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**Valley Community
School**

2020-21

Student

Handbook



Steve M. Tietjen, Ed.D. | County Superintendent of Schools

**715 W. H Street, Los Banos, CA 93635
(209) 827-5600**

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STAFF

Mrs. Leslie Jelen – Principal

Daily Program Teaching Staff

Mr. Leonardo Alvarez
Mr. Isabel Mendoza
Mrs. Lucia Olguin
Mr. David Pope
Mr. Daniel Vega
Mr. Frank Zarate

Independent Study Teaching Staff

Mr. Robert Cruz
Mrs. Michelle Freitas

Instructional Support

Ms. Maria Cristina Rangel
Mrs. Vanessa Sequeira

Office Staff

Mrs. Tonya Luna – School Administrative Secretary
Mrs. Carol Mays – Registration and Data Specialist
Mrs. Leticia Valdez – Administrative Clerk I

School Counselor

Mrs. Stefani Ortiz

Campus Safety

Mr. Saan Saechao – Campus Student Supervisor
Mr. Vanus Warren – Student Resource Officer

Career Technician

Mrs. Tiffany Compston

Student Advocate

Mr. Juan Dicochea

**The Valley Community Schools are part of the Educational Services Department
within Merced County Office of Education**



John Magneson
Assistant Superintendent, Educational Services

May T. Moua, Ed.D.
Director of Student Programs, Educational Services

SCHOOL OFFICE HOURS
Monday – Friday
7:00 am – 3:30 pm

A MESSAGE FROM THE PRINCIPAL

Dear Students:

Welcome to Los Banos Valley Community School. Whether you are a returning student or new to our school, we want to make sure your experiences with us are positive and help you stay on track to either return to your district of residence or graduate from our school.

The purpose of this handbook is to inform you of our policies, procedures and expectations. You will need to read the information provided in this handbook in order for us all to maintain a safe school environment, whether we are distance learning or on site, that is conducive to learning.

If you have any questions concerning our school and our expectations, feel free to contact me at (209) 827-5600. I am more than happy to meet with you.

Have a wonderful year!



Mrs. Leslie Jelen
Principal

VISION and MISSION

Educational Services Student Programs Vision

Student Programs is committed to the success of every student.

Educational Services Student Programs Mission

To lead, inspire, and nurture through innovative and unique experiences in a safe learning environment.

Valley Community School Mission

The mission of Valley Community School is to provide a safe and encouraging atmosphere where staff, students, family, and community members work together to create a learning environment where all participants develop a desire for personal growth and life-long learning.

SCHOOL WIDE LEARNER OUTCOMES (SLOs)

VCS STUDENTS WILL BE:

RESPONSIBLE

For their learning and actions

PREPARED

For career and/or college

PROBLEM SOLVERS

Apply effective decision making skills

Valley Community School Los Banos 2020-2021

July 2020							January 2021							IMPORTANT DATES	
S	M	T	W	T	F	S	S	M	T	W	T	F	S	July 1-31	Extended Year
				1	2	3	4					1	2	Aug 6, Aug 7, Oct 26	Teacher PD Days
5	6	7	8	9	10	11	3	4	5	6	7	8	9	August 10	Teacher Prep day
12	13	14	15	16	17	18	10	11	12	13	14	15	16	August 11	First Day of School
19	20	21	22	23	24	25	17	18	19	20	21	22	23	September 9	Back-to-School Night
26	27	28	29	30	31		24	25	26	27	28	29	30	June 2	Graduation
							31							June 3	Last Day of School
						22							14		
August 2020							February 2021							HOLIDAYS AND RECESSES	
S	M	T	W	T	F	S	S	M	T	W	T	F	S	September 7	Labor Day
						1		1	2	3	4	5	6	October 26	No School - Teacher PD
2	3	4	5	6	7	8	7	8	9	10	11	12	13	November 11	Veterans' Day
9	10	11	12	13	14	15	14	15	16	17	18	19	20	November 23-27	Thanksgiving Recess
16	17	18	19	20	21	22	21	22	23	24	25	26	27	Dec 21 - Jan 8	Winter Recess
23	24	25	26	27	28	29	28							January 18	Martin Luther King Jr. Day
30	31													February 8	Lincoln's Birthday
						15								February 15	Washington's Birthday
September 2020							March 2021							April 2-9 Spring Recess	
S	M	T	W	T	F	S	S	M	T	W	T	F	S	May 31	Memorial Day
								1	2	3	4	5	6		
6	7	8	9	10	11	12	7	8	9	10	11	12	13		
13	14	15	16	17	18	19	14	15	16	17	18	19	20		
20	21	22	23	24	25	26	21	22	23	24	25	26	27		
27	28	29	30				28	29	30	31					
						21							23		
October 2020							April 2021							QUARTERS	
S	M	T	W	T	F	S	S	M	T	W	T	F	S	October 9	End of 1st Quarter
														December 18	End of 2nd Quarter
4	5	6	7	8	9	10	4	5	6	7	8	9	10	March 19	End of 3rd Quarter
11	12	13	14	15	16	17	11	12	13	14	15	16	17	June 3	End of 4rd Quarter
18	19	20	21	22	23	24	18	19	20	21	22	23	24		
25	26	27	28	29	30	31	25	26	27	28	29	30			
						21									
November 2020							May 2021							LEGEND	
S	M	T	W	T	F	S	S	M	T	W	T	F	S	<div></div>	Holiday
1	2	3	4	5	6	7								<div></div>	Extended Year
8	9	10	11	12	13	14	4	5	6	7	8	9	10	<div></div>	First/Last Day of School
15	16	17	18	19	20	21	11	12	13	14	15	16	17	<div></div>	Local Recess
22	23	24	25	26	27	28	18	19	20	21	22	23	24	<div></div>	Early Release Days
29	30						25	26	27	28	29	30		<div></div>	Teacher PD
						15								<div></div>	Teacher Prep day
December 2020							June 2021								
S	M	T	W	T	F	S	S	M	T	W	T	F	S		
6	7	8	9	10	11	12		1	2	3	4	5			
13	14	15	16	17	18	19	6	7	8	9	10	11	12		
20	21	22	23	24	25	26	13	14	15	16	17	18	19		
27	28	29	30	31			20	21	22	23	24	25	26		
							27	28	29	30					

GRADE and PROGRESS REPORT DATES

Quarter 1

First Quarter Progress Report

Ends October 9, 2020

Friday, Sept. 11, 2020

Quarter 2

Second Quarter Progress Report

Ends Dec. 18, 2020

Friday, Nov. 20, 2020

Quarter 3

Third Quarter Progress Report

Ends March 19, 2021

Thursday, Feb. 19, 2021

Quarter 4

Fourth Quarter Progress Report

Ends June 3, 2021

Friday, May 7, 2021

PARENTS – YOU CAN USE THE PARENT PORTAL. ASK THE OFFICE STAFF TO ASSIST YOU IN CREATING AN ACCOUNT TO VIEW YOUR CHILD’S PROGRESS.

DISTANCE LEARNING SCHEDULE

For Live Online Instructional Sessions

MONDAY-THURSDAY SCHEDULE

1A - Period	8:15 – 9:00 am
1 st Period	9:00 – 9:48 am
2 nd Period	10:00 – 10:48 am
3 rd Period	11:00 – 11:48 am
LUNCH	11:49 – 12:30 pm
4 th Period	12:30 – 1:18 pm

FRIDAY SCHEDULE

1 st Period	9:00 – 9:48 am
(Instructional Support Labs)	
2 nd Period	10:00 – 10:48 am
(Advisory Classes)	

ATTENDANCE IS REQUIRED FOR ALL SCHEDULED LIVE INSTRUCTIONAL SESSIONS

VALLEY COMMUNITY SCHOOL REGULAR BELL SCHEDULE

REGULAR BELL SCHEDULE

BREAKFAST	7:45 – 7:55 am
First Bell	7:55 am
Advisory	8:00 – 8:20 am
1 st Period	8:22 – 9:09 am
2 nd Period	9:11 – 9:58 am
BREAK	9:58 – 10:11 am
3 rd Period	10:13 – 11:00 am
4 th Period	11:02 – 11:49 pm
LUNCH	11:49 – 12:10 pm
5 th Period	12:12 – 12:59 pm
6 th Period	1:01 – 1:48 pm
Advisory	1:50 – 2:00 pm

MINIMUM DAY BELL SCHEDULE

BREAKFAST	7:45 – 7:55 am
First Bell	7:55 am
Advisory	8:00 – 8:20 am
1 st Period	8:22 – 8:57 am
2 nd Period	8:59 – 9:34 am
BREAK	9:34 – 9:47 am
3 rd Period	9:49 – 10:24 am
4 th Period	10:26 – 11:01 pm
LUNCH	11:01 – 11:22 pm
5 th Period	11:24 – 12:01 pm
6 th Period	12:03 – 12:38 pm
Advisory	12:40 – 12:50 pm

EVERY THURSDAY IS A MINIMUM DAY

DRESS CODE EXPECTATIONS

Valley Community School expects all students to dress appropriately for school in clothing which contributes to a safe and positive learning environment. Included in these expectations are all things worn (for example, socks, belts, hats, shoes, jewelry, hair accessories, etc.)

If students do not meet dress code expectations, they will be asked to change their article of clothing and use one of the school's articles of clothing when available.

1. **RED** articles of clothing or accessories are **not** permitted. This includes shades of red, such as, burgundy or maroon.
2. **BLUE** articles of clothing or accessories are **not** permitted. This includes shades of blue, such as, navy blue or baby blue. (Jean fabric is acceptable.)
3. Professional sports team-related clothing and accessories are **not** permitted. Local high schools may only be worn if the school colors are within school dress code.
4. Obscene language, drugs, alcohol, weapons, or sexual gestures are **not** permitted on any article of clothing or accessories.
5. Any attire advocating, advertising, or denoting gang affiliation or activity (such as, area codes, Nor-Cal, So-Cal), shall **not** be permitted. This includes, but not limited to, belts with initials or numbers on the buckles, red or blue shoelaces, and bandanas.
6. Strapless or spaghetti strapped tops are **not** permitted. Straps should be a minimum of 1" wide. Tops should not be see-through, expose a person's bra or stomach and/or reveal inappropriate cleavage.
7. Skirts, dresses, and shorts must be no shorter than the length of the student's fingertips when fully extended along the sides of the student's body. (When wearing a skirt or dress, please be aware of the wind in Los Banos and refrain from wearing when too windy.)
8. Pants should be at waist level. If a student wears shorts under his/her pants, the shorts must be dress code appropriate.
9. For safety reasons, soled footwear is required at all times. Slippers are not appropriate footwear for school. **When participating in PE or gym activities, students MUST wear proper footwear.**
10. Covering inappropriate clothing items with tape is **not** permitted.
11. Hats and beanies that meet dress code expectations are permitted.
12. The prohibition of any article of clothing/accessories or appearance likely to cause a substantial disruption to the educational process, students' health and safety, or campus order is a final decision of the school administrator or designee.

Laws and Education Code Pertaining to School Attendance

Valley Community School is dedicated to the academic, personal and social success for all students. Regular school attendance is a vital part of that success. Students who continually violate the attendance laws and education code are subject to, but not limited to:

- Break and/or lunch detention
- Loss of privileges
- Parent/Principal Meeting
- Home visits
- Placed on Disciplinary Contract
- Referral to another alternative school program
- Referral to the District Attorney and/or Probation Department
- Work Permit revoked

Attendance

California's Compulsory Education Law – California's compulsory education laws require children between 6 and 18 years of age to attend school, with a limited number of specified exceptions. Under state law, a pupil who, without a valid excuse, is absent from school for three full days in one school year, or is tardy or absent for more than 30 minutes during the school day on three occasions in one school year, is considered truant. Once a student is designated a truant, state law requires schools, districts, counties, and courts to intervene to ensure that parents and pupils receive certain services to assist them in complying with attendance laws. When these various interventions fail—meaning parents or guardians still do not send a child to school or a student misses an unlawful amount of school—the matter is referred to the courts. Courts can then use penalties or other measures to seek compliance. Essentially, these various interventions exist to ensure that pupils remain in school and that a pattern is not established that could lead to their dropping out of school later in their educational career.

California Education Code 48200 – Each person between the ages of 6 and 18 years not exempted under the provisions of this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes and for the full-time designated as the length of the school day by the governing board of the school district in which the residence of either the parent or legal guardian is located. Unless otherwise provided for in this code, a pupil shall not be enrolled for less than the minimum school day established by law.

Truancy and Habitual Truants

California Education code 48260. (a) – A pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without a valid excuse three full days in one school year or tardy or absent for more than a 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof, shall be classified as a truant and shall be reported to the attendance supervisor or to the superintendent of the school district.

California Education Code 48262 – Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261. For purposes of this section, a conscientious effort means attempting to communicate with the parents of the pupil at least once using the most cost-effective method possible, which may include electronic mail or a telephone call.

SCHOOL EXPECTATIONS

SCHOOL PRIDE

- Have pride in OUR campus. **Take care of school property and clean up after yourself.**
- Show courtesy to every person on campus.
- Always use appropriate language (spoken or written) and gestures.
- Follow school dress code.
- Public displays of affection should be limited to holding hands or brief hugs.
- **No tagging, writing or destroying school property**

SAFETY

- **Keep our school environment safe by not threatening, bullying, cyber-bullying, or fighting. Possession or use of any item (weapon) that may cause bodily harm will lead to serious consequences and possible arrest.**
- We are a closed campus. Visitors/guests must check in at main office.
- Students may not be under the influence of drugs or alcohol and not possess alcohol, tobacco, or any types of drugs or drug paraphernalia.
- No open containers upon entering campus. No glass items allowed.

CLASSROOM BEHAVIOR

- Be prepared to actively participate and learn in class; give your best effort.
- Be on time to class and stay in assigned class until dismissed. Vests or passes are required when out of class.
- In order to maintain a positive environment conducive to learning, please no disruptive or distractive behaviors in class.
- **Students are not permitted to possess or consume food or beverages in classrooms during class hours.**

CELL PHONE POLICY

ELECTRONIC DEVICES

Students **will not** be allowed to access their phones during *class time*. Students may access their cell phones **before school**, **during passing periods**, **break**, **lunch**, and **after school**. Phone messages for students will be taken in the office from parents/guardians only. School provided laptops are the only electronic devices to be used in the classroom and only for instructional purposes. Using a cell phone/electronic device during non-authorized times will result in:

1. First offense: Student will be given a verbal warning.
2. Second offense: Student will be sent to designated personnel to put cell phone in a Yondr pouch until the next student break (morning break, lunch, or after school).
3. Third offense: Student will be sent to designated personnel to put cell phone in a Yondr pouch for the remainder of the day. The Yondr will be unlocked at the end of the school day.

**** If student records a fight, their cell phone will be kept in a Yondr pouch for one week.**

**** If students choose to refuse the use of the Yondr, the administrator will decide on the consequence, up to and including at home suspension.**

****If a student continues to use their cell phone during unauthorized times after three Yondr interventions, the device will be confiscated; a parent will be contacted to pick up the device.**

****Students can listen to music during their designated break times using headphones. Music is not permitted to be played out loud during passing periods, break, or lunch.**

CHARGERS AND BLUETOOTH SPEAKERS ARE NOT ALLOWED ON CAMPUS

E-DISCIPLINE (Electronic Related)

Administrators may take appropriate action when information becomes available about student misconduct that originates away from school grounds or school activities that has a direct and detrimental effect on or seriously threatens the discipline, educational environment, safety or general welfare of students, faculty, staff and/or administrators of the District. Student conduct originating away from school grounds (including from a home computer, other non-school computer, cell phone or other electronic device), which may be subject to discipline as provided herein includes but is not limited to electronic acts that result in a substantial disruption to the educational environment, or for which a substantial disruption to **the educational environment is reasonably foreseeable under the circumstances.**

Students will not be allowed to access their phones during *class time*. Students may access their cell phones before school, during passing periods, break, lunch, and after school. Phone messages for students will be taken in the office from parents/guardians only. School provided laptops are the only electronic devices allowed to be used in the classroom and only for instructional purposes.

Student use of any electronic listening or recording device in any classroom or throughout the school grounds during the school day without prior consent of a teacher and/or administrator of the school given to promote an educational purpose, disrupts and impairs the teaching process and discipline in school, and such use is prohibited. (Education Code 51512)

Electronic communication devices may be confiscated by school personnel, and such items may be searched by administration given reasonable suspicion of a rule violation. The school assumes no responsibility for the theft or damage to such items.

CALIFORNIA EDUCATION CODE FOR STUDENT DISCIPLINE

Students who display inappropriate behavior may be subject to suspension as outlined in the California State Education Code 48900 and 48915. A student may be suspended or expelled for acts which are related to school activity or attendance while on the school grounds, while going to or coming from school, during the lunch period whether on or off campus, and during or while going to or coming from a school sponsored activity.

EDUCATION CODE, SECTION 48900:

A student who has committed the following acts is subject to discipline by suspension or expulsion:

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (a)(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object, 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, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.

- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her 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 any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, 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, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in Section 32050.
- (r) Engaged in an act of bullying, including, but not limited to, bullying
Committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.
- (s) A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following.
 - (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from, a school sponsored activity.
- (t) A pupil who aids or abets, as defined in Sec. 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of 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).

EDUCATION CODE 48900.2: SEXUAL HARASSMENT:

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5.

For the purpose of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive education environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive. (Add. Stats. 1992, Ch. 909).

EDUCATION CODE 48900.3: HATE VIOLENCE:

In addition to the reasons specified in Sections 48900 and 48900.2 a pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school

in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence.

EDUCATION CODE 48900.4: HARASSMENT, THREATS, OR INTIMIDATION:

In addition to the grounds specified in Sections 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class-work, creating an intimidating or hostile educational environment.

A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or expelled for acts which 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 lunch period whether on or off the campus.
- (4) During, or while going to or coming from, a school sponsored activity.

It is the intent of the Legislature that alternatives to suspensions or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities.

EDUCATION CODE 48900.5: REQUIRED OTHER MEANS OF CORRECTION/EXCEPTIONS:

"At the very minimum...students who are threatened with removal from school, depriving them of the fundamental right to a publicly financed education, are entitled to notice of the grounds for the removal and an opportunity to be heard." (Goss v. Lopez)

Suspension shall be imposed only when other means of correction fail to bring about proper conduct. However, a pupil, including an individual with exceptional needs as defined in Section 56026, may be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons or property or threatens to disrupt the instructional process.

EDUCATION CODE 48900.6: DISCIPLINARY ACTION/COMMUNITY SERVICE:

Instead of disciplinary action prescribed by this article, the principal of a school, the principal's designee, or the superintendent of schools, or the governing board, may require a pupil to perform community service on school grounds during non-school hours. For the purposes of this section "community service" may include, but is not limited to, work performed on school grounds in the areas of outdoor beautification, campus betterment, and teacher or peer assistance programs. This section shall not apply to instance where suspension or expulsion is required by this article. (Add. Stats. 1995, Ch. 972).

EDUCATION CODE 48900.7: SUSPENSION OR EXPULSION FOR TERRORISTIC THREATS:

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the

person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family. (Add. Stats. 1997, Ch. 405)

EDUCATION CODE 48900.8: SUSPENSION, EXPULSION, PARENT NOTIFICATION AND STATE DEPARTMENT OF EDUCATION REPORT:

For purposes of notification to parents, and for the reporting of expulsion or suspension offenses to the State Department of Education, each school district shall specifically identify, by offense committed, in all appropriate official records of a pupil each suspension or expulsion of that pupil for the commission of any of the offenses set forth in subdivisions (a) to (o), inclusive, of subdivision (a) of, or paragraphs (1) to (4), inclusive of subdivision (c) of, Section 48915. (Add Stats. 1997, Ch637).

EDUCATION CODE SECTION 48915:

(a) Mandatory Recommendations, Permissive Expulsions: Except as provided in subdivisions (c) and (e) the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance:

- (1) Causing serious physical injury to another person, except in self-defense.
- (2) Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
- (3) Unlawful possession of any controlled substance listed in Chapter 2 (commencing with Section 1053) of Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis. (For second offense, any amount, expulsion recommendation is mandatory. (AR 5131.6)
- (4) Robbery or extortion.

(5) Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.

(b) Dual finding required for 48915(a) and 48900(a), (b), (c), (d) and (e): Upon recommendation by the principal, superintendent of schools, or by a hearing officer or administrative panel appointed pursuant to subdivision (d) of Section 48918, the governing board may order a pupil expelled upon finding that the pupil committed an act listed in subdivision (a) or in subdivision (a), (b), (c), (d), or (e) of section 48900. A decision to expel shall be based on a finding of one or both of the following:

- (1) Other means of correction are not feasible or have repeatedly failed to bring about proper conduct.
- (2) Due to the nature of the act, the presence of the pupil causes a continuing danger to the physical safety of the pupil or others.

(c) Mandatory Expulsions (one year from date of expulsion): Principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

- (1) Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a fire arm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.
- (2) Brandishing a knife at another person. As used in this section, "knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade (any size) that locks into place, or a razor with an unguarded blade.
- (3) Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code. (any amount)
- (4) Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- (5) Possession of an explosive.

TARDY POLICY

Tardiness is a disruption to the learning environment and may have adverse consequences on a student's academic success. In order for students to obtain a quality education, it is important for students to arrive to school on time each day. If a student has an unexcused tardy, the following discipline will apply:

- The student will be sent to a designated location to finish the period and not disrupt the learning in his/her scheduled class. A phone call home will be made.
- Tardy three or more times in any given quarter, the student will finish the period in a designated location and will serve break or lunch detention. A phone call home will be made and an appointment for the student's parent to meet with the principal will be scheduled.

TRANSPORTATION EXPECTATIONS

Transportation to and from school is a privilege. The School Expectations apply while being transported. In addition to the School Expectations, the following rules apply:

- **Students must get on and off the bus at their assigned stop.**
- Students must wear their seat belt and remain seated when the bus is in motion.
- Driver instructions must be followed at all times.
- Students are to cross the street in front of the bus, not behind it.

Students who violate the rules will be subject to suspension from the use of transportation up to permanent loss of transportation privileges.

Bus Surveillance Systems

Surveillance systems on school buses are used to help determine misconduct and improve behavior, ensure the safety of students and bus drivers, and prevent vandalism. Therefore, surveillance systems are installed on all buses to monitor student behavior while traveling to and from school and school activities. Surveillance may occur on any school bus. The contents of a recording is considered part of a student record and, as such, may be used in student disciplinary proceedings or referred to local law enforcement as appropriate.

PLAGIARISM AND CHEATING

All students are expected to do their own work when assigned individual papers and projects and when taking tests. The definition of plagiarize is "to use and pass off (someone else's ideas, inventions, writings, etc.) as one's own." (Webster's Dictionary) Whether you use someone else's paper, copy something out of a book, or take something off the Internet, you are plagiarizing if you do not cite your source and place quotation marks around anything taken word-for-word from a source. If you are not sure whether something you are doing is plagiarism, you should check with your teacher before you submit the assignment.

Cheating is also passing off someone else's work as your own. It includes plagiarizing, but it also includes any type of fraud such as copying another student's answers on a test or turning in a project as your own when it was really done by your parents or someone else. When a student is referred to an administrator for a plagiarism/cheating incident, the following will occur:

- First Offense: the student receives a grade of '0' on the assignment; parental contact
- Second offense: the student receives a '0' on the assignment and a grade of 'F' in the course for the quarter; parental contact
- Third offense: the student fails the course for the year; parental contact

HIGH SCHOOL GRADUATION REQUIREMENTS

Students must earn credits in the required subject areas listed below in order to graduate with a diploma. Students may only earn a maximum of 45 credits in a given semester (equivalent to 22.5 per quarter). No student may earn more than 45 credits in a given semester without written permission from the Director of Student Programs. Students are not allowed to work ahead of their current class standing. For example: a 10th grade student may not work on 11th grade credits.

Early graduation is possible only in the 12th grade year.

Subject Area	Credits Required
U.S. History	10
World History	10
American Government	5
Economics	5
Math (other than Algebra)	10
P.E.	20
Life Science	10
Physical Science	10
Art/Drama/Foreign Language	10
Algebra	10
English I	10
English II	10
English III	10
Elective	50
TOTAL Credits Required	180

STUDENTS WHO DO NOT COMPLETE THE ABOVE REQUIREMENTS WILL NOT RECEIVE A DIPLOMA. Special Education students should refer to their Individualized Education Plan (IEP).

High School Commencement Ceremony

To be eligible to participate in the commencement ceremony, students must meet all of the graduation requirements. Students enrolled after April 15th will not be eligible to participate in the ceremony.

MIDDLE SCHOOL PROMOTION

To be promoted to the next grade level, students must pass each core academic class with a grade of D or higher. Transfer grades will be averaged to determine quarter and semester grades.

If a student is identified as performing below the minimum standard for promotion, the student shall be retained in his/her current grade level unless the student's regular classroom teacher determines, in writing, that the retention is not the appropriate intervention for the student's academic deficiencies. (Education Code 48070.5)

Valley Community Schools Assessment Calendar 2020-2021

State and local assessments are critical in determining the success of our students and the effectiveness of our program. It is mandatory that students take these exams as well as those assigned to them on an individual basis. To help with the large number of students that may be tested in each of these exams, we have assigned specific dates for the following exams.

Exam	Subject	Date of Exam	Grades Tested
Renaissance Learning - STAR 360 Benchmark Assessments (Pre/Post)	ELA	September 1 - 30	K-12
	Math	September 1 - 30	K-12
	ELA	January 1 - 31	K-12
	Math	January 1 - 31	K-12
	ELA	May 1 - 31	K-12
	Math	May 1 - 31	K-12
English Learner Proficiency Assessments for California (ELPAC) Annual <small>*Students in grades 6 through 12 who are considered English Language Learners are required to take this test.</small>	ELD	February 1 - May 31	K-12
Physical Fitness Testing (PFT)	PE	February 1 - May 31	7 and 9
CA Assessment of Student Performance and Progress (CAASPP)	ELA	March 1 - May 31	6 - 8, 11
	Math	March 1 - May 31	6 - 8, 11
	Science	March 1 - May 31	5, 8, 12

School Accountability Report Card – SARC

The School Accountability Report Card (SARC) is a report provided to the California Department of Education (CDE) by schools regarding their performance on a variety of indicators. The SARC Reports for Valley Community Schools may be viewed at <http://www.sarconline.org/> or a hard copy can be obtained in the school offices.

For more information on the SARC, visit the CDE SARC Web page at <http://www.cde.ca.gov/ta/ac/sa/>.

LOST TEXTBOOKS OR TECHNOLOGY EQUIPMENT

Textbooks are the property of the Valley Community Schools. The student is solely and totally responsible for the same numbered book, which was issued to him/her and must pay for its loss or damage. The same rule applies to all school items including, but not limited to, athletic equipment, lab equipment, technology items, library materials, etc.

STATEWIDE TESTING NOTIFICATION

California students take several mandated statewide tests. These tests provide parents/guardians, teachers, and educators with information about how well students are learning and becoming college and career ready. The test results may be used for local, state, and federal accountability purposes.

California Assessment of Student Performance and Progress

The California Assessment of Student Performance and Progress (CAASPP) tests consist of the following:

- **Smarter Balanced Assessment Consortium Assessments**

The Smarter Balanced computer adaptive assessments are aligned with the Common Core State Standards (CCSS). English language arts/literacy (ELA) and mathematics tests are administered in grades three through eight and grade eleven to measure whether students are on track to college and career readiness. In grade eleven, results from the ELA and mathematics assessments can be used as an indicator of college readiness.

- **California Science Tests (CAST)**

The computer-based CAST measures students' achievement of the California Next Generation Science Standards (CA NGSS) through the application of their knowledge and skills of the Science and Engineering Practices, Disciplinary Core Ideas, and Crosscutting Concepts. The CAST is administered to all students in grades five and eight and once in high school (i.e., grade ten, eleven, or twelve).

- **California Alternate Assessments (CAAs)**

Only eligible students—students whose individualized education program (IEP) identifies the use of alternate assessments—may participate in the administration of the CAAs. Test examiners administer the computer-based CAAs for ELA, mathematics, and science one-on-one to students. Students in grades three through eight and grade eleven will take the CAA for ELA and mathematics. Test items developed for ELA and mathematics are aligned with the CCSS and are based on the Core Content Connectors.

Students in grades five and eight and once in high school (i.e., grade ten, eleven, or twelve) will take the CAA for Science. The CAA for Science embedded performance tasks are based on alternate achievement standards derived from the CA NGSS. Students taking the CAA for Science will take three embedded performance tasks in spring 2019.

- **California Spanish Assessment (CSA) for Reading/Language Arts**

The optional CSA for Reading/Language Arts in Spanish is aligned with the California Common Core State Standards en Español. This computer-based test allows students to demonstrate their Spanish skills in listening, reading, and writing mechanics.

Pursuant to California Education Code Section 60615, parents/guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments.

English Language Proficiency Assessments for California

The English Language Proficiency Assessments for California (ELPAC) is aligned with the 2012 California English Language Development Standards. It consists of two separate English Language Proficiency (ELP) 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

The physical fitness test for students in California schools is the FitnessGram®. The main goal of the test is to help students in starting lifelong habits of regular physical activity. Students in grades five, seven, and nine take the fitness test.

COUNSELING SERVICES

Meeting with the Counselor

Your School Counselor is here to help you with a variety of opportunities and academic goals. She will guide you through your high school experience and well as get you on the right path to your post-secondary goals whether it be college or a career.

You may request to see the school counselor by simply filling out a GREEN Counseling Form and returning it to the office. Each teacher has these forms or you can obtain a form in the school office as well.

Individualized Learning Plans (ILP)

Each student will meet with the counselor to develop the student's Individualized Learning Plan (ILP). The ILP contains specific sections that will help a student obtain their future goals. The school counselor will update this plan with the student twice a year.

Transferring Back

As each semester comes to an end, the counselor will check in with students and parents to see if the student wishes to transfer back to their district of residence if they are able to. If your child was transferred to our school without being expelled, he or she must have completed the below requirements in order to be eligible for consideration to return to the district. **Please understand – THE DISTRICT MAKES THE FINAL DECISION on the student's return, NOT VALLEY COMMUNITY SCHOOL. This is why it is so important to meet with the school counselor to review appropriate courses you must take in order to transfer back to your district.**

The requirements are:

1. Students must have maintained 90% attendance or better and have no unexcused absences or tardies during their time with Valley Community School.
2. Students must have received passing grades in all subjects during their time with Valley Community School.
3. Students shall not be suspended during their time with Valley Community School.
4. Students must be on track for graduation from their district of residence.

Free Application for Federal Student Aid (FAFSA)

The FAFSA must be filled out by students in order to qualify for college aid and grants. The window to complete the FAFSA is October 1 through March 2. The school counselor will be scheduling FAFSA Workshops throughout the school year. Please be watching for flyers in our office, on our website and on our FACEBOOK page.

College Connection

Valley Community School works closely with local Community Colleges in order to serve our students in the best way possible. There are field trips and workshops that will be scheduled throughout the year. Be watching for these dates and times.

Work Permits

Any student who is under 18 years of age and who plans to obtain a job while enrolled in school must have a valid work permit. Work permit applications may be obtained from the school office. Students who are truant, failing in school, not attending regularly, or not completing minimum schoolwork will have their permits revoked. See the School Counselor for more information.

GENERAL INFORMATION

***NOTE – ACTIVITIES ARE LIMITED DURING DISTANCE LEARNING**

Academic Decathlon – The Academic Decathlon is a team competition where students compete with other Merced County schools at an all-day event in February. Students compete in ten (10) categories: Art, Economics, Essay, Interview, Language and Literature, Mathematics, Music, Science, Social Science and Speech. Students may earn extra credits for their active participation in and attendance at the Academic Decathlon. Students have the opportunity to compete for college scholarships and medals.

Activities – During the school year, there are many activities for the students. The activities will be announced in the school bulletin. Below are a few of those activities:

- **Holiday Meal Celebration** – Staff serve students a holiday meal before the winter break.
- **Prom** – Students who are in good standing, both academically and behaviorally, are invited to attend the prom. More information concerning the prom will be distributed to students in the early spring.
- **Sports** – When possible, Valley Community School will participate in a variety of sports with other alternative schools. Information and eligibility for sports will be available in the school office. Sports physicals are required.
- **Field Trips** – Field trips will be available during the year for students with exceptional attendance, grades and behavior.
- **After School Program** – A daily ASP program will be available to students on a first come, first serve basis. Please ask the office staff for additional information.

Career Technical Education (CTE) – CTE prepares students for employment or post-secondary education. CTE allows students to acquire broad transferable skills, allowing them increased employment and education flexibility. CTE courses, provided through the Merced County Regional Occupational Program (ROP), are available at our school. For more information on CTE courses offered, contact the school Career Technician or School Counselor.

Closed Campus

Valley Community School operates as a closed campus. Once students arrive on campus (inside the perimeter fencing), they are prohibited from leaving campus without written permission from parents/guardians. All students are to sign in and out through the main office. Students are not permitted to leave campus for lunch. Parent permission does not waive this restriction.

Foster Youth Services – The Foster Youth Services Program is designed to assist students who are placed in State Licensed Group Homes and Foster Homes. Foster Youth Services assist Merced County foster children in working with social workers, school staff, and community service agencies to influence their day-to-day routine both during and after school. The goals are to stabilize foster care placement and enhance academic success by assisting in the improvement of academic achievement and reducing disciplinary problems, juvenile delinquency, truancy, and student dropout rate. Services provided are:

- Tutoring, counseling, mentoring
- Transitional services
- Ensure appropriate school placement
- AB 490 advocacy

Independent Study Program– Eligibility into the Independent Study program is determined by at least one of the following criteria: medical condition with doctor's note, students with family responsibilities that make daily attendance a hardship, teen parents with no child care, students that are currently employed and whose hours conflict with traditional school hours, or administrative recommendation. Students meet once a week with a credentialed teacher on their course work. For additional help, a study lab is available weekly.

Leadership Class – Students have the opportunity to serve as STRIVE Student Youth Ambassadors by enrolling in the Leadership class. STRIVE Student Youth Ambassadors receive training in the principles of restorative justice, youth advocacy, and public speaking. Students in the program will have the opportunity to develop leadership skills and participate in a variety of activities throughout the school year. Enrollment in this program is by teacher and principal recommendation.

Lost, Damage or Stolen Items

The school is not responsible for lost, damaged or stolen electronic devices or personal items, and will be unable to assist students in retrieving misplaced or damaged items. Students bringing electronic devices or personal items to school do so at their own risk and bear the responsibility for loss, theft, or damage.

Meals

Eligible students may receive meals for free. Eligibility is based on the information provided on a completed “Application for Free and Reduced Price Meals”. For further information, please contact the school office at (209) 827-5600. Students that do not qualify for the program may purchase meals for a nominal price.

Medication

No medications are allowed at school (including over-the-counter medications). In compliance with Ed. Code Section 49423, no medications will be accepted or administered without meeting the following requirements:

- Physician and parent/guardian request forms filled out completely including both physician and parent signature (forms are available at school). No medication will be administered without detailed physician instructions.
- Medication taken to school must be furnished in its pharmacy labeled bottle or in original pharmacy labeled injectable medication kit.
- Nonprescription medications such as aspirin, Tylenol, etc., will not be administered at school even at parent’s request. As a parent/guardian, you have the right to bring a medication to the school and administer said medication to your child.

Obligations

Students with an incurred obligation (unreturned books, property damage) will have their official transcripts and/or diplomas withheld. After all obligations are cleared, the transcripts and/or diplomas will be available to parents/guardians. California Education Code 48904; 48904.3 (See MCOE Regulation #5125.2 – Appendix III)

Public Displays of Affection

Being overly affectionate in school creates an environment that is not conducive to concentration and learning; therefore, students should refrain from inappropriate, intimate behaviors on campus or at school related events and activities. Students are expected to show good taste and conduct themselves respectfully at all times.

Restrooms

The restrooms are open before school, between 1st and 2nd periods, break, lunch, and between 5th and 6th periods. In order to minimize classroom interruptions, please make every effort to use the restrooms during the designated times

Safety

The school is fully committed to promoting a safe learning environment and, to the extent possible, eliminating the possession and use of weapons, illegal drugs, and other controlled substances by students on school premises and at school activities. As necessary to protect the health and welfare of students and staff, school officials may search students, their property, and/or MCOE property under their control and may seize illegal, unsafe, or otherwise prohibited items. (See MCOE Policy #5145.12 – Appendix V)

Snack Shack

The Student Organization runs our school Snack Shack. The Snack Shack is open during break and lunch when possible. The money raised from the Snack Shack goes toward the Student Organization that helps fund field trips, events, sports and activities for the students.

Student Illness

If a student has a fever, he/she should not come to school. If a student becomes ill during the day, he/she should go to the office. Students may not use their cell phones to contact parents. Staff will contact the parent or person listed on the student's emergency contact list if student needs to go home.

Visitor Check In/Check Out

To ensure the safety of students and staff plus avoid potential disruptions, all visitors to the campus, except students of the school and staff members, must register immediately with the school office upon entering any school building or grounds when school is in session. Valley Community School has established a visible means of identification for visitors while on school premises (i.e. tag). The principal, designee, or campus supervisor may direct an individual to leave school grounds if he/she is disrupting school activities or defying the valid authority of administration. Law enforcement will be immediately contacted for individuals engaging in threatening conduct, trespassing, and for disturbing the peace.

**CO-ED SPORTS TEAMS**

We will be participating in sports activities with other alternative education schools. Students that wish to play on one or more of our teams must:

1. Pass a sports physical. The office has the proper paperwork and where to go for the physical.
2. Have no discipline issues or suspensions.
3. Maintain a 2.0 GPA or better during the sport that the student is playing.
4. Maintain excellent attendance (90% or better).
5. Attend all after school practices and have their own ride home if needed.

If a student is interested in signing up for a sport,
see the office or Mrs. Jelen.

VALLEY Tip Line

There are all kinds of reasons to use
your school's tip line...

Bullying **Threats**
CyberBullying *Sexting*
WEAPONS **Cutting**
Suicidal Thoughts
Drugs & Alcohol *Depression*
DOMESTIC VIOLENCE

Do something about it...

(209) 827-5660

All calls will remain anonymous



called Out of
darkness
into light

Suicide Hotline:
1-800-273-8255

Text: "START" to 741-741



Register to Vote!

*16 years or older
can pre-register
online*

RegisterToVote.ca.gov

*Registration will automatically
become active once they turn 18*

*Voter Registration Cards
are available, please see
your school counselor*

**REGISTER
TO VOTE**



Once you have created your Parent Portal Account you will be able to access your child's grades, assignments, teacher e-mails and much more!

Set Up Your Valley Community School **Parent Portal** TODAY!

Go Here!

<https://mercedcoe.asp.aeries.net/student/LoginParent.aspx?page=default.aspx>

click here!



Valley Los Banos Community School
715 West H Street
Los Banos, CA 93635
(209) 827-5600

Creating your Parent Portal Account

1. Enter Parent E-mail
2. Create a password

A verification email will be sent to you from:
lflores@mcoe.org

3. Open verification e-mail
4. Select "confirm this email address"
You will be taken back to the account creation screen
5. Select "Return to Login Page"
6. Log in
7. Dialog box will open. Enter the following:
 - Student ID number
 - Primary phone number
 - Verification code: provided by the school

If you have issues creating your account,
please email: lflores@mcoe.org

*Your Student's
Info Here*



No insurance, no co-pay, no cost

Merced County Office of Education and Hazel have a shared goal: To ensure every student has access to quality healthcare, regardless of their financial, insurance or immigration status. Why? Because healthy students learn better.

Hazel connects students to healthcare providers with the touch of a button on an iPad. Students get quality care, without leaving school. Parents don't miss work, and no need for a bus ride to the doctor's office.

Services include:

- Urgent care
- Health screenings
- Patient education
- Provider ordered over-the-counter medication and/or prescriptions
- Referrals to health care professionals, school and community resources

How Hazel Works

Consent

With parent/guardian consent, students can participate in Hazel's healthcare program.

Connect

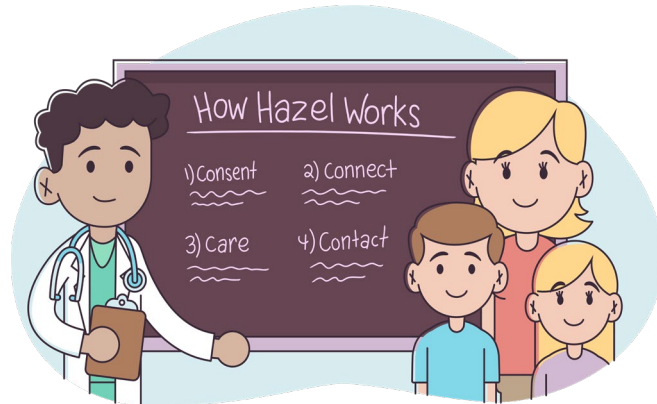
When a student is sick, they'll visit the on-site Hazel clinic. Using cutting-edge video technology, they'll talk to a licensed healthcare provider.

Care

Care is provided and may include over-the-counter medications given at school and/or prescriptions called in to a local pharmacy.

Contact

Parents/guardians are contacted to explain the visit, medications, diagnosis and recommendations for further care.



Frequently Asked Questions

Q. How much does Hazel cost?

A. Hazel is provided by your School District at no cost to families.

Q. How many visits do students get?

A. There is no limit on the number of visits.

Q. How does this affect insurance?

A. A visit with Hazel will have no impact on your coverage. If you have insurance, please keep it. Any prescriptions or external visits outside of school are not part of the Hazel program and would need to be covered.

Q. What if my child already see a doctor?

A. No problem. Hazel is a complimentary service at school for students and will not affect any other medical care. In fact, Hazel is happy to work with your current doctor and provide any information from a Hazel visit.

Q. How do families sign up for Hazel?

A. Complete the paper form provided by your school. Or complete the form online at my.hazel.co/mcoe

Q. What if I have more questions?

A. Each school has a Hazel initiator who can answer many of your questions. Or you can always contact Hazel directly at 209-210-4333 or visit www.hazel.co



Merced County Office of Education (MCOE)

SCHOOL POLICIES and REGULATIONS

- I. Acceptable Use Agreement for Students
- II. Bullying – Policy #5131.2
- III. Withholding Grades and Diplomas – Regulation #5125.2
- IV. Parent Involvement – Policy and Regulation #6020
- V. Search and Seizure – Policy and Regulation #5145.12
- VI. Sexual Harassment – Policy and Regulation #5145.7

Valley Community Schools ACCEPTABLE USE AGREEMENT FOR STUDENTS

Appendix I

Valley Community Schools (VCS) recognize that access to technology in school gives students greater opportunities to learn, engage, communicate, and develop skills that will prepare them for work, life, and citizenship. We are committed to helping students develop 21st-century technology and communication skills; therefore, we provide the privilege of access to technologies for student use.

VCS may provide the privilege of Internet access, desktop computers, mobile computers or devices, videoconferencing capabilities, online collaboration capabilities, message boards, email and more. This Acceptable Use Agreement applies to both school-owned technology equipment that utilizes the school network, the schools' Internet connection, and/or private networks/Internet connections accessed from school-owned devices at any time. VCS employs filtering and other safety and security mechanisms, and attempts to ensure their proper function.

Technology Use Guidelines and Expectations

This Acceptable Use Agreement outlines the guidelines and expectations that all student users are expected to follow when using school technologies.

- All technologies provided by the district are intended for education purposes. All users are expected to use good judgment and to abide by the guidelines outlined in this agreement.
- VCS provides its users the privilege of access to the Internet, including web sites, resources, content and online tools. Access to the Internet will be restricted as required to comply with CIPA regulations and school policies. Web browsing may be monitored and web activity records may be retained indefinitely.
- Users are expected to respect the web filter as a safety precaution, and shall not attempt to circumvent the web filter when browsing the Internet.
- Recognizing the benefits collaboration brings to education, VCS may provide users with access to web sites or tools that allow communication, collaboration, sharing and messaging among users. Users are expected to communicate with the same appropriate, safe, mindful and courteous conduct online as offline. Posts, chats, sharing and messaging may be monitored.
- VCS may provide users with mobile computers or other devices to promote learning outside of the classroom. Users should abide by the same acceptable use policies when using school devices off the school network as on the school network. Users are expected to treat these devices with extreme care and caution; these are expensive devices that the school is entrusting to your care. Users should immediately report any loss, damage, or malfunction to the staff member that issued the device. Users may be financially accountable for any damage resulting from negligence or misuse. Use of school-issued mobile devices off the school network may be monitored.
- Users are expected to take reasonable safeguards against the transmission of security threats over the school network. This includes not opening or distributing infected files or programs and not opening files or programs of unknown or untrusted origin. If you believe a device you are using might be infected with a virus, please alert a staff member. Do not attempt to remove the virus yourself or download any programs to help remove the virus.
- Users should not download or attempt to download or run .exe programs over the school network or onto school resources.
- Users should always use the Internet, network resources, and online sites in a courteous and respectful manner. Users should recognize that among the valuable content online there is also unverified, incorrect, or inappropriate content. Users should only use trusted sources when conducting research via the Internet.
- Users should not plagiarize (or use as their own, without citing the original creator) content, including words or images, from the Internet. Users should not take credit for things they did not create themselves, or misrepresent themselves as an author or creator of something found online.
- Users should never share personal information, including phone number, address, social security number, birthday, or financial information, over the Internet without adult permission. Users should never agree to meet in real life someone they meet online without parental permission. If you see a message, comment, image, or anything else online that makes you concerned for your personal safety, bring it to the attention of an adult (teacher or staff if you're at school; parent if you're using the device at home) immediately.
- Cyberbullying will not be tolerated. Harassing, dissing, flaming, denigrating, impersonating, outing, tricking, excluding, and cyberstalking are all examples of cyberbullying. Do not send emails or post comments with the intent of scaring, hurting, or intimidating someone else. Engaging in these behaviors, or any online activities intended to harm (physically or emotionally) another person, will result in disciplinary action and loss of privileges. In some cases, cyberbullying can be a crime. Remember that your activities are monitored and retained.

Examples of Acceptable Use – I will:

- Use school technologies for school-related activities.
- Follow the same guidelines for respectful, responsible behavior online that I am expected to follow offline.
- Treat school resources carefully, and alert staff if there is any problem with their operation.
- Encourage positive, constructive discussion if allowed to use communicative or collaborative technologies.
- Alert a teacher or other staff member if I see threatening, inappropriate, or harmful content (images, messages, and posts) online.
- Use school technologies at appropriate times, in approved places, for educational pursuits.

Valley Community Schools
ACCEPTABLE USE AGREEMENT FOR STUDENTS

- Cite sources when using online sites and resources for research.
- Recognize that use of school technologies is a privilege and treat it as such.
- Be cautious to protect the safety of myself and others.
- Help to protect the security of school resources.

This is not intended to be an exhaustive list. Users should use their own good judgment when using school technologies.

Examples of Unacceptable Use – I will NOT:

- Use school technologies in a way that could be personally or physically harmful.
- Attempt to find inappropriate images or content; intent to seek inappropriate images or content is a violation of this Acceptable Use Agreement.
- Create a personal mobile “hot-spot” or utilize a “proxy site” for the purpose of circumventing network safety measures and filtering tools.
- Create, distribute or deploy multi-user servers or gaming software on or within the VCS network.
- Engage in cyberbullying, harassment, or disrespectful conduct toward others.
- Try to find ways to circumvent the school’s safety measures and filtering tools; intent to circumvent safety measures and filtering tools is a violation of this Acceptable Use Agreement.
- Use school technologies to send spam or chain mail.
- Plagiarize content I find online.
- Post or otherwise disclose personally-identifying information, about myself or others.
- Agree to meet someone I meet online in real life.
- Use language online that would be unacceptable in the classroom.
- Use school technologies for illegal activities or to pursue information on such activities.
- Attempt to hack or access sites, servers, or content that is not intended for my use.

This is not intended to be an exhaustive list. Users should use their own good judgment when using school technologies.

VCS ACCEPTABLE USE AGREEMENT FOR STUDENT

I have read VCS Acceptable Use Agreement and understand its provisions. I accept responsibility for the appropriate use of VCS technology resources. I understand that use of VCS technology resources in violation of the Acceptable Use Agreement will result in the restriction, suspension, or revocation of user privileges. I agree to report any use which is in violation of this agreement to my teacher, principal, or to a system administrator.

Student (PRINT NAME)	Signature	Date
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PARENT (Parent consent required if student is a minor.)

I have read VCS Acceptable Use Agreement and understand its provisions and the responsibility my child has for the use of VCS technology resources. I agree that my child may use VCS technology resources and that my child’s use shall be subject to this agreement.

Parent (PRINT NAME)	Signature	Date
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*****A signed copy of this Agreement was placed in student’s files.***

Policy 5131.2 – BULLYING

Appendix II

The Merced County Office of Education (MCOE) recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. MCOE employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

(cf. 5131 - Conduct)

(cf. 5136 - Gangs)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

Strategies for addressing bullying in MCOE schools shall be developed with involvement of key stakeholders, including students, parents/guardians, and staff, and may be incorporated into comprehensive safety plan, the local control and accountability plan, and other applicable MCOE and school plans.

(cf. 0420 - School Plans/Site Councils)

(cf. 0450 - Comprehensive Safety Plan)

(cf. 0460 – Local Control and Accountability Plan)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

(cf. 6020 - Parent Involvement)

As appropriate, the County Superintendent or designee may collaborate with law enforcement, courts, social services, mental health services, other agencies, and community organizations in the development and implementation of joint strategies to promote safety in schools and the community and to provide services for alleged victims and perpetrators of bullying.

(cf. 1020 – Children and Youth Services)

Bullying Prevention

To the extent possible, MCOE and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of MCOE and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

(cf. 5137 - Positive School Climate)

As appropriate, the MCOE may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6163.4 - Student Use of Technology)

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective response.

(cf. 4331 - Staff Development)

Based on an assessment of bullying incidents at school, the County Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

Intervention

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the County Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When appropriate based on the severity or pervasiveness of the bullying, the County Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

The County Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee. Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report his/her observation to the principal, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the MCOE compliance officer identified in Regulation 1312.3 - Uniform Complaint Procedures. (cf. 1312.3 - Uniform Complaint Procedures)

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the County Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

When a report of bullying is submitted, the principal shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with Regulation 1312.3. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

Investigation and Resolution of Complaints

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the MCOE's uniform complaint procedures specified in Regulation 1312.3.

If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Discipline

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with MCOE policies and regulations. (cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6159.4 - Behavioral Interventions for Special Education Students)

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination
32282 Comprehensive safety plan
32283.5 Bullying; online training
35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
48900-48925 Suspension or expulsion
48985 Translation of notices
52060-52077 Local control and accountability plan

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504

106.8 Designation of responsible employee for Title IX

110.25 Notification of nondiscrimination on the basis of age

COURT DECISIONS

Wynar v. Douglas County School District, (2013) 728 F.3d 1062
J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094
Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

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

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

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

Common Sense Media: <http://www.common sense media.org>

National School Safety Center: <http://www.schoolsafety.us>

ON[the]LINE, digital citizenship resources: <http://www.onthelineca.org>

U.S. Department of Education: <http://www.ed.gov>

Policy Adopted: 8/8/2012;
Revised: 10/26/16

MERCED COUNTY OFFICE OF EDUCATION
Merced, California

**Regulation 5125.2 –
WITHHOLDING GRADES, DIPLOMA OR TRANSCRIPTS**

Appendix III

When school property has been willfully damaged or not returned upon demand, the Superintendent's designee shall inform the parent/guardian in writing of the responsible student's alleged misconduct and the reparation that may be due.

This notice shall include a statement that the Superintendent's designee may withhold grades, diploma or transcripts from the student and parent/guardian until reparation is made.

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 6161.2 - Damaged or Lost Instructional Materials)

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

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

If the student and parent/guardian are unable to pay for the damages or return the property, the Superintendent's designee shall provide a program of voluntary work for the student to do. When this voluntary work is completed, the student's grades, diploma or transcripts shall be released. (Education Code 48904)

When a student from whom the Superintendent's designee is withholding grades, diploma or transcripts transfers to another district, this information shall be sent to the new district with the student's records and a request that these items continue to be withheld until the new district receives notification that the debt has been cleared.

The Superintendent's designee shall notify the parent/guardian in writing that this MCOE school's decision to withhold grades, diploma or transcript will be enforced by the new district. (Education Code 48904.3)

The Superintendent's designee shall withhold grades, diploma or transcripts from any student transferring into the MCOE school whose misconduct caused a previous district to withhold them. When informed by the previous district that its decision has been rescinded, the Superintendent's designee shall release these documents. (Education Code 48904.3)

(cf. 5125 - Student Records)

Legal Reference:

EDUCATION CODE

48904 *Liability of parent*

48904.3 *Withholding grades, diplomas, or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold*

48911 *Suspension by principal, designee or superintendent*

49069 *Absolute right to access*

Regulation
Adopted: 9/23/09

MERCED COUNTY OFFICE OF EDUCATION
Merced, California

Policy 6020 – PARENT INVOLVEMENT

Appendix IV

The Merced County Office of Education (MCOE) recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The County Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in MCOE and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home.

(cf. 0420 - School Plans/Site Councils)

(cf. 1230 - School-Connected Organizations)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 5145.6 - Parental Notifications)

Title I Schools

Each year the County Superintendent or designee shall identify specific objectives of the MCOE's parent involvement program for schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program. (Education Code 11503)

(cf. 6171 - Title I Programs)

The County Superintendent or designee shall ensure that the MCOE's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the MCOE will carry out each activity listed in 20 USC 6318. (20 USC 6318)

The County Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians of participating students in decisions regarding how the MCOE's Title I funds will be allotted for parent involvement activities. (20 USC 6318)

(cf. 3100 - Budget)

The County Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent involvement policy in accordance with 20 USC 6318.

Non-Title I Schools

The County Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the MCOE and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

Head Start

Head Start has very specific requirements for the involvement of parents in the program and these requirements are detailed in the Head Start Performance Standards. Head Start programs must establish a process through which parents and staff jointly determine the activities that lead to meaningful parent involvement including, but not limited to, development of the program's curriculum, opportunities to enhance parenting skills, involvement in community advocacy, and involvement in programs that support family physical health, mental health, and nutrition. Parents are encouraged to volunteer or become employees of Head Start and hiring preference is given to current or past Head Start parents. Additional information about parent involvement in Head Start may be

found on the Administration for Children and Families (ACF) website or in the Head Start Performance Standards, Subpart C - Family Partnerships, Section 1304.40 (a-i).

Legal Reference:

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

48985 Notices in languages other than English

51101 Parent rights and responsibilities

64001 Single plan for student achievement

LABOR CODE

230.8 Time off to visit child's school

UNITED STATES CODE, TITLE 20

6311 Parental notice of teacher qualifications and student achievement

6312 Local educational agency plan

6314 Schoolwide programs

6316 School improvement

6318 Parent involvement

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

35.160 Communications

Management Resources:

CSBA PUBLICATIONS

Parent Involvement: Development of Effective and Legally Compliant Policies, Governance and Policy Services Policy Briefs, August 2006

STATE BOARD OF EDUCATION POLICIES

89-01 Parent Involvement in the Education of Their Children, rev. 1994

U.S. DEPARTMENT OF EDUCATION NON-REGULATORY GUIDANCE

Parental Involvement: Title I, Part A, April 23, 2004

WEB SITES

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

California Department of Education, Family, School, Community Partnerships:

<http://www.cde.ca.gov/ls/pf>

California Parent Center: <http://parent.sdsu.edu>

California State PTA: <http://www.capta.org>

National Coalition for Parent Involvement in Education: <http://www.ncpie.org>

National PTA: <http://www.pta.org>

No Child Left Behind: <http://www.ed.gov/nclb>

Parent Information and Resource Centers: <http://www.pirc-info.net>

Parents as Teachers National Center: <http://www.parentsasteachers.org>

U.S. Department of Education: <http://www.ed.gov>

Regulation 6020 – PARENT INVOLVEMENT

MCOE Strategies for Title I Schools

To ensure that parents/guardians of students participating in Title I programs are provided with opportunities to be involved in their children's education, the County Superintendent or designee shall:

1. Involve parents/guardians of participating students in the joint development of the Title I local educational agency (LEA) plan pursuant to 20 USC 6312 and the process of school review and improvement pursuant to 20 USC 6316 (20 USC 6318)

(cf. 6171 - Title I Programs)

The County Superintendent or designee may:

- a. Establish a Merced County Office of Education (MCOE)-level committee including parent/guardian representatives from each school site to review and comment on the LEA plan in accordance with the review schedule established by the County Superintendent
- b. Invite input on the LEA plan from other MCOE committees and school site councils

(cf. 0420 - School Plans/Site Councils)

- c. Communicate with parents/guardians through an MCOE notification, web site, or other methods regarding the LEA plan and the opportunity to provide input
 - School sites will send letters to parents each semester regarding the LEA plan and provide a venue for them to share their input. Notifications will be posted to the Educational Services web site; Valley Community School.
- d. Provide copies of working drafts of the LEA plan to parents/guardians in an understandable and uniform format and, to the extent practicable, in a language the parents/guardians can understand
- e. Ensure that there is an opportunity at a public County Board meeting for public comment on the LEA plan prior to the County Superintendent's approval of the plan or revisions to the plan
 - The County Superintendent's Office will post a meeting notice for a County Board meeting allowing parents the opportunity to provide input on the LEA plan.
- f. Ensure that school-level policies on parent involvement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans
 - School-level parent involvement policies will address parent involvement and the role of the Site Council. The review of school plans will be conducted annually by the School Site Council.

2. Provide coordination, technical assistance, and other support necessary to assist Title I schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance (20 USC 6318)

The County Superintendent or designee may:

- a. Assign person(s) in the MCOE to serve as a liaison to the schools regarding Title I parent involvement issues
 - A MCOE liaison has been assigned to collaborate with school sites on the development and annual review of parent involvement policies and to keep staff informed of Title I parent involvement issues.
- b. Provide training for the principal or designee of each participating school regarding Title I requirements for parent involvement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of parent involvement activities
- c. Provide ongoing MCOE-level workshops to assist school site staff and parents/guardians in planning and implementing improvement strategies, and seek input from parents/guardians in developing the workshops
- d. Provide information to schools about the indicators and assessment tools that will be used to monitor progress

3. Build the capacity of schools and parents/guardians for strong parent involvement (20 USC 6318)

The County Superintendent or designee may: (20 USC 6318)

- a. Assist parents/guardians in understanding such topics as the state's academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children
 - The Coordinator of categorical programs creates an annual notification to parents with the mandated information noted above.

(cf. 6162.5 - Student Assessment)

(cf. 6162.51 - Standardized Testing and Reporting Program)

(cf. 6162.52 - High School Exit Examination)

- b. Provide materials and training to help parents/guardians work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parent involvement
 - The Coordinator of categorical programs includes opportunities for parent/guardian training in the annual notification.
- c. Educate teachers, student services personnel, Principal/Coordinators, and other staff, with the assistance of parents/guardians, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools
 - The MCOE provides opportunities for Title I stakeholders to learn the importance of parent involvement through in-services, staff meetings, and annual notifications to staff.

(cf. 4331 - Staff Development)

- d. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with the Workplace Learning Academy, the Regional Occupation Program, Head Start, Reading First, Early Reading First, Even Start, Home Instruction Programs for Preschool Youngsters, Parents as Teachers Program, public preschool, and other programs, and conduct other activities that encourage and support parents/guardians in more fully participating in their child's education
 - The MCOE provides opportunities for parents/guardians to become involved in their child's education by sending out notices for Open House(s), Teacher/Parent Conferences, and other school-related activities which parents are encouraged to attend.
- e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/ guardians can understand
 - The MCOE provides written materials informing parents/guardians about opportunities to participate in meetings and other activities in appropriate format and language(s) parents can understand.
- f. Provide other such reasonable support for parent involvement activities as parents/guardians may request
- g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students
 - The Coordinator of categorical programs and other Title I staff include opportunities for parent/guardian training in the annual notification.

In addition, the County Superintendent or designee may:

- a. Involve parents/guardians in the development of training for teachers, principals, and other educators to improve the effectiveness of such training
- b. Provide necessary literacy training, using Title I funds if the MCOE has exhausted all other reasonably available sources of funding for such training
- c. Pay reasonable and necessary expenses associated with parent involvement activities, including transportation and child care costs, to enable parents/guardians to participate in school-related meetings and training sessions
- d. Train parents/guardians to enhance the involvement of other parents/guardians
- e. Arrange school meetings at a variety of times or, when parents/guardians are unable to attend such conferences, conduct in-home conferences between parents/guardians and teachers or

- other educators who work directly with participating students
- f. Adopt and implement model approaches to improving parent involvement
- g. Establish a MCOE-wide parent advisory council to provide advice on all matters related to parent involvement in Title I programs
- h. Develop appropriate roles for community-based organizations and businesses in parent involvement activities
- i. Make referrals to community agencies and organizations that offer literacy training, parent education programs, and/or other services that help to improve the conditions of parents/guardians and families
 - The Coordinator of categorical programs and other Title I staff include community resources and referral services for parent/guardian training in the annual notification.

(cf. 1020 - Youth Services)

- j. Provide a master calendar of school site activities and school site meetings
 - The Coordinator of categorical programs and other Title I staff provide enrolling students and parents/guardians with a calendar of school events and send letters home regarding site meetings.
- k. Provide information about opportunities for parent involvement through an MCOE notification, web site, or other written or electronic means
 - The MCOE provides written materials informing parents/guardians about opportunities to participate in meetings and other activities in appropriate format and language(s) parents can understand through the annual notification and postings on the Educational Services web site; Valley Community School.
- l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions

(cf. 1230 - School-Connected Organizations)

- m. To the extent practicable, provide interpretation and translation services at school sites and at meetings involving parents/guardians as needed
 - The MCOE provides interpretation and translation services for parents/ guardians at all school sites and meetings involving parents/guardians.
- o. Regularly evaluate the effectiveness of staff development activities related to parent involvement
- p. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations

(cf. 4115 - Evaluation/Supervision)

(cf. 4215 - Evaluation/Supervision)

(cf. 4315 - Evaluation/Supervision)

- 4. Coordinate and integrate Title I parent involvement strategies with the Workplace Learning Academy, the Regional Occupation Program, Head Start, Reading First, Early Reading First, Even Start, Home Instruction Program for Preschool Youngsters, Parents as Teachers Program, public preschool and other programs. (20 USC 6318)
 - a. Provide training and information to members of MCOE and school site councils and advisory committees to help them fulfill their functions
 - The MCOE provides training and information to staff of MCOE, site councils and advisory committees by conducting informational meetings and posting information on the MCOE web site.

(cf. 4115/4215/4315 - Evaluation/Supervision)

The County Superintendent or designee may:

- a. Identify overlapping or similar program requirements
- b. Involve MCOE and school site representatives from other programs to assist in identifying specific population needs
- c. Schedule joint meetings with representatives from related programs and share data and information across programs
- d. Develop a cohesive, coordinated plan focused on student needs and shared goals

5. Conduct, with involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the schools served by Title I (20 USC 6318)

The County Superintendent or designee shall:

- a. Ensure that the evaluation includes the identification of barriers to greater participation in parent involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background (20 USC 6318)
- b. Use the evaluation results to design strategies for more effective parent involvement and, if necessary, to recommend changes in the parent involvement policy (20 USC 6318)
- c. Assess the MCOE's progress in meeting annual objectives for the parent involvement program, notify parents/guardians of this review and assessment through regular school communications mechanisms, and provide a copy to parents/guardians upon their request (Education Code 11503)

The County Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of MCOE communications
- b. Gather and monitor data regarding the number of parents/guardians participating in MCOE activities and the types of activities in which they are engaged
- c. Recommend to the County Board measures to evaluate the impact of the MCOE's parent involvement efforts on student achievement

6. Involve parents/guardians in the activities of schools served by Title I (20 USC 6318)

The County Superintendent or designee may:

- a. Include information about school activities in school site communications to parents/guardians
 - The MCOE provides written materials informing parents/guardians about opportunities to participate in school-related activities in appropriate format and language(s) parents can understand through the annual notification and postings on the Educational Services web site; Valley Community School.
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians with special needs
 - The MCOE provides interpretation and translation services for parents/ guardians at all school sites and meetings involving parents/guardians.
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children
 - The MCOE provides written materials informing parents/guardians about opportunities to participate in meetings and other activities in appropriate format and language(s) parents can understand through the annual notification and postings on the Educational Services web site; Valley Community School.

The MCOE's policy and regulation containing parent involvement strategies shall be incorporated into the LEA plan and distributed to parents/guardians of students participating in Title I programs. (20 USC 6318)
(*cf.* 5145.6 - Parental Notifications)

School-Level Policies for Title I Schools

At each school receiving Title I funds, a written policy on parent involvement shall be developed jointly with and agreed upon by parents/guardians of participating students. Such policy shall describe the means by which the school will: (20 USC 6318)

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved
 - School sites within MCOE send out annual notices to parents/guardians announcing dates and times for parents/guardians to provide input related to Title I requirements and rights.

2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent involvement
 - School site meetings are held during and after school and parents/guardians are encouraged to provide feedback if these times do not accommodate their schedules. Transportation is always offered and provided if requested.

3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent involvement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314
 The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.
 - School site council meetings allow parents/guardians the opportunity to participate in planning, reviewing, and improving the school's parent involvement policy and the schoolwide plan.

4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs
 - School sites create annual notifications to parents with Title I information by the 8th week of school.
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet
 - School sites create annual notifications to parents with curriculum information, standardized testing information, and the proficiency levels students are expected to reach in compliance with NCLB.

(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 5123 - Promotion/Acceleration/Retention)

 - c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians
 - School sites request parents'/guardians' input related to their child's education via parent conferences, Open House, and web site requests.

5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the County Superintendent
 - School sites with parents/guardians who are dissatisfied with the schoolwide program plan shall submit comments to the department assistant superintendent in person, by phone, or in writing by mail, e-mail, or MCOE web site.

6. Jointly develop with parents/guardians input of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards
 - School sites request parents'/guardians' input on the school-parent compact as part of the school site council protocol shown below and are included in each school site's school-parent compact.

This compact shall address:

 - a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's student academic achievement standards
 - b. Ways in which parents/guardians will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television viewing; volunteering in

the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time

(cf. 1240 - *Volunteer Assistance*)

(cf. 5020 - *Parent Rights and Responsibilities*)

(cf. 5113 - *Absences and Excuses*)

(cf. 6145 - *Extracurricular/Co-curricular Activities*)

- c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
 - (2) Frequent reports to parents/guardians on their children's progress
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
7. Build the capacity of the school and parents/guardians for strong parent involvement by implementing the following activities described in items #3a-f in the section "MCOE Strategies for Title I Schools" above
8. To the extent practicable, provide full opportunities for the participation of parents/ guardians with limited English proficiency, parents/guardians with disabilities, and parents/guardians of migrant children, including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/ guardians can understand

If the school has a parent involvement policy that applies to all parents/guardians, it may amend that policy to meet the above requirements. (20 USC 6318)

Each school's parent involvement policy shall be made available to the local community and distributed to parents/guardians of participating students in an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand. (20 USC 6318)

Each school receiving Title I funds shall annually evaluate the effectiveness of its parent involvement policy. Such evaluation may be conducted during the process of reviewing the school's single plan for student achievement in accordance with Education Code 64001.

The Principal/Coordinator or designee, jointly with parents/guardians of participating students, shall periodically update the school's policy to meet the changing needs of parents/guardians and the school. (20 USC 6318)

MCOE Strategies for Non-Title I Schools

For each school that does not receive federal Title I funds, the County Superintendent or designee shall, at a minimum:

1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible members of society. (Education Code 11502, 11504)
The County Superintendent or designee may:
 - a. Provide or make referrals to literacy training and/or parent education programs designed to improve the skills of parents/guardians and enhance their ability to support their children's education
 - b. Provide information, in parent handbooks and through other appropriate means, regarding academic expectations and resources to assist with the subject matter
 - c. Provide parents/guardians with information about students' class assignments and homework assignments
2. Inform parents/guardians that they can directly affect the success of their children's learning, by providing them with techniques and strategies that they may use to improve their children's academic success and to assist their children in learning at home (Education Code 11502, 11504)
The County Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment at home and to encourage good study habits
 - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
 - c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees
- 3. Build consistent and effective communication between the home and school so that parents/guardians may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504)
The County Superintendent or designee may:
 - a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
 - b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
 - c. Provide information about parent involvement opportunities through MCOE, school, and/or class newsletters, the MCOE's web site, and other written or electronic communications
 - d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
 - e. Develop mechanisms to encourage parent/guardian input on MCOE and school issues
 - f. Identify barriers to parent/guardian participation in school activities, including parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care
- 4. Train teachers and administrators to communicate effectively with parents/guardians (Education Code 11502, 11504)
The County Superintendent or designee may:
 - a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
 - b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications
- 5. Integrate parent involvement programs into school plans for academic accountability
The County Superintendent or designee may:
 - a. Include parent involvement strategies in school reform or school improvement initiatives
 - b. Involve parents/guardians in school planning processes

Policy 5145.12 – SEARCH AND SEIZURE

Appendix V

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - MCOE Security)

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

The MCOE urges that employees exercise discretion and good judgment. When conducting a search or seizure, employees shall act in accordance with law, policy, and regulation.

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

(cf. 1312.1 - Complaints Concerning MCOE Employees)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

(cf. 4331- Staff Development)

Individual Searches

A school administrator or the designee may search any individual student, his/her property, or MCOE property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, policy, regulation, or other rules of the MCOE or the school. Reasonable suspicion shall be based on specific and objective facts that the search will produce evidence related to the alleged violation. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles parked on MCOE property, cellular phones, or other electronic communication devices.

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

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

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

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

(cf. 5145.11 - Questioning and Apprehension)

Use of Metal Detectors

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

The Superintendent or designee shall use metal detectors at MCOE schools as necessary to help provide a safe learning environment. He/she shall establish a plan to ensure that metal detector searches are conducted in a uniform and consistent manner.

Use of Contraband Detection Dogs

In an effort to keep the schools free of dangerous contraband, the MCOE may use specially trained, nonaggressive dogs to sniff out and alert staff to the presence of substances prohibited by law or policy.

The dogs may sniff the air around lockers, desks, or vehicles on MCOE property or at MCOE-sponsored events. Dogs shall not sniff within the close proximity of students or other persons and may not sniff any personal items on those persons without their consent.

Legal Reference:

EDUCATION CODE

32280-32289 *School safety plans*
35160 *Authority of governing boards*
35160.1 *Broad authority of school districts*
48900-48927 *Suspension and expulsion*
49050-49051 *Searches by school employees*
49330-49334 *Injurious objects*

PENAL CODE

626.9 *Firearms*
626.10 *Dirks, daggers, knives or razor*

CALIFORNIA CONSTITUTION

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

COURT DECISIONS

Redding v. Safford Unified School District, (9th Cir. 2008) 531 F.3d 1071
B.C. v. Plumas, (9th Cir. 1999) 192 F.3d 1260
Jennings v. Joshua Independent School District, (5th Cir. 1989) 877 F.2d 313
O'Connor v. Ortega, (1987) 480 U.S. 709
New Jersey v. T.L.O., (1985) 469 U.S. 325
Horton v. Goose Creek Independent School District, (5th Cir. 1982) 690 F.2d 470
Zamora v. Pomeroy, (10th Cir. 1981) 639 F.2d 662

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83 *Ops.Cal.Atty.Gen.* 257 (2001)
75 *Ops.Cal.Atty.Gen.* 155 (1992)

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NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

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

WEB SITES

CSBA: <http://www.csba.org>
California Attorney General's Office: <http://caag.state.ca.us>
California Department of Education, Safe Schools: <http://www.cde.ca.gov/lss>
National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

Regulation 5145.12 – SEARCH AND SEIZURE

Use of Metal Detectors

The Superintendent or designee shall ensure that the following safeguards are used when making metal detector scans:

1. Before walk-through, students shall be asked to empty their pockets and belongings of metallic objects.
2. If an initial metal detector activation occurs, students shall be asked to remove other metallic objects that they may be wearing (e.g., belt and jewelry) and to walk through a second time.
3. If a second activation occurs, a hand-held metal detector shall be used.
4. If the activation is not eliminated or explained, staff shall escort the student to a private area where an expanded search shall be conducted by a staff member of the same gender as the student in the presence of another MCOE employee.
5. The search shall be limited to the detection of the cause of the activation.

Use of Contraband Detection Dogs

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

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

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

(cf. 5131.6 - Alcohol and Other Drugs)

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

Notifications

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

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

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

Policy 5145.7 – SEXUAL HARASSMENT

Appendix VI

The Merced County Office of Education (MCOE) is committed to maintaining a safe school environment that is free from harassment and discrimination. The MCOE prohibits sexual harassment of students at school or at school-sponsored or school-related activities. The MCOE also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The MCOE strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult to immediately contact his/her teacher, the principal, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the principal or a MCOE compliance officer.

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

(cf. 1312.1 - Complaints Concerning MCOE Employees)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

Complaints regarding sexual harassment shall be investigated and resolved in accordance with law and MCOE procedures specified in Regulation 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under Regulation 1312.3 and where to obtain a copy of the procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

The County Superintendent or designee shall take appropriate actions to reinforce the MCOE's sexual harassment policy.

Instruction/Information

The County Superintendent or designee may provide that all MCOE students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence;
2. A clear message that students do not have to endure sexual harassment under any circumstances;
3. Encouragement to report observed instances of sexual harassment, even where the alleged victim of the harassment has not complained;
4. A clear message that student safety is the MCOE'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. Information about the MCOE's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made;
6. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable.

Disciplinary Actions

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

(cf. 5144 - Discipline)

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

(cf. 5144.2 - Suspension Due Process (Students with Disabilities))

Any staff member found to have engaged in sexual harassment or sexual violence toward any student shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.

(cf. 4117.4 - Dismissal)

(cf. 4117.7 - Employment Status Report)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

Record-Keeping

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

(cf. 3580 - MCOE Records)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX, Discrimination

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

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

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

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

Gebser v. Lago Vista Independent School District, (1998) 524 U.S. 274

Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

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

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS' PUBLICATIONS

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

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

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

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

WEB SITES

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

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

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/OCR>

Policy Adopted: 12/9/2009;

Revised: 8/8/12, 4/27/16, 1/25/17

MERCED COUNTY OFFICE OF EDUCATION

Merced, California

Regulation 5145.7 – SEXUAL HARASSMENT

The Merced County Office of Education (MCOE) designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 and California Education Code 234.1, as well as to investigate and resolve sexual harassment complaints under Regulation 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Assistant Superintendent – Human Resources
632 West 13th Street
Merced, CA 95341
209-381-6627
HRCoordinator@mcoe.org

(cf. 1312.3 - Uniform Complaint Procedures)

Prohibited 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 gender, in the educational setting, under any of the following conditions: (Education Code 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 MCOE program or activity.

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 - Nondiscrimination/Harassment)

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

Examples of types of conduct which are prohibited in the MCOE and which may constitute sexual harassment 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 batter, or sexual coercion;
12. Electronic communications containing comments, words, or images described above.

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 MCOE policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

Reporting Process and Complaint Investigation and Resolution

Any student who believes that he/she has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to his/her teacher, the principal, or any other available school employee. Within one school day of receiving such a report, the school employee shall forward the report to the principal or the MCOE's compliance officer identified in Regulation 1312.3. In addition, any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report his/her observation to the principal or a MCOE compliance officer. The employee shall take these actions, whether or not the alleged victim files a complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the principal shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If he/she determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the principal or compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with the MCOE's uniform complaint procedures. Regardless of whether a formal complaint is filed, the principal or compliance officer shall take steps to investigate the allegations and, if sexual harassment is found, shall take prompt action to stop it, prevent recurrence, and address any continuing effects.

If a complaint of sexual harassment is initially submitted to the principal, he/she shall, within two school days, forward the report to the compliance officer to initiate investigation of the complaint. The compliance officer shall contact the complainant and investigate and resolve the complaint in accordance with law and MCOE procedures specified in Regulation 1312.3.

In investigating a sexual harassment complaint, evidence of past sexual relationships of the victim shall not be considered, except to the extent that such evidence may relate to the victim's prior relationship with the respondent.

In any case of sexual harassment involving the principal, compliance officer, or any other person to whom the incident would ordinarily be reported or filed, the report may instead be submitted the County Superintendent or designee who shall determine who will investigate the complaint.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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 MCOE of the harassment but requests confidentiality, the compliance officer shall inform him/her that the request may limit the MCOE's ability to investigate the harassment or take other necessary action. When honoring a request for confidentiality, the MCOE 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 MCOE of the harassment but requests that the MCOE not pursue an investigation, the MCOE will determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students.

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

(cf. 5125 - Student Records)

Response Pending Investigation

When an incident of sexual harassment is reported, the principal or designee, in consultation with the compliance officer, shall determine whether interim measures are necessary pending the results of the investigation. The principal/designee or compliance officer shall take immediate measures necessary to stop the harassment and protect students and/or ensure their access to the educational program. To the extent possible, such interim

measures shall not disadvantage the complainant or victim of the alleged harassment. Interim measures may include placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and MCOE policy. The school should notify the individual who was harassed of his/her options to avoid contact with the alleged harasser and allow the complainant to change academic and extracurricular arrangements as appropriate. The school should also ensure that the complainant is aware of the resources and assistance, such as counseling, that are available to him/her. As appropriate, such actions shall be considered even when a student chooses to not file a formal complaint or the sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

Notifications

A copy of the MCOE's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917);
(*cf. 5145.6 - Parental Notifications*)
2. Be displayed in a prominent location in the main administrative building or other area where notices of MCOE rules, regulations, procedures and standards of conduct are posted (Education Code 231.5);
A copy of the MCOE's sexual harassment policy and regulation shall be posted on MCOE and school web sites and, when available, on MCOE-supported social media.
(*cf. 113 – MCOE Web Sites*)
(*cf. 114 – MCOE-Sponsored Social Media*)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session (Education Code 231.5);
4. Appear in any school or MCOE publication that sets forth the school's or MCOE's comprehensive rules, regulations, procedures and standards of conduct (Education Code 231.5);
5. Be included in the student handbook;
6. Be provided to employees and employee organizations.

Regulation Adopted: 12/9/2009;
Revised: 8/8/12, 4/27/16, 1/25/17

MERCED COUNTY OFFICE OF EDUCATION
Merced, California

SEXUAL HARASSMENT INCLUDES MANY FORMS OF OFFENSIVE BEHAVIORS

BEHAVIORS THAT MAY BE SEXUAL HARASSMENT:

- 1 *Unwanted sexual advances*
- 2 *Offering employment benefits in exchange for sexual favors*
- 3 *Leering; gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters*
- 4 *Derogatory comments, epithets, slurs, or jokes*
- 5 *Graphic comments, sexually degrading words, or suggestive or obscene messages or invitations*
- 6 *Physical touching or assault, as well as impeding or blocking movements*

Actual or threatened retaliation for rejecting advances or complaining about harassment is also unlawful.

Employees or job applicants who believe that they have been sexually harassed or retaliated against may file a complaint of discrimination with DFEH within one year of the last act of harassment or retaliation. DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes. If DFEH finds sufficient evidence to establish that discrimination occurred and settlement efforts fail, the Department may file a civil complaint in state or federal court to address the causes of the discrimination and on behalf of the complaining party. DFEH may seek court orders changing the employer's policies and practices, punitive damages, and attorney's fees and costs if it prevails in litigation. Employees can also pursue the matter through a private lawsuit in civil court after a complaint has been filed with DFEH and a Right-to-Sue Notice has been issued.



SEXUAL HARASSMENT

THE MISSION OF THE DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING IS TO PROTECT THE PEOPLE OF CALIFORNIA FROM UNLAWFUL DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS, AND FROM THE PERPETRATION OF ACTS OF HATE VIOLENCE AND HUMAN TRAFFICKING.

FOR MORE INFORMATION

Department of Fair Employment and Housing
Toll Free: (800) 884-1684
TTY: (800) 700-2320
Online: www.dfeh.ca.gov

Also find us on:



If you have a disability that prevents you from submitting a written pre-complaint form on-line, by mail, or email, the DFEH can assist you by scribing your pre-complaint by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or call us through your VRS at (800) 884-1684 (voice).

To schedule an appointment, contact the Communication Center at
(800) 884-1684 (voice or via relay operator 711)
or (800) 700-2320 (TTY)
or by email at contact.center@dfeh.ca.gov.

The DFEH is committed to providing access to our materials in an alternative format as a reasonable accommodation for people with disabilities when requested.

Contact the DFEH at (800) 884-1684 (voice or via relay operator 711), TTY (800) 700-2320, or contact.center@dfeh.ca.gov to discuss your preferred format to access our materials or webpages.

THE FACTS

Sexual harassment is a form of discrimination based on sex/gender (including pregnancy, childbirth, or related medical conditions), gender identity, gender expression, or sexual orientation. Individuals of any gender can be the target of sexual harassment. Unlawful sexual harassment does not have to be motivated by sexual desire. Sexual harassment may involve harassment of a person of the same gender as the harasser, regardless of either person's sexual orientation or gender identity.

THERE ARE TWO TYPES OF SEXUAL HARASSMENT

- ① **"Quid pro quo"** (Latin for "this for that") sexual harassment is when someone conditions a job, promotion, or other work benefit on your submission to sexual advances or other conduct based on sex.
- ② **"Hostile work environment"** sexual harassment occurs when unwelcome comments or conduct based on sex unreasonably interfere with your work performance or create an intimidating, hostile, or offensive work environment. You may experience sexual harassment even if the offensive conduct was not aimed directly at you.

The harassment must be severe or pervasive to be unlawful. That means that it alters the conditions of your employment and creates an abusive work environment. A single act of harassment may be sufficiently severe to be unlawful.

CIVIL REMEDIES:



ALL EMPLOYERS MUST TAKE THE FOLLOWING ACTIONS TO PREVENT HARASSMENT AND CORRECT IT WHEN IT OCCURS:

- 1 *Damages for emotional distress from each employer or person in violation of the law*
- 2 *Hiring or reinstatement*
- 3 *Back pay or promotion*
- 4 *Changes in the policies or practices of the employer*

EMPLOYER RESPONSIBILITY & LIABILITY

All employers, regardless of the number of employees, are covered by the harassment provisions of California law. Employers are liable for harassment by their supervisors or agents. All harassers, including both supervisory and non-supervisory personnel, may be held personally liable for harassment or for aiding and abetting harassment. The law requires employers to take reasonable steps to prevent harassment. If an employer fails to take such steps, that employer can be held liable for the harassment. In addition, an employer may be liable for the harassment by a non-employee (for example, a client or customer) of an employee, applicant, or person providing services for the employer. An employer will only be liable for this form of harassment if it knew or should have known of the harassment, and failed to take immediate and appropriate corrective action.

Employers have an affirmative duty to take reasonable steps to prevent and promptly correct discriminatory and harassing conduct, and to create a workplace free of harassment.

A program to eliminate sexual harassment from the workplace is not only required by law, but it is the most practical way for an employer to avoid or limit liability if harassment occurs.

- ① Distribute copies of this brochure or an alternative writing that complies with Government Code 12950. This pamphlet may be duplicated in any quantity.
- ② Post a copy of the Department's employment poster entitled "California Law Prohibits Workplace Discrimination and Harassment."
- ③ Develop a harassment, discrimination, and retaliation prevention policy in accordance with 2 CCR 11023. The policy must:

- Be in writing.
- List all protected groups under the FEHA.
- Indicate that the law prohibits coworkers and third parties, as well as supervisors and managers with whom the employee comes into contact, from engaging in prohibited harassment.
- Create a complaint process that ensures confidentiality to the extent possible; a timely response; an impartial and timely investigation by qualified personnel; documentation and tracking for reasonable progress; appropriate options for remedial actions and resolutions; and timely closures.
- Provide a complaint mechanism that does not require an employee to complain directly to their immediate supervisor. That complaint mechanism must include, but is not limited to including: provisions for direct communication, either orally or in writing, with a designated company representative; and/or a complaint hotline; and/or access to an ombudsperson; and/or Identification of DFEH and the United States Equal Employment Opportunity Commission as additional avenues for employees to lodge complaints.
- Instruct supervisors to report any complaints of misconduct to a designated company representative, such as a human resources

manager, so that the company can try to resolve the claim internally. Employers with 50 or more employees are required to include this as a topic in mandated sexual harassment prevention training (see 2 CCR 11024).

- Indicate that when the employer receives allegations of misconduct, it will conduct a fair, timely, and thorough investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected.

- Make clear that employees shall not be retaliated against as a result of making a complaint or participating in an investigation.

- ④ Distribute its harassment, discrimination, and retaliation prevention policy by doing one or more of the following:

- Printing the policy and providing a copy to employees with an acknowledgement form for employees to sign and return.
- Sending the policy via email with an acknowledgment return form.
- Posting the current version of the policy on a company intranet with a tracking system to ensure all employees have read and acknowledged receipt of the policy.
- Discussing policies upon hire and/or during a new hire orientation session.
- Using any other method that ensures employees received and understand the policy.

- ⑤ If the employer's workforce at any facility or establishment contains ten percent or more of persons who speak a language other than English as their spoken language, that employer shall translate the harassment, discrimination, and retaliation policy into every language spoken by at least ten percent of the workforce.

- ⑥ In addition, employers who do business in California and employ 50 or more part-time or full-time employees must provide at least two hours of sexual harassment training every two years to each supervisory employee and to all new supervisory employees within six months of their assumption of a supervisory position.

ACKNOWLEDGMENT PAGE

By signing below, I verify that

- I have read and understand the content of the Valley Community School Los Banos Student Handbook
- I will abide by the rules and expectations of the school
- I will follow dress code
- I will come to school daily and on time
- I will do my own work in class and complete my homework as assigned
- I will respect myself, my school, my peers and the staff at Valley Community School

Student – PRINT NAME

Student Signature

Date

This page will be added to the student's office file