time education who is absent from school without valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. After a student has been reported as a truant three or more times in a school year and the District has made a conscientious effort to meet with the family, the student is considered an habitual truant. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a chronic truant. Parents/guardians of students who are identified as truant will receive truancy notifications that may result in a referral to the School Attendance Review Team and the School Attendance Review Board if attendance does not improve. (EC 48260-48273)

#### "Chronic Absenteeism"

A student is considered a chronic absentee when the student is absent on 10% or more of the school days in one school year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused – and is an important measure because excessive absences negatively impact academic achievement and student engagement. (EC 60901)

### **ENROLLMENT OPTIONS**

#### Districts of Choice

The law (EC 48300-48315) allows a school district to become a district of choice—that is, a district that accepts transfer students from outside the district under the terms of a resolution. A school board that decides to become a district of choice must determine the number of transfers it is willing to accept and will admit students until it is at maximum capacity through a "random and unbiased" process, which generally means a lottery process, that does not inquire into, evaluate or consider students on their academic or athletic performance, physical condition, proficiency in English, any individual characteristics set forth in EC 200 (*i.e.*, race, gender, religion, sexual orientation, etc.), or family income. However, a district of choice may use existing entrance criteria for specialized schools or programs as long as the criteria are uniformly applied to all applicants. Students must request transfer into a district of choice by January 1 of the school year preceding the school year for which the student is requesting the transfer – a modified application process is available for children of relocated military personnel. Other provisions include:

- Either the district of choice or the district of residence may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district of residence may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
- The district of choice may not prohibit a transfer based on the additional cost of educating the student but may prohibit a transfer if it would require the district to create a new program.
- No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
- Siblings of students already attending school in the district of choice, students eligible for free or reduced-price meals, and children of military personnel must be given transfer priority, in the order listed.
- Once the transfer is approved, a student attending a district of choice complies with residency requirements for school attendance. The transfer is applicable for one school year and is renewed automatically unless the governing board of the district of choice elects to withdraw participation from the program.
- A parent/guardian may request transportation assistance within the boundaries of the district of choice. The district may

provide transportation only to the extent it already does so.

Districts electing to participate in the District of Choice Program are required to register with the California Department of Education; a list of participating districts for the current school year can be found at <https://www.cde.ca.gov/sp/eo/dc/>. For additional information regarding the application process, timelines, selection process, and reasons for denial of a request, please visit the website of the participating district. The Rio School District is not a district of choice.

#### Interdistrict Attendance

The parent/guardian of a student may seek release from the district of residence to attend a school in any other school district. School districts may enter into agreements for the interdistrict transfer of one or more students for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers and may contain standards of reapplication and specify the terms and conditions under which a permit may be revoked. Unless otherwise specified in the agreement, a student will not have to reapply for an interdistrict transfer, and the school board of the district of enrollment must allow the student to continue to attend the school in which the student is enrolled. (EC 46600)

The Rio School District will not prohibit the transfer of a student who is a child of an active military duty parent to a district of proposed enrollment if that district approves the application for transfer. If the District has only one school offering the grade level of the victim of an act of bullying and therefore has no options for an intradistrict offer, the victim of an act of bullying may apply for an interdistrict transfer and the District will not prohibit the transfer if the receiving district approves the application for transfer. Additionally, a student who has been determined by personnel of either the district of residence or the receiving district to have been the victim of an act of bullying will, at the request of the parent, be given priority for interdistrict attendance. The term "bullying" is defined under EC 48900(r), and a student is determined to be a "victim of an act of bullying" through an investigation of a complaint and the bullying was committed by a student in the District, and the parent/guardian had filed a written complaint regarding the bullying with the school, district personnel, or a local law enforcement agency. Upon request by the parent, a receiving district must provide transportation assistance to a student who is both eligible for free or reduced-price meals and either a victim of an act of bullying or a child of an active-duty military parent. (EC 46600)

A parent/guardian may appeal a school district's decision regarding a request for interdistrict transfer, within 30 calendar days of the date of the school district's final denial, to the county board of education. A student who is appealing a decision for an interdistrict permit approval through the County Office of Education may be eligible for provisional admission to the desired district in grades TK through 12, while continuing through the process of appeal, if space is made available by the desired district, not to exceed two months. (EC 46601, 46603)

If you have any questions about the interdistrict process, please call Maria Rivera at [mrivera@rioschools.org](mailto:mrivera@rioschools.org) or (805) 485-3111.

### **INTRADISTRICT OPEN ENROLLMENT**

#### Policy Statement

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation. [RSD BP 5116.1]

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the District. The Board shall annually review this policy. (EC 35160.5, 48980)

#### Enrollment Priorities

Priority for attendance outside a student's attendance area shall be given as follows:

1. Is enrolled in a district school designated by the California Department of Education (CDE) as "persistently dangerous" (20 USC 7912; 5 CCR 11992)
2. Is a victim of a violent crime while on school grounds (20 USC 7912)
3. Is a victim of an act of bullying committed by another district student, as determined through an investigation following the parent/guardian's submission of a written complaint with the school, district, or local law enforcement agency pursuant to EC 234.1 (EC 46600) If the district school requested by the student is at maximum capacity, the Superintendent or designee shall accept an intradistrict transfer request for another district school (EC 46600)
4. Is currently enrolled in a district school identified by CDE for comprehensive support and improvement, with priority given to the lowest academically achieving students from low-income families as determined pursuant to 20 USC 6313(a)(3) (20 USC 6311)
5. Is experiencing special circumstances that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either: (EC 35160.5)



- a. A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official or a social worker, or a properly licensed or registered professional, including, but not necessarily limited to, a psychiatrist, psychologist, marriage and family therapist, clinical social worker, or professional clinical counselor
  - b. A court order, including a temporary restraining order and injunction
6. Is a sibling of another student already attending that school
7. Has a parent/guardian whose primary place of employment is that school

For all other applications for enrollment from outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity. A school's capacity shall be calculated in an arbitrary manner using student enrollment and available space. (EC 35160.5)

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (EC 35160.5)

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (EC 35160.5)

#### Transfers for Victims of a Violent Criminal Offense

Within a reasonable amount of time, not to exceed 14 days, after it has been determined that a student has been the victim of a violent criminal offense while on school grounds, the student's parents/guardians shall be offered an option to transfer their child to an eligible school identified by the Superintendent or designee. In determining whether a student has been a victim of a violent criminal offense, the Superintendent or designee shall consider the specific circumstances of the incident on a case-by-case basis and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

The Superintendent or designee shall consider the needs and preferences of the affected student and the student's parent/guardian in making the offer. If the parent/guardian elects to transfer their child, the transfer shall be completed as soon as practicable.

#### Transfers from a "Persistently Dangerous" School

Within 10 school days after receiving notification from the California Department of Education (CDE) that a school has been designated as "persistently dangerous," the Superintendent or designee shall notify parents/guardians of the school's designation. Within 10 school days after this notification has been provided to parents/guardians, the Superintendent or designee shall notify parents/guardians of their option to transfer their child.

Parents/guardians who desire to transfer their child out of a "persistently dangerous" school shall provide written notification to the Superintendent or designee and shall rank-order their preferences from among all schools identified by the Superintendent or designee as eligible to receive transfer students. The Superintendent or designee may establish a reasonable timeline, not to exceed seven school days, for the submission of parent/guardian requests.

The Superintendent or designee shall consider the needs and preferences of students and parents/guardians before making an assignment, but is not obligated to accept the parent/guardian's preference if the assignment is not feasible due to space constraints or other considerations. For students who accept the offer, the transfer shall generally be made within 30 school days of receiving the notice of the school's designation from the CDE. If parents/guardians decline the assigned school, the student may remain in his/her current school.

The transfer shall remain in effect as long as the student's school of origin is identified as "persistently dangerous." The Superintendent or designee may choose to make the transfer permanent based on the educational needs of the student, parent/guardian preferences, and other factors affecting the student's ability to succeed if returned to the school of origin.

The Superintendent or designee shall cooperate with neighboring districts to develop an interdistrict transfer program in the event that space is not available in a district school.

#### Other Intradistrict Open Enrollment

To implement intradistrict open enrollment pursuant to EC 35160.5:

1. The Superintendent or designee shall identify those schools which may have space available for additional students. A list of these schools and open enrollment applications shall be available at all school offices.

2. Students of parents/guardians who submit applications to the District by January 1 shall be eligible for admission to their school of choice the following school year under the District's open enrollment policy.
3. Enrollment in a school of choice shall be determined by lottery from the eligible applicant pool, and a waiting list shall be established to indicate the order in which applicants may be accepted if openings occur during the year. Late applicants shall not be added to the waiting list for the current year.
4. The Superintendent or designee shall provide written notification to applicants as to whether their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.
5. Approved applicants must confirm their enrollment within 10 schooldays.

Once enrolled, a student shall not be required to reapply for readmission. However, the student may be subject to displacement due to excessive enrollment.

Any complaints regarding the selection process shall be submitted to the Superintendent or designee.

#### Notifications

Notifications shall be sent to parents/guardians at the beginning of each school year describing all current statutory attendance options and local attendance options available in the district. Such notification shall include: (EC 48980)

1. All options for meeting residency requirements for school attendance
2. Program options offered within local attendance areas
3. A description of any special program options available on both an interdistrict and intradistrict basis
4. A description of the procedure for application for alternative attendance areas or programs and the appeals process available, if any, when a change of attendance is denied
5. A district application form for requesting a change of attendance
6. The explanation of attendance options under California law as provided by the CDE

## **DISCIPLINE — CONDUCT OF PUPILS**

### **DUTIES OF PUPILS**

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

### **JURISDICTION**

Teaching staff shall hold students to strict account for their conduct on the way to and from school, on the playgrounds, or during recess. (EC 44807)

### **MANDATORY EXPULSION VIOLATIONS**

Schools shall immediately suspend and recommend expulsion for students that commit any of the following acts at school or at a school activity off school grounds: (1) Possessing, selling, or otherwise furnishing a firearm; (2) Brandishing a knife at another person; (3) Unlawfully selling a controlled substance; (4) Committing or attempting to commit a sexual assault or committing a sexual battery; or (5) Possession of an explosive. The school board shall order the student expelled upon finding that the student committed the act. (EC 48915)

### **DRESS CODE**

Schools may adopt and enforce a reasonable dress code policy that requires students to wear a schoolwide uniform or prohibits the wearing of "gang-related clothing" if it is determined that it is necessary for the health and safety of the school environment. (EC 35183)

### **ELECTRONIC LISTENING OR RECORDING DEVICE**

The use by any person, including a student, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal is prohibited as it disrupts and impairs the teaching process and discipline in the schools. Any person, other than the student, willfully in violation shall be guilty of a misdemeanor. Any student in violation shall be subject to appropriate disciplinary action. (EC 51512)

### **ELECTRONIC SIGNALING DEVICE**

By policy or practice the District, or its individual schools, may regulate the right of students to possess or use electronic signaling devices, including cell phones, during the school day or at school functions. However, the student shall not be prohibited from possessing or using a smartphone under any of the following circumstances: (EC 48901.5, 48901.7)

1. In the case of an emergency, or in response to a perceived threat of danger.

2. When a teacher or administrator grants permission to a student to possess or use a smartphone, subject to any reasonable limitation imposed by that teacher or administrator.
3. When a licensed physician and surgeon determines that the possession or use of a smartphone is necessary for the health or well-being of the student.
4. When the possession or use of a smartphone is required in a student's individualized education program or Section 504 plan.

### **LASER POINTERS**

No student shall possess a laser pointer on any elementary or secondary school premises, unless possession is for valid instruction. This section further prohibits directing the beam of a laser pointer into the eyes of another, or the driver of a moving vehicle, or into the eyes of a guide dog. (PC 417.27)

### **NOTIFICATION TO LAW ENFORCEMENT PERSONNEL & TEACHERS**

School officials are required to inform law enforcement personnel of an attack, assault, or physical threat of any employee by a student. (EC 44014)

An employee of a school district whose person or property is injured or damaged by the willful misconduct of a student who attends school in that district may request that legal action be taken against either the student who caused the injury or damage, or the student's parent/guardian. (EC 48905)

The principal or designee must report to appropriate law enforcement violations of PC 245, 626.9, or 626.10 (assault with deadly weapon, possession of firearm, and possession of knife). The principal or the principal's designee shall report an act described above under "Mandatory Expulsion Violations" committed by a student or non-student on a school site. Notification to law enforcement is also required within one day of suspension for violations of EC 48900 (c) or (d) (violations related to controlled substances, alcoholic beverages, or intoxicants). Whenever the principal or designee reports a criminal act committed by a student with exceptional needs, the principal or designee shall ensure that copies of the student's special education and disciplinary records to law enforcement authorities for consideration to the extent permissible under the federal Family Educational Rights and Privacy Act of 1974 (FERPA). (EC 48902)

A school district to which a student is transferring to is required to request from the district of last enrollment any records of acts committed that resulted in suspension or expulsion. Upon receipt of this information, the district shall inform the student's teacher(s) of the suspension(s) or expulsion(s) including the acts committed. This information shall be received by the student's teacher(s) in confidence for the limited purpose for which it was provided and shall not be further disseminated. (EC 48201)

A District shall inform the teacher of each student who has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions under EC 48900 (Grounds for Suspension or Expulsion), except subdivision (h) (possessed or used tobacco, or any products containing tobacco), or in EC 48900.2 (Sexual Harassment), EC 48900.3 (Hate Violence), EC 48900.4 (Harassment, Threats, Intimidation), or EC 48900.7 (Terroristic Threats Against School Officials, School Property or Both). The information is based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (EC 49079)

### **PROPERTY DAMAGE**

Parents/guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the student until restitution is paid. (EC 48904)

### **REQUIREMENT FOR PARENT/GUARDIAN ATTENDANCE**

Teachers may require the parent/guardian of a student who has been suspended by a teacher to attend a portion of that school day in the student's classroom. The attendance of the parent/guardian will be limited to the class from which the student was suspended. A written notice will be sent to the parent/guardian regarding implementation of this requirement. Employers are not allowed to apply sanctions against the parent/guardian for this requirement if the parent/guardian has given reasonable notice to the employer. (EC 48900.1)

### **SAFE PLACE TO LEARN AND ACT**

The Rio School District is committed to maintaining a learning environment that is free from discrimination, harassment, violence, intimidation, and bullying based on actual or perceived characteristics set forth in PC 422.55, including immigration status, and EC 220, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation, or bullying must take immediate steps to intervene when safe to do so. Any student who engages in acts of discrimination, harassment, violence, intimidation, or bullying related to school activity or school attendance occurring within a school of the District may be subject to disciplinary action up to and including expulsion. To report an incidence

and/or to receive a copy of the District's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies, please contact:

Assistant Superintendent of Educational Services  
1800 Solar Drive, 3rd floor  
Oxnard, CA 93030  
(805) 485-3111

## **SCHOOL RULES**

School rules establish a standard of conduct which promotes a safe, orderly, and positive school environment. School rules and procedures regarding student discipline have been developed by representative school committees. School districts may prescribe procedures to provide written notice to both continuing and transfer students and to their parents/guardians regarding school discipline rules and procedures. (EC 35291, 35291.5, 35291.7)

Students must obey all school and classroom rules while at school, school activities, and on their way to and from school and school activities. Every teacher shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds, or during breaks. A teacher may suspend any student from the teacher's class, for any of the acts listed in EC 48900, for the day of suspension and the day following. A teacher, vice-principal, principal, or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of their duties, of the same degree of physical control over a student that a parent/guardian would be legally permitted use. (EC 44807, 48900, 48910)

Parents/guardians of students may participate and give advice in the formation of school rules and procedures and receive a written copy. They may appeal the discipline of a teacher or administrator by contacting the person's supervisor. They may request or be required to attend conferences regarding the discipline of their children.

Parents/guardians may be liable for willful conduct of their children which results in injury or death to another student or to school district personnel, and may assume liability (up to \$10,000) for damage to school property caused by their child's willful misconduct. (EC 35291, 35291.5, 48900, 48900.1, 48904, 48910)

## **SEXUAL HARASSMENT POLICY-STUDENTS**

The Rio School District is committed to maintaining a safe school environment that is free from harassment and discrimination. The District prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. It also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment. Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity will be subject to disciplinary action. For students in grades 4 through 8, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) are taken into account. Any employee found to have engaged in sexual harassment or sexual violence toward any student will be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

### Instruction/Information

All district students shall receive age-appropriate information on sexual harassment, including:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained
4. A clear message that student safety is the District's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the District's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues
8. A clear message that, when needed, the District will take interim measures to ensure a safe school environment for a student

who is the complainant or victim of sexual harassment and/or other students during an investigation and that, to the extent possible, when such interim measures are taken, they shall not disadvantage the complainant or victim of the alleged harassment

#### Defining Sexual Harassment

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the educational setting, under any of the following conditions: (EC 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of District policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent:

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the District's education program or activity.
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291.

#### Examples of Sexual Harassment

Examples of types of conduct which are prohibited in the District, and which may constitute sexual harassment under state and/or federal law, in accordance with the definitions above, include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way
9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects
11. Sexual assault, sexual battery, or sexual coercion
12. Electronic communications containing comments, words, or images described above

#### Reporting Process and Complaint Investigation

Students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student, an employee, or a third party or who have experienced off-campus sexual harassment that has a continuing effect on campus are strongly encouraged to report the incident to their teacher, the principal, the District's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment must notify the Title IX Coordinator within one school day. The report must be made whether the alleged victim files a formal complaint or requests confidentiality.

Once notified, the Title IX Coordinator will determine whether the complaint or allegation is to be addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1323.3 – Uniform Complaint Procedures. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator will ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3. The Title IX Coordinator will offer supportive measures to the complainant and respondent, as deemed appropriate under the

circumstances. If, upon the conclusion of an investigation, sexual harassment is determined to have occurred, the Title IX Coordinator, or designee in consultation with the Coordinator, will take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

#### Confidentiality

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

However, when a complainant or victim of sexual harassment notifies the District of the harassment but requests confidentiality, the compliance officer shall inform the complainant or victim of sexual harassment that the request may limit the District's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the District will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

When a complainant or victim of sexual harassment notifies the district of the harassment but requests that the District not pursue an investigation, the District will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

Records of all reported cases of sexual harassment are maintained in accordance with law and District policies and regulations to enable the District to monitor, address and prevent repetitive harassing behavior in its schools.

The Title IX Coordinator is responsible for coordinating the District's efforts to comply with Title IX sexual harassment complaint procedures, as well as to oversee, investigate, and/or resolve sexual harassment complaints processed under the Uniform Complaint Procedures, as described in this section. The following individual has been designated as the District's Title IX Coordinator: Rebecca Rocha, Director of Human Resources, at 1800 Solar Drive, Oxnard, CA 93030, (805) 485-3111 Ext. 2113, [rrocha@rioschools.org](mailto:rrocha@rioschools.org).

To review the District's Board Policy 5145.7 on sexual harassment, please click on the following link <https://rioschools.org/title-ix-rio-school-district/>. The written policy is also displayed in the main office, provided to students as part of any orientation program conducted for new and continuing students at the beginning of each semester, included in the student handbook, and provided to each school personnel at the beginning of the school year, or upon hire.

#### **GROUNDINGS FOR SUSPENSION AND EXPULSION**

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive: (EC 48900)

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

(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.

(k) (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

(2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020.

(3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.

(4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.

(l) Knowingly received stolen school property or private property.

(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:

(1) "Bullying" means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on the pupil's physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with the pupil's academic performance.

(D) Causing a reasonable pupil to experience substantial interference with the pupil's ability to participate in or benefit from the services, activities, or privileges provided by a school.

(2) (A) "Electronic act" means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, video, or image.

(ii) A post on a social network internet website, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an internet website created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(iii) (I) An act of cyber sexual bullying.

(II) For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or

can be reasonably predicted to have one or more of the effects described in subparagraphs (A) to (D), inclusive, of paragraph (1). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

(III) For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the internet or is currently posted on the internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil's exceptional needs.

(s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:

(1) While on school grounds.

(2) While going to or coming from school.

(3) During the lunch period whether on or off the campus.

(4) During, or while going to or coming from, a school sponsored activity.

(t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

(u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

(v) For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil's specific misbehavior as specified in Section 48900.5.

(w) (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

(2) It is further the intent of the Legislature that the Multi-Tiered System of Supports, which includes restorative justice practices, trauma-informed practices, social and emotional learning, and schoolwide positive behavior interventions and support, may be used to help pupils gain critical social and emotional skills, receive support to help transform trauma-related responses, understand the impact of their actions, and develop meaningful methods for repairing harm to the school community.

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## PRIVACY AND INFORMATION RIGHTS

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### RIGHTS OF PARENTS AND GUARDIANS TO INFORMATION

The parents and guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows: (EC 51101, in part)

(1) Within a reasonable period of time after making the request, to observe their child's classroom(s).

(2) Within a reasonable time of their request, to meet with their child's teacher(s) and the principal.

(3) To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher.

(4) To be notified on a timely basis if their child is absent from school without permission.

(5) To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of their child's school on standardized statewide tests.

(6) To request a particular school for their child, and to receive a response from the school district.

(7) To have a school environment for their child that is safe and supportive of learning.

(8) To examine the curriculum materials of their child's class(es).

(9) To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems



arise with their child.

(10) To have access to the school records of their child.

(11) To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.

(12) To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.

(13) To receive information about any psychological testing the school does involving their child and to deny permission to give the test.

(14) To participate as a member of a parent advisory committee, school site council, or site-based management leadership team.

(15) To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.

(16) To be notified, as early in the school year as practicable, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child.

## **TITLE I**

Parents/guardians of students who attend a school receiving Title I funds may request information regarding the professional qualifications of their students' classroom teachers, including, at a minimum, the following:

- Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
- The teacher is teaching in the field of discipline of the certification of the teacher.
- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

A school that receives Title I funds will also provide to each individual parent information on the level of achievement and academic growth of their child, if applicable and available, on each of the required State academic assessments, and timely notice that their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

## **NOTICE OF OCCURRENCE OF A VIOLENT CRIME**

The principal or the principal's designee may send a written notice of the occurrence and general nature of a violent crime to each student's parent/guardian, and each school employee, following verification with law enforcement of the occurrence of a violent crime on an elementary or secondary school site. An act that is considered a "violent crime" shall meet the definition of EC 67381 and be an act for which a student could or would be expelled pursuant to EC 48915 (see notification on "Mandatory Expulsion Violations"). (EC 32281(e), 48915, 67381)

## **PROMOTION & RETENTION OF PUPILS**

When a student is identified for retention or as being at risk of retention, the parent/guardian shall receive notice as early in the school year as practicable. Notices include progress reports, report cards, parent and teacher conferences, Intervention Progress Team Meetings, and other Multi-tiered systems of support. Whether the decision is to promote or to retain a student, parents/guardians shall be provided with the opportunity to consult with the teacher or teachers responsible for the decision. The decision of the teacher or teachers to promote or retain a student may be appealed consistent with Board policy, administrative regulation, and law. (EC 48070, 48070.5)

## **PROTECTION OF PUPIL RIGHTS**

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
  1. Political affiliations or beliefs of the student or student's parent;
  2. Mental or psychological problems of the student or student's family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;

6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or student's parent; or
  8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of–
    1. Any other protected information survey, regardless of funding;
    2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
    3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
  - Inspect, upon request and before administration or use –
    1. Protected information surveys of students and surveys created by a third party;
    2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
    3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The Rio School District has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt the student out of participation of the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by CDE
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202. (20 USC 1232h; EC 51513)

## **PUPIL RECORDS**

### Maintenance of Records

A cumulative record must be maintained on the history of a student's development and educational progress. Student records are any items of information, whether recorded by handwriting, print, tapes, film, microfilm or other means, gathered within or outside the District that are directly related to an identifiable student and maintained for the purpose of second-party review. Active records are maintained at the student's school; inactive records are maintained under the supervision of the district custodian of records. (EC 49061, 49063)

Per State and Federal law, the District must keep the following mandatory permanent records indefinitely: student's legal name, date and place of birth, sex, enter and leave date each school year, subjects taken, marks or number of credits toward graduation, verification of or exemption from required immunization, date of high school graduation or equivalent, and parent's name and address (including the student's address if different, and the annual verification of residency for both the student and the parent). The District must also keep the following mandatory interim records until three years after the student leaves or graduates, or their usefulness has ceased: log identifying persons or agencies who have requested or received information from the student record, health information, information on participation in special education programs, language training records, progress slips/notices, parental authorizations/restrictions/waivers, rejoinders to challenged records, results of standardized tests administered within the past three years, expulsion orders, and independent study evaluation and findings. Permitted records, which are records that the District has determined important to maintain, may include, but are not limited to, objective counselor and teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavior patterns, disciplinary notices, and attendance records. (5 CCR 432)

The District will not collect or solicit social security numbers or the last four digits of social security numbers of students or parents/guardians, except as required by state or federal law or as required to establish eligibility for a federal benefit program. Additionally, the District will not collect information or documents regarding the citizenship or immigration status of students or their family members, unless required by state or federal law or as required to administer a state or federally supported educational program. (EC 234.7)

On an annual basis, records that are not designated as mandatory permanent records are reviewed to determine if any records that still need to be retained and those that are appropriate for destruction. (5 CCR 16022)

Veronica Rauschenberger, Director of Schools and Systems Improvement, has been designated as the custodian of records at the district level, and at each school site, the principal shall act as the custodian of records for students enrolled at their school. The custodian of records is responsible for implementing the policies and procedures related to student records; in particular, they must protect the student and the student's family from invasion of privacy by ensuring only authorized persons may access student records.

#### Access to Records

Access means personal inspection and review, request and receipt, and oral description or communication of any record. A log is maintained for each student's record which lists all persons, agencies, or organizations that have requested or received information from the records and the legitimate educational interest of the requester. The log is only accessible to the parent, a student who is age 16 years or older or who has completed the 10th grade, the custodian of records, and certain state and federal officials. (EC 49061, 49064)

School officials and employees with legitimate educational interests may access student records without parental consent as long as access to such records is required to fulfill their duties and responsibilities, whether routine in nature or as a result of special circumstances. School officials and employees may also include contractors, consultants, volunteers, or other parties to whom the District has outsourced district functions and who perform services for which the District would otherwise use employees. Upon request from officials of another school, school system, or postsecondary institution in which a student seeks or intends to enroll, the district will disclose educational records without parental consent as long as the disclosure is for purposes related to the student's enrollment or transfer. (EC 49076)

A student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order. (EC 234.7)

Parents have the right to:

1. Inspect and review the student's educational record maintained by the school.
2. Request that a school correct records which they believe to be inaccurate, misleading, or otherwise in violation of the student's privacy rights.
3. Consent to disclosures of personally identifiable information contained in the student's records, except to the extent that State and Federal laws authorize disclosure without consent, and request a copy of the records that were disclosed.
4. File a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202-4605.

When a student turns 18 years of age, all rights regarding student records are transferred from the parent/guardian to the student. If the adult student is still claimed by the parent/guardian as a dependent for tax purposes, the parent/guardian may still access the student's records. Although noncustodial parents are not afforded the rights described above, they have the right to access their student's education records unless that right of access has been limited through a court order. (EC 49076; FC 3025)

A request from the parent/guardian to access their student's educational records must be submitted in a written form to the school principal and the school will have five (5) business days from the day of receipt of the request to provide access to the records. All written requests must indicate the specific records or information to be accessed or disclosed. If requested, qualified certificated personnel may be made available to the parent/guardian to interpret records. For requests to disclose records, the written form must also specify the person or agency to whom the records are to be released and the reason(s) for such disclosure. (EC 49069.7, 49075)

#### Duplication of Student Records

Copies of student records are available to parents at no cost. (EC 49065)

#### Transfer of Student Records

Upon request from officials of another school, school system, or postsecondary institution in which a student seeks or intends to enroll or is already enrolled, the District is authorized to disclose educational records without parental consent as long as the disclosure is for

purposes related to the student's enrollment or transfer. All student records will be updated before they are transferred, and will not be withheld from a requesting school because of any charges or fees owed by the student or parent.

When a student transfers to another school district or to a private school, the District will forward a copy of the student's mandatory permanent records to the new school of enrollment. The District will permanently maintain an original or a copy of the transferred records.

Mandatory interim records will be sent upon request to another California public schools. Such records may also be sent to out-of-state or private schools requesting them. Permitted records may be sent to any public or private school.

If the student transfers into the District from another public or private school, the District will inform the parent of the parent's right to receive a copy of the records received from the former school. The parent will also be informed of their right to have a hearing in which to challenge the contents of that record. (5 CCR 438)

#### Challenging Records

Any challenge to school records must be submitted in writing to the school principal. A parent/guardian challenging school records must show that the records are any of the following: 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the 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. If the challenge involves a student's grade, the teacher who gave the grade will be given an opportunity to state, orally and/or in writing, the reasons for which the grade was given. To the extent practicable, the teacher will be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, a student's grade as determined by the teacher is final. (EC 49066, 49070)

If the allegations are denied, the parent/guardian may write within 30 days to appeal the decision to the Governing Board. The decision of the Board shall be final. If the decision of the Board is unfavorable to the parent/guardian, the parent/guardian shall have the right to submit a written statement of objections. This statement shall become a part of the student's records until the information objected to is corrected or removed. (EC 49070)

#### **PUPIL RECORDS - DIRECTORY INFORMATION**

Directory information means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes the student's name, address, telephone number, e-mail address, date of birth, dates of attendance, participation record in officially recognized activities and sports, weight and height for members of athletic teams, degrees and awards received, and the school most recently attended by the student. Directory information may include a student identification number, user identification, or other personal identifier used by the student for purposes of accessing or communicating in electronic systems as long as the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user.

Directory information does not include a student's social security number. Directory information also does not include the student's citizenship status, immigration status, place of birth, or any other information indicating national origin. The District will not release such information without parental consent or a court order. (EC 234.7)

Certain groups are permitted directory information about your child without your consent. The groups to which school officials may provide directory information include school personnel with legitimate educational interests, schools of intended enrollment, federal and state educational administrators, those who provide financial or student aid, employers, prospective employers, representatives of organized parent groups, military representatives, and representatives of the news media.

If you do not wish to have directory information released about your child, please write a brief note to your school principal requesting that this information not be shared. No directory information of a student identified as a homeless child or youth will be released unless the parent/guardian has provided written consent that directory information may be released. (EC 49073, 49073.5, 49074)

#### **RELEASE OF INFORMATION PURSUANT TO COURT ORDER**

School officials may be required by a court order to provide information concerning a student. A reasonable effort must be made by school officials to notify the parent/guardian and the student in advance. (EC 49077)

#### **RELEASE OF A PUPIL TO A PEACE OFFICER**

School officials are required to take immediate steps to notify parents/guardians when a child is taken into custody by a peace officer except when the child is taken into custody as a victim of child abuse. In such cases, law enforcement would assume all notification responsibilities. (EC 48906) School officials are to assure that, during the process of investigation and apprehension,

the safety and welfare of all students and personnel is of extreme importance and should be preserved at all times.

### **RELEASE OF JUVENILE INFORMATION**

Juvenile court records should be confidential regardless of the juvenile's immigration status. Only if a court order is provided, will any student information be disseminated, attached or provided to federal officials. The court order must indicate prior approval of the presiding judge of the juvenile court. (WIC 827, 831)

### **RIGHTS OF PARENTS/GUARDIANS TO INFORMATION & PARTICIPATION**

Parents/guardians of enrolled students have the right to be included in the educational process and to have access to the system on behalf of their children. These rights are outlined in EC 51101, which does not authorize a school to inform a parent/guardian, or to permit participation by a parent/guardian in the education of a child, if it conflicts with a valid restraining order, protective order, or order for custody or visitation issued by a court. (EC 51100(d))

If 15 percent or more of the students enrolled in a public school that provides instruction in kindergarten or any of grades 1 to 12, speak a single primary language other than English, all notices, reports, statements, or records sent to the parent/guardian of any such student by the school or school district shall, in addition to being written in English, be written in the primary language, and may be responded to either in English or the primary language. (EC 48985)

A parent/guardian's lack of English fluency does not preclude a parent/guardian from exercising the rights guaranteed under this chapter. A school district shall take all reasonable steps to ensure that all parents/guardians of students who speak a language other than English are properly notified in English and in their home language, pursuant to EC 48985, of the rights and opportunities available to them pursuant to this section. (EC 51101.1)

### **TITLE I LEA-LEVEL PARENT AND FAMILY ENGAGEMENT POLICY**

1.0 The local governing board of each local educational agency (LEA), or agency, receiving Title I, Part A funding shall establish and implement a written parent and family engagement policy and program. (California *Education Code* [EC] sections [§§] 11500-11504, 51101[b]; 20 United States Code [U.S.C.] § 6318[a][1], 6318[a][2])

1.1 Rio School District has received input from parents and community stakeholders and has developed and distributed to, parents and family members of participating children, an LEA-level written parent and family engagement policy. (20 U.S.C. § 6318[a][2].)

Input is gathered through parent/guardian surveys, LCAP Community Forums, and reviewed with the District Advisory Committee, District English Learner Advisory Committee, and Title 1 school site councils. The LEA has distributed the policy to parents and family members of children served under Title I, Part A. The policy is distributed to families through all-call messages, site newsletters, and posted on the district's website.

The LEA incorporates the parent and family engagement policy into the LEA level plan. (20 U.S.C. § 6312, 6318[a][2])

The district shall incorporate the parent and family engagement policy into the district's plan. (20 U.S.C. § 6318[a][2]) The Rio School District includes a goal (Goal 4) which focuses on improving attendance and family engagement in the Local Control and Accountability Plan (LCAP). This goal includes actions and services, and expenditures addressing family engagement, including meaningful participation and opportunities to provide input on decisions. Actions and strategies are also included in the LCAP Federal Addendum.

To involve parents and family members in the Title I program at Rio School District, the following practices have been established:

- a) The Rio School District involves parents and family members in the joint development of the agency's plan, and in the development of support and improvement plans. (20 U.S.C. § 6318[a][2][A])

The Rio School District annually conducts community forums and surveys parents and family members to gather feedback about what is working and areas of improvement around the LCAP, the LCAP Federal Addendum, as well as school goals and actions. Stakeholder feedback is also gathered at school meetings, district and school advisory committee meetings. The information gathered is used to revise the district's LCAP, the LCAP Federal Addendum, and the sites' School Plan for Student Achievement (SPSA).

District staff work collaboratively with site administrators to plan and implement parent and family engagement activities. Site principals collaborate together to plan and coordinate activities and best practices. Activities include Coffee with the Principal, Literacy/Math nights, parent information nights and workshops and family events. Activities for each site are described in the school's parent and family engagement policy, school-parent compact, and are included in the School Plan for Student Achievement.

- b) The Rio School District provides coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the LEA in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance. (20 U.S.C. § 6318[a][2][B])

District staff work collaboratively with site administrators to plan and implement parent professional development and annual training opportunities for English Learner Acquisition Committee (ELAC), Title I and School Site Council (SSC).

- c) The LEA coordinates and integrates Title I, Part A parent and family engagement strategies with parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs. (20 U.S.C. § 6318[a][2][C]) Parent and family engagement activities for programs, including some State Preschool, English Learners, after school programs (ASES) and Special Education are coordinated with those offered through Title I, Part A.
- d) The LEA conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of the schools served under Title I, Part A. (20 U.S.C. § 6318[a][2][D])

The Rio School District annually gathers input and feedback from district advisory committees and LCAP community forums to evaluate the effectiveness of the parent and family engagement policy.

The LEA identifies the following:

1. Barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). (20 U.S.C. § 6318[a][2][D][i]) The Rio School District identifies barriers through the annual evaluation of the content and effectiveness of the parent and family engagement policy. Processes and actions are put into place to address the needs of families and to ensure information is provided in a language and format easily understood by families.
  2. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers. (20 U.S.C. § 6318[a][2][D][ii]) *Parent-teacher conferences and parent workshops are offered to further support families with strategies to engage with the school. Strategies include questions to ask during parent conferences, how to contact their child's teacher, and assistance with completing school forms.*
  3. Strategies to support successful school and family interactions. (20 U.S.C. § 6318[a][2][D][iii]) *Each school develops a site parent and family engagement policy and school parent compact designed to meet the needs of their families. Schools host family information nights, such as Math or Literacy Nights, informal meetings with the principal, and other opportunities for families to engage with the staff. The compact describes how families and school staff share the responsibility for improving student achievement and how the school and families will collaborate to assist students achieve the state academic standards*
- e) The LEA uses the findings of such evaluation in section 1.1(d) of the CE program instrument to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policy. (20 U.S.C. § 6318[a][2][E])

The results of the annual evaluation from the sites are used to design evidenced-based strategies to improve family engagement, and revise the parent and family engagement policy, as needed. Through the annual evaluation of the content and effectiveness of the parent and family engagement policy, processes and actions are put into place to address the needs of families and to ensure information is provided in a language and format easily understood by families. The Rio School District annually gathers input and feedback from district advisory committees and LCAP community forums to continue to revise the parent and family engagement policy as needed.

- f) The LEA involves parents in activities of schools served under Title I, Part A to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy. (20 U.S.C. § 6318[a][2][F]) Each school designates family members to serve on the District Parent Advisory Committee (PAC) and the District English Learner Committee (PELAC). The PAC and PELAC reviews a variety of data sources and provides input and feedback using this information to develop, revise and review the parent and family engagement policy.
- 1.2 The LEA policy on parent and family engagement for all schools (including Title I and non-Title I) in the LEA shall be consistent with the goals and purposes listed below. (EC §§ 11502, 11504, 11506)
- a) Engage parents and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to develop knowledge and skills to use at home to support their

children's academic efforts at school and their children's development as responsible future members of our society. (EC § 11502[a])

All schools develop site parent and family engagement plans to address the needs of parents at their school. Each school offers parent and family engagement activities to assist families with supporting learning at home. Information and resources are shared with families at parent information nights, CAASPP workshops, Title I parent information nights, Literacy and Math nights, parent-teacher conferences, parent workshops, as well as on the website and materials sent home.

- b) Inform parents that they can directly affect the success of their children's learning, by providing parents with techniques and strategies that they may utilize to improve their children's academic success and to assist their children in learning at home. (EC § 11502[b])

Information and resources are provided to parents on strategies to assist their children's learning at home through parent outreach with the district family liaison, parent meetings and family nights as well as through community partnerships and workshops that directly support parents with techniques and strategies to help improve their child's academic, social and emotional health and success. Parent and family education are communicated through social media as well as posted on our district website.

- c) Build consistent and effective two-way communication between family members and the school so that parents and family members may know when and how to assist their children in support of classroom learning activities. (EC § 11502[c])

The Rio School District has implemented an effective two-way communication tool that allows for text, email, phone calls and document sharing as a response to parent feedback. The district and school communicate to families on a regular basis to share information and resources on ways to support their students' education. Information about the effectiveness of communication at each site is contained in the annual LCAP survey and used to improve services annually.

- d) Train teachers, school administrators, specialized instructional support personnel, and other staff to communicate effectively with parents as equal partners. (EC § 11502[d])

District leadership provides resources, professional development and information to school site administration, support staff and teachers for effectively communicating with families.

- e) Integrate and coordinate parent and family engagement activities with the local control and accountability plan (LCAP), as applicable, with other programs. (EC § 11502[e])

Each site annually develops a School Plan for Student Achievement which include goals, actions, strategies, and expenditures for family engagement in addition to goals to improve academic achievement and the learning environment. Parent and family engagement activities for programs, including some State Preschool, English Learners, after school programs (ASES) and Special Education are coordinated with those offered through Title 1, Part A.

- 1.3 Parents and family members of children receiving Title I, Part A services shall be involved in the decisions regarding how funds reserved are allotted for parental involvement activities. (20 U.S.C. Section 6318[a][3][B]) The Rio School District reserves at least one percent of the Title I, Part A allocation to support district-wide family engagement activities. Family engagement activities are included in the district's LCAP and the LCAP Federal Addendum.
- 1.4 Funds reserved by an LEA shall be used to carry out activities and strategies consistent with the LEA's parent and family engagement policy, including not less than one of the following: (20 U.S.C. § 6318[a][3][D])
  - a) Supporting schools and nonprofit organizations in providing professional development for LEA and school personnel regarding parent and family engagement strategies. (20 U.S.C. § 6318[a][3][D][i])
  - b) Supporting programs that reach parents and family members at home, in the community, and at school. (20 U.S.C. § 6318[a][3][D][ii])
  - c) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members. (20 U.S.C. § 6318[a][3][D][iii])
  - d) Collaborating, or providing subgrants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement. (20 U.S.C. § 6318[a][3][D][iv])
  - e) Engaging in any other activities and strategies that the LEA determines are appropriate and consistent with such agency's parent and family engagement policy. (20 U.S.C. § 6318[a][3][D][v])

Each school designates a SSC and ELAC representative who serves on the District's PAC and PELAC. The committees review input gathered from stakeholders about family engagement activities, parent workshops, professional development, home to school communication and attendance and engagement. This information is used to annually update the LCAP, including actions and services for family engagement, parent workshops and professional development.

*\*The parent and family engagement policy will be reviewed and included in the annual review of the Local Control and Accountability Plan Federal Addendum.*

*\*\*The policy will be updated periodically to meet changing needs of parents and family members and the LEA. The LEA will maintain a process for involving parents and family members in planning and designing the school's programs and will include adequate representation of parents and family members of children receiving Title I, Part A services.*

### **SCHOOL ACCOUNTABILITY REPORT CARD**

The Board and the Superintendent shall annually issue a school accountability report card for each school. Such report cards are designed to provide information regarding several school conditions by which parents/guardians can make meaningful comparisons between public schools. The RSD believes that the process of developing the report card gives school staff the opportunity to review achievements, identify areas for improvement, enlist local support and establish a vision for the future. Schools are to make a concerted effort to notify parents/guardians of the purpose of the school accountability report cards and ensure that all parents/guardians receive a copy of the report card. The superintendent or designee shall ensure that the information contained in the School Accountability Report Card is updated annually and is accessible on the Internet on or before February 1 of each year. (EC 35256, 35258)

The RSD shall publicize through inclusion on a regularly scheduled board agenda, the issuance of school accountability report cards and notify parents/guardians that a copy will be provided upon request.

The school accountability report card shall include, but is not limited to, assessment of the following: student achievement by grade level; progress toward reducing dropout rates; estimated expenditures per student and types of services funded; progress toward reducing class sizes and teaching loads; credentialing status of teachers, including information regarding misassignments and vacant positions; quality and currency of textbooks and other instructional materials; availability of qualified personnel to provide counseling and other student support services, including the ratio of academic counselors per student; safety, cleanliness, and adequacy of school facilities; annual number of school days dedicated to staff development; suspension and expulsion rates; contact information pertaining to organized opportunities for parental involvement; and description of key elements of the comprehensive school safety plan. (EC 32286, 33126)

### **SUSPENSION & EXPULSION**

A reasonable effort must be made by school officials to notify parents in person or by telephone at the time of suspension. Notification of suspension in writing is mandatory. (EC 48911)

The parent/guardian of a student from whom an injurious object has been taken may be notified by school personnel of the taking. (EC 49332)

Each school district shall specifically identify, by offense committed, in all appropriate official records of a student each suspension or expulsion of that student. (EC 48900.8)

If a student is expelled from school, the student or the student's parent/guardian may, within 30 days following the decision of the governing board to expel, file an appeal to the Ventura County Board of Education. County Board Rules on Appeal requires notice to the appellant that a request to the district for a copy of written transcripts and supporting documents shall be in writing. (EC 48919)

### **WITHHOLDING OF GRADES**

Any school district whose property has been cut, defaced, or otherwise injured, or whose loaned property has not yet been returned, may withhold grades, diplomas, and transcripts from the student or parent/guardian. The district must notify the parent/guardian in writing of the student's alleged misconduct. (EC 48904)

Any school district to which a student subject to the preceding statute has transferred to shall also withhold grades, diplomas, or transcripts upon receiving notice from the former district. (EC 48904.3)



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## COMPLAINT PROCESS

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### DISCRIMINATION

Discrimination is not tolerated by Rio School District. RSD does not discriminate on the basis of race, color, national origin, ethnic group identification, ancestry, immigration status, gender, gender identity, gender expression, age, genetic information, religion, creed, political affiliation, military or veteran status, physical or mental disability, medical condition, marital or parental status, pregnancy and related conditions, sexual orientation, or lack of English skills. In addition, RSD does not discriminate in its employment practices. (Title VI, Civil Rights Act of 1964; Title IX, Educational Amendment Act of 1972; 5 CCR 4900; and EC 200 et seq.)

Complaints concerning discrimination or violations of Title IX may be filed with the Non-Discrimination and Title IX Coordinator:

Rebecca Rocha, Director of Human Resources

1800 Solar Drive, 3rd floor

805-485-3111

[rrocha@rioschools.org](mailto:rrocha@rioschools.org)

You can find more information about Title IX in the California Department of Education website at:

<http://www.cde.ca.gov/re/di/eo/genequitytitleix.asp>

### HATE MOTIVATED BEHAVIOR

The Governing Board and Superintendent affirms the right of every student to be protected from hate-motivated behavior, regardless of their race, ethnic group identification, national origin, immigration status, religion, gender identity, sexual orientation, or mental or physical disability. The Board prohibits hate motivated behavior in all schools and facilities within the organization and RSD regards hate-motivated behavior as illegal and it shall not be tolerated. Students displaying hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

Any student who feels that they have been the victim of hate-motivated behavior, whether committed by an employee, student or volunteer of RSD, is encouraged to immediately report the alleged acts to an appropriate RSD official. The person receiving the complaint shall immediately report the matter to a school administrator, and an investigation into the complaint will begin which respects the privacy of all parties concerned. An adequate investigation of student hate motivated crimes/incidents involves the same steps as an adequate investigation of any student misbehavior. The site level administrator or principal or designee will promptly investigate any accusation of discrimination or harassment. All complaints will be taken seriously, and confidentiality will be maintained as appropriate. There shall be no retaliation in any form against any complainant or participant in the complaint process.

Staff members who observe or receive notice of hate-motivated behavior shall notify the principal, Superintendent or designee. Any other person with knowledge or belief that a student has or may have been the victim of hate-motivated violence or discrimination is encouraged to immediately report the alleged acts to an appropriate RSD official.

A student or that student's parents/guardians, if not satisfied with the investigation of a discrimination/harassment charge may file a complaint of discrimination under the Uniform Complaint Procedures contained in Board Policy and Administrative Regulation 1312.3. Individuals alleging hate crime/incident may complain directly to the Office for Civil Rights (OCR), or they may file a complaint after filing a separate complaint with RSD.

An appeal of a RSD decision regarding a hate crime/incident complaint may also be made with the OCR. In addition, an appeal of a RSD decision may be made in court through civil law remedies. Complainants should consult an attorney for more information.

All materials concerning the complaint will be maintained by the RSD Department of Human Resources in a confidential, legal file for a period of five years after the completion of the investigation. (EC 220, 212.5, 212.6, 48900, 48900.3, 48980; PC 422.6)

### NON-DISCRIMINATION AND/OR HARASSMENT

RSD regards discrimination/harassment as illegal, and such actions will not be tolerated. For purposes of this policy, the conduct must be that which a reasonable person of the same protected group as the victim would consider to be sufficiently severe or pervasive as to create an intimidating, hostile, or offensive educational environment or to have a negative impact upon the individual's academic performance. Any student who feels that they have been the victim of discrimination/harassment, whether committed by an employee, student or volunteer of RSD, are encouraged to immediately report the alleged acts to any school official of the school of attendance. The person receiving the complaint shall immediately report the matter to the site administrator or principal, and an investigation into the complaint will begin. All complaints will be taken seriously, and

confidentiality will be maintained as appropriate. There shall be no retaliation in any form against any complainant or participant in the complaint process. RSD has the responsibility to all parties to undertake an adequate and thorough investigation.

A student or that student's parents/guardians, if not satisfied with the results of the investigation of a discrimination/harassment charge, may file a complaint of discrimination under the Uniform Complaint Procedures.

Individuals alleging discrimination/harassment may complain directly to the Office for Civil Rights (OCR), or they may file a complaint after filing a separate complaint with RSD. In addition, an appeal of a RSD decision regarding a discrimination/harassment complaint may be made with the OCR. To contact the Office of Civil Rights, write or call the following: San Francisco Office, Office for Civil Rights, U.S. Department of Education, 50 United Nations Plaza, Room 1545, San Francisco, CA 94102, (415) 486-5555.

An appeal of an RSD decision may also be made in court through civil law remedies. Complainants should consult an attorney for more information.

All materials concerning the complaint shall be maintained by the RSD Department of Human Resources in a confidential legal file for a period of five years after the completion of the investigation. Teachers and other school personnel shall discuss this policy with students in age-appropriate ways and will assure students that they need not endure any form of discrimination/harassment. (EC 200 et seq., 48900, 48900.2, 48900.4, 48980)

### **MARRIED, PREGNANT AND PARENTING STUDENTS**

Married, pregnant and parenting students often face overwhelming obstacles to receiving an education of equal quality to that of their peers, placing them at higher risk of dropping out of school. A student under the age of 18 years who enters into a valid marriage has all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved. Suspected pregnant or parenting students should be referred to Nadia Villapudua, Director of Pupil Services, at (805) 485-1442 for case management and referral assistance, provided by school nurses and school psychologists. The District further supports pregnant and parenting students by providing them with the opportunity to succeed academically while protecting their health and the health of their children in the following ways:

1. The District will not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.
2. The District will not exclude or deny any student from an educational program or activity, including any class or extracurricular activity, solely on the basis of their pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery; the District will treat pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery in the same manner and under the same policies as any other temporary disabling condition.
3. Pregnant and parenting students have the right to participate in the regular education program and will not be required to participate in a pregnant minor program or alternative education program. Students who voluntarily participate in an alternative education program must be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
4. The District may require a pregnant or parenting student to obtain the certification of a physician or nurse practitioner that they are physically and emotionally able to participate, or continue to participate, in the regular education program or activity.
5. The school will provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student will not incur an academic penalty for using any of these reasonable accommodations and will be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to:
  - a. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child.
  - b. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
  - c. Access to a power source for a breast pump or any other equipment used to express breast milk.
  - d. Access to a place to store expressed breast milk safely.
  - e. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child.
6. A pregnant or parenting student will be excused from school when the absence is due to the illness or medical appointment of their child, including absences to care for a sick child.
7. During the school year in which the birth of the student's infant takes place, a pregnant or parenting student is entitled to eight weeks of parental leave, which the student may take before childbirth if there is a medical necessity and after childbirth to care for and bond with the infant. If deemed medically necessary by the student's physician, parental leave may be extended beyond eight weeks.
8. Specific to parental leave:
  - a. No student is required to take all or part of the parental leave.
  - b. A student on parental leave cannot be required to complete academic work or other school requirements but has the

right to make up work missed upon return to school.

- c. The student has the right to return to the school and course of study in which they were enrolled before taking parental leave.
- d. The District's Supervisor of Attendance will ensure that absences from school, as a result of the parental leave, are excused until the student returns to school.

A student cannot be penalized for exercising the rights listed above. A complaint of noncompliance by the District can be filed through the Uniform Complaint Procedures.

### **SUPPLEMENTAL UNIFORM COMPLAINT PROCEDURE (WILLIAMS)**

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use in class and to take home. School facilities must be clean, safe, and maintained in good repair. Each school serving grades 6 to 8 will stock, at all times, in all women's restrooms and all-gender restrooms, and in at least one men's restroom, with an adequate supply of free menstrual products, available and accessible. There should be no teacher vacancies or mis assignments. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present. (EC 35186, 35292.6)

"Teacher vacancy" means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

"Misassignment" means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint may be submitted to Rebecca Rocha, Director of Human Resources, at [rrocha@rioschools.org](mailto:rrocha@rioschools.org) or (805) 485-3111. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns.

### **UNIFORM COMPLAINT PROCEDURES**

The Rio School District annually notifies its students, employees, parents/guardians, school and district advisory committee members, appropriate private school officials, and other interested parties of its Uniform Complaint Procedures (UCP) process. (5 CCR 4622)

The Rio School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, including those related to unlawful discrimination, harassment, intimidation, or bullying against any protected group, and all programs and activities that are subject to the UCP.

#### Programs and Activities Subject to the UCP

1. Accommodations for pregnant and parenting students
2. Adult education
3. After School Education and Safety
4. Agricultural career technical education
5. Career technical and technical education and career technical and technical training programs
6. Child care and development programs
7. Compensatory education
8. Consolidated categorical aid programs
9. Course period without educational content
10. Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, 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 an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance
11. Educational and graduation requirements for students in foster care, students who are homeless, students from military families, and students formerly in a juvenile court school now enrolled in a school district
12. Every Student Succeeds Act
13. Local control and accountability plans (LCAP)

14. Migrant education
15. Physical education instructional minutes
16. Reasonable accommodations to a lactating pupil
17. Regional occupational centers and programs
18. School Plans for Student Achievement as required for the consolidated application for specified federal and/or state categorical funding
19. School safety plans
20. School Site councils as required for the consolidated application for specified federal and/or state categorical funding
21. State preschool
22. State preschool health and safety issues in license-exempt programs
23. Student fees
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the State Superintendent of Public Instruction of the California Department of Education or designee deems appropriate.

#### Filing a UCP Complaint

A UCP complaint shall be filed no later than one year from the date the alleged violation occurred.

For complaints relating to the LCAP, the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by the district.

A student enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity that constitutes an integral fundamental part of the District's educational program, including curricular and extracurricular activities. (EC 49011) A pupil fee includes, but is not limited to, all of the following: (EC 49010)

- A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- A security deposit, or other payment, that a student is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- A purchase that a student is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

A pupil fee complaint may be filed with the principal of the school.

A pupil fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the Superintendent or designee.

Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints, who is knowledgeable about the laws and programs that they are assigned to investigate:

Oscar Hernandez

Assistant Superintendent of Educational Services

1800 Solar Drive, 3rd floor

Oxnard, CA 93030

(805) 485-3111

[ohernandez@rioschools.org](mailto:ohernandez@rioschools.org)

Complaints will be investigated and a written decision or investigative report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The LEA person responsible for investigating the complaint shall conduct and complete the investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal Rio School District's Decision to the California Department of Education (CDE) by filing a written appeal within 30 days of receiving Rio School District's Decision. The appeal must include a copy of the complaint filed with Rio School District and a copy of Rio School District's Decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable

and of the appeal pursuant to EC 262.3. (EC 234.1, 262.3, 49013; 5 CCR 4622).

In appropriate cases, an appeal may be filed pursuant to EC 262.3. A complainant may pursue available civil law remedies outside of Rio School District's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

#### Notification

The District's UCP policy and regulations are posted in all schools and offices, including staff lounges and student government meeting rooms. Written notification of the District's UCP is provided annually to students, employees, parents of District students, District and school advisory committee members, appropriate private school officials or representatives, and other interested parties.

A standardized notice, in addition to this notice, with educational requirements for students in foster care, students who are homeless, students from military families and students formerly in Juvenile Court now enrolled in a school district shall be posted, but can also be accessed by visiting: <https://www.cde.ca.gov/ls/pf/fy/documents/fosteryouthedrights.pdf>.

The District has a notice posted to identify appropriate subjects of state preschool health and safety issues in each California state preschool program classroom in each school notifying parents, guardians, students, and teachers of (1) the health and safety requirements under Title 5 of the California Code of Regulations that apply to California state preschool programs pursuant to HSC 1596.7925, and (2) where to obtain a form for a state preschool health and safety issues complaint.

A copy of the Rio School District's UCP policy and complaint procedures shall be available free of charge and may also be accessed by visiting: <https://rioschools.org/departments/educational-services/parent-concerns/>.

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## RIO SCHOOL DISTRICT BOARD OF EDUCATION

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Kristine Anderson  
Linda Armas  
Edith Martinez-Cortez  
Felix Eisenhauer  
Eleanor Torres

**\*Please sign the mandatory information request form when you review and acknowledge receipt of Parents' Rights annual notice along with other notices and return to the school office. Thank you.**

(The request form will be posted on the Rio School District website prior to the first day of school.)