

# CHULA VISTA ELEMENTARY SCHOOL DISTRICT

"EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH"



## ANNUAL NOTIFICATION

The Chula Vista Elementary School District is required to annually notify pupils, parents, and guardians of their rights and responsibilities, pursuant to California Education Code (EC) 48980.

### 2023-24 School Year

Chula Vista Elementary School District  
84 East J Street, Chula Vista, CA 91910  
619-425-9600 ♦ [www.cvesd.org](http://www.cvesd.org)

#### BOARD OF EDUCATION

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The Chula Vista Elementary School District is committed to providing equal educational contracting and employment opportunity to all in strict compliance with all applicable State and Federal laws and regulations. The District's programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, immigration status, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics, or association with a person or group with one or more of these actual or perceived characteristics. (CVESD Board Policy 0410.) The District office that monitors compliance is the Human Resource Services and Support Office, 84 East J Street, Chula Vista, CA 91910, phone (619) 425-9600, Ext 181340. Any individual who believes s/he has been a victim of unlawful discrimination in employment, contracting, or in an educational program may file a formal complaint with the District's Human Resource Office.

## **RULES AND PROCEDURES ON SCHOOL DISCIPLINE – EC 35291**

### **ALL STUDENTS**

#### **A. Suspension and Expulsion**

##### **1. Suspension-EC 48900, 48900.5**

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

- a. (1) Caused, attempted to cause or threatened to cause physical injury to another person;  
(2) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold or otherwise furnished a firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or designee of the principal.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.
- e. Committed or attempted to commit robbery or extortion.
- f. Caused or attempted to cause damage to school property or private property.
- g. Stole or attempted to steal school property or private property.
- h. Possessed or used tobacco, or products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets and betel. However, this section does not prohibit 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 drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- k. (1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated paragraph (1), and those acts shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph is inoperative on July 1, 2020. (3) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in kindergarten or any of grades 1 to 5, inclusive, shall not be suspended for any of the acts specified in paragraph (1), and those acts shall not constitute grounds for a pupil

enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. (4) Except as provided in Section 48910, commencing July 1, 2020, a pupil enrolled in any of grades 6 to 8, inclusive, shall not be suspended for any of the acts specified in paragraph (1). This paragraph is inoperative on July 1, 2025.

- l. Knowingly received stolen school property or private property.
- m. Possessed an imitation firearm. As used in this section “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- n. Committed or attempted to commit sexual assault as defined in Section 261, 266c, 286, 287, 288, or 289 of, or former Section 288a of, the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- o. Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for 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. For purposes of this subdivision, “hazing” is any method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.
- r. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - i. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    1. Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
    2. Causing a reasonable pupil to experience substantially detrimental effect on the pupil’s physical or mental health.
    3. Causing a reasonable pupil to experience substantial interference with the pupil’s academic performance.
    4. Causing a reasonable pupil to experience substantial interference with the pupil’s ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - ii. (A) “Electronic act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, pager, of a communication including, but not limited to, any of the following:
    1. A message, text, sound, video, or image.
    2. A post on a social network Internet website, including but not limited to: a) Posting to or creating a burn page. “Burn page” means an Internet website created for the purpose of having one or more of the effects listed in paragraph (i); b) creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (i). “Credible impersonation” means to knowingly and

without consent impersonate a pupil for the purposes of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (i). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

3. An act of cyber sexual bullying. For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (1)-(4), inclusive of paragraph (i). A photograph or other visual recording, as described in this subclause, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording, or other electronic act. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school- sanctioned events.

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

- iii. “Reasonable pupil” means a pupil, including, but not limited to, a pupil with exceptional needs, who exercises average care, skill, and judgment in conduct for a person of that age, or for a person of that age with the pupil’s exceptional needs.
- s. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for the 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:
  - i. While on school grounds;
  - ii. While going to or coming from school;
  - iii. During the lunch period whether on or off the campus;
  - iv. During, or while going to or coming from, a school sponsored activity.
- t. A pupil who aides or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- u. As used in this section, “school property” includes, but is not limited to electronic files and databases.
- v. For a pupil subject to discipline under this section, a superintendent of the school district or principal is encouraged to provide alternatives to suspension or expulsion, using a research-based framework with strategies that improve behavioral and academic outcomes, that are age appropriate and designed to address and correct the pupil’s misbehavior as specified in Section 48900.5.
- w. (1) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities. (2) It is further

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

## **2. Expulsion**

A student may be recommended for expulsion for any of the reasons enumerated in Education Code section 48915, and pursuant to the expulsion procedures identified in Education Code sections 48918 and 48918.5.

## **3. Other Means of Correction**

CVESD may document the other means of correction used and place that documentation in the pupil's record. Other means of correction may include but is not limited to: a conference between school personnel, the pupil's parent or guardian and the pupil; referrals to the school counselor, psychologist, social worker, child welfare attendance personnel, or other school support service personnel for case management and counseling; study teams, guidance teams or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-social or psycho-educational assessment; participation in a restorative justice program; and after- school programs that address specific behavioral issues.

### **B. Pupil Discipline: Suspensions: Willful Defiance-EC 48901.1; 48900**

School districts may not suspend a student for disrupting school activities or otherwise willfully defying the valid authority of school personnel engaged in the performance of their duties for grades 1 to 12, inclusive. Suspension for these acts is further prohibited for grades 6 to 8 through July 1, 2025. Recommendations for expulsion of a student for these acts remains prohibited for students enrolled in any grade. EC section 48901.1 only

### **C. Attendance of Suspended Child's Parent or Guardian for Portion of School Day-EC 48900.1**

Pursuant to board policy, a teacher may require a parent or guardian of a pupil who has been suspended by a teacher pursuant to Section 48910 for either committing an obscene act, engaging in habitual profanity or vulgarity or disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, to attend a portion of a school day in the classroom of his or her child or ward.

### **D. Sexual Harassment Policy-EC 212.5, 231.5, 231.6, 48980(f), 48900.2; 5 California Code of Regulations (CCR) 4917**

CVESD will not tolerate sexual harassment by anyone participating in any District program or activity. This includes student-to-student or peer sexual harassment as well as harassment between a student and any District participant. CVESD takes all complaints of sexual harassment seriously, investigates and addresses identified sexual harassment, and if the investigation results in the determination that sexual

harassment has occurred, takes reasonable, immediate corrective action to stop the harassment, eliminate a hostile environment, and prevent future sexual harassment. Alleged pupil sexual harassment in violation of CVESD policy or federal or state law will be handled pursuant to District policy and procedures (See attachment B). A pupil in grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined below.

California Education Code section 212.5 defines sexual harassment as any unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting, under any of the following conditions:

- a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Districts are also required to display the policy in a prominent location and include it in an orientation for employees and students. These policies shall include information as to where to obtain specific procedures for reporting charges of sexual harassment and available remedies. The poster must meet the following requirements:

- 1) The language in the poster shall be age appropriate and culturally relevant, and the school site may partner with local, state, or federal agencies, or nonprofit organizations
- 2) The poster shall be displayed in English and any primary language spoken by 15% or more of the pupils enrolled at the school site
- 3) The poster shall be no smaller than 8.5 by 11 inches and use at least 12-point font
- 4) The poster shall display, at minimum, all the following information:
  - a. The rules and procedures for reporting a charge of sexual harassment
  - b. The name, phone number, and email address of an appropriate school site official to contact to report a charge of sexual harassment
  - c. The rights of the reporting pupil, the complainant, and the respondent, and the responsibilities of the school site in accordance with the applicable written policy on sexual harassment
- 5) The poster shall be prominently and conspicuously displayed in each bathroom and locker room at the school site
- 6) The poster may be prominently and conspicuously displayed in public areas at the school site that are accessible to, and commonly frequented by, pupils, including but not limited to, classrooms, classroom hallways, gymnasiums, auditoriums, and cafeterias

#### **E. Hate Violence-EC 48900.3**

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, or threatened to cause, or participated in an act of, hate violence, as defined in EC 233(e).

#### **F. Harassment, Intimidation or Threats-EC 48900.4**

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 classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

#### **G. Terroristic Threats Against School Officials, School Property or Both-EC 48900.7**

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. A “terroristic threat” includes 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.

#### **H. Suspension/Expulsion: Alternative and Other Means of Correction-EC 48900, 48900.5, 48911**

Generally, suspension shall be imposed only when other means of correction fail to bring about proper conduct. CVESD may document other means of correction short of suspension and expulsion and place the documentation in the pupil’s record. Other means of correction may include: a conference between school personnel, the pupil’s parent or guardian and the pupil; referrals to the school counselor or psychologist; study teams, guidance teams or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-educational assessment; after-school programs that address specific behavioral issues; and community service on school grounds during non-school hours. A pupil 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. A suspension shall be preceded by an informal conference between the principal, the principal’s designee or the district’s superintendent of schools and the pupil, and whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At this conference, the pupil shall be informed of the reason for the disciplinary action and other means of correction that were attempted before the suspension, and the evidence against the pupil, and shall be given the opportunity to present their version and evidence in their defense.

#### **RIGHTS AND OPTIONS AVAILABLE TO PREGNANT AND PARENTING PUPILS-EC 46015, 221.51, 222.5**

A pregnant or parenting pupil is defined as any pupil who gives or expects to give birth, or any parenting pupil who identifies as the parent of an infant. Pregnant and parenting pupils are entitled to at least eight weeks of parental leave, which can be taken before birth of the pupil's infant if there is a medical necessity, or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The pupil is neither required to take time off nor notify their school that they are doing so; this is a guaranteed minimum right that can be expanded if deemed medically necessary. Parental leave will be considered an excused absence, and the pregnant or parenting pupil is not required to complete any academic work during this period.

A pregnant or parenting pupil may return to their previous school and course of study, and is entitled to make up opportunities for any work missed during the leave. These students are allowed to enroll in a fifth year of high school in order to complete any state or local graduation requirements, except when the school finds that the pupil is reasonably able to complete these requirements in time to graduate high school by the end of their fourth year. A pregnant or parenting pupil who does not wish to reenroll in his or her previous school is entitled to alternative education options offered by the local education agency. If so enrolled, the pupil shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular program. Furthermore, a school may not penalize a student for using any of the accommodations mentioned above.

If a student believes that their school is discriminating on the basis of sex in opposition to the rights and entitlements listed above, that student can file a complaint through the standard Uniform Complaint Procedures of *California Code of Regulations*, Title 5 Sections 4600, et. seq.

### **CALIFORNIA HEALTHY YOUTH ACT-EC 51934, 51938**

Students enrolled in CVESD programs or activities may receive instruction in personal health and public safety, which may include accident prevention, first aid, fire prevention, conservation of resources, and health education including comprehensive sexual health education and HIV prevention.

CVESD plans to provide comprehensive sexual health education and/or HIV prevention education during the 2023-24 school year. The instruction shall include, among other things, information about sexual harassment, sexual abuse, and human trafficking. Information on human trafficking shall include both of the following:

- Information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance; and
- Information on how social media and mobile device applications are used for human trafficking.

Students will be taught by District personnel.

The instruction shall include information regarding sexual harassment, sexual abuse, and human trafficking. The notice shall advise the parent or guardian as follows:

- (1) Written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education are available for inspection.
- (2) Whether the comprehensive sexual health education or HIV prevention education will be taught by school district personnel or by outside consultants, and may hold an assembly to deliver comprehensive sexual health education or HIV prevention education by guest speakers, but if it elects to provide comprehensive sexual



health education or HIV prevention education in either of these manners, the notice shall include the date of the instruction, the name of the organization or affiliation of each guest speaker, and information stating the right of the parent or guardian to request a copy of . If arrangements for this instruction by consultants are made after the beginning of the school year, notice shall be made by mail or another commonly used method of notification, no fewer than 14 days before the instruction is delivered.

- (3) The parent has the right to request a copy of the California Healthy Youth Act Education Code section 51930, *et. seq.*
- (4) The parent or guardian has the right to excuse their child from comprehensive sexual health education and HIV prevention education, and that in order to excuse their child, they must state their request in writing to the school district.

A pupil's parent or guardian has the right to request from CVESD, a copy of the California Healthy Youth Act, Education Code section 51930 *et. seq.* A pupil's parent or guardian also has the right to inspect and review the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.

A pupil's parent or guardian may submit a written request to excuse the pupil from participation in any class involving comprehensive sexual education or HIV prevention education by submitting their request in writing to CVESD.

CVESD may administer for pupils in grades 7 to 12 inclusive, anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes concerning or practices relating to sex. A parent or guardian may excuse their child from the test, questionnaire, or survey by opting out of their student's participation in the tests, questionnaires or surveys. Prior to the instruction taking place, an opt-out form is sent home to parents giving them the option to exclude their children. Parents or guardians have a right review the test, questionnaire, or survey if they wish.

The excused pupil shall not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent or guardian declines to permit the pupil to receive comprehensive sexual health education or HIV prevention education or to participate in anonymous, voluntary, and confidential tests, questionnaires, or surveys on pupil health behaviors and risks.

While comprehensive sexual health education, HIV prevention education, or anonymous, voluntary, and confidential test, questionnaire, or survey on pupil health behaviors and risks is being administered, an alternative educational activity shall be made available to pupils whose parents or guardians have requested that they not receive the instruction or participate in the test, questionnaire, or survey. Additional information is available from school nurse.

### **PUPIL NUTRITION-EC 49501.5**

Commencing in school year 2022-23, Education Code 49501.5 requires public school districts, county offices of education, and charter schools serving students in grades transitional kindergarten through grade 12 to provide two meals free of charge (breakfast and lunch) during each school day to students requesting a meal, regardless of their free or reduced-price meal eligibility.

## **RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS-EC 32255-32255.6**

Pupils may choose to refrain from participating in educational projects involving the harmful or destructive use of animals based on moral objections and may complete an alternative educational project acceptable to the teacher. In order to refrain from participation, a parent or guardian must submit a written note of the objections to participating in an educational project involving the harmful or destructive use of animals.

## **DISABLED PUPILS-SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101, et seq.) prohibits discrimination on the basis of disability. Section 504 requires school districts to identify and evaluate children with disabilities in order to provide them a free, appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activities, including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and speaking, are eligible to receive services and aids designed to meet their needs as adequately as the needs of non-disabled students are met.

- Name and contact information of CVESD's designated individual for implementing Section 504 is the Director of Special Education and Instruction.
- For information regarding the screening and evaluation procedures used by CVESD when there is a reason to believe a student has a disability under Section 504, contact your school's Psychologist.
- A student has the right to a written accommodation plan if the student qualifies for services under Section 504.
- A student has the right to be educated with non-disabled students to the maximum extent appropriate based on the student's needs.

A copy of the parents or guardians legal safeguard can be obtained at <https://bit.ly/2NsqY0e>

## **SPECIAL EDUCATION: CHILD FIND SYSTEM-IDEA; EC 56301**

Federal and state law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years including pupils that are migrant or homeless or wards of the state and children with disabilities attending private schools. Any parent suspecting a child has exceptional needs due to a disability may request an assessment for eligibility for special education services through the school principal. The CVESD child find policy and procedures are available at <https://bit.ly/2uLakkO>

## **SPECIAL EDUCATION: COMPLAINTS-EC 56500.2; 5 C.C.R. 3080**

Parents or guardians have a right to file a written complaint with the school if they believe the school is in violation of federal or state law governing the identification or placement of special education students, or similar issues. State regulations require the party filing the complaint to forward a copy of the complaint to the local educational agency serving the child at the same time the party files the complaint with the California Department of Education. Procedures are available from your student's school principal.

## **SPECIAL EDUCATION: DUE PROCESS HEARINGS-EC 56502**

The State Superintendent is required to develop a model form to assist parents and guardians in filing requests for due process. Please visit [www.dgs.ca.gov/oah/SpecialEducation.aspx](http://www.dgs.ca.gov/oah/SpecialEducation.aspx) for the model for parents that wish to initiate due process hearings relating to special education rights.

### **SPECIAL EDUCATION: INSPECTION OF RECORDS-EC 56043(n)**

Upon request, parents or guardians of children with exceptional needs may examine and receive copies of the student’s records within five business days after a request is made and prior to any Individualized Education Program meeting, hearing or resolutions session regarding their child.

### **SPECIAL EDUCATION: NONPUBLIC, NONSECTARIAN SCHOOLS OR AGENCIES-EC 51225.2; 56365; 56366.1; 56366.4; 56366.10**

**NPSs/NPAs Training:** The NPA or NSP is required to document the training of staff who will have contact or interaction with students during the school day in the use of evidence-based practices and interventions specific to the unique behavioral needs of the NPS’/NPA’s student population. The training must be provided within 30 days of enrollment for new staff, and annually to all staff who have contact with students during the school day. The training shall be selected and conducted by the NPS/NPA and must satisfy the following conditions:

1. Be conducted by persons licensed or certified in fields related to the evidence-based practices and interventions being taught
2. Be taught in a manner consistent with the development and implementation of individualized education programs; and
3. Be consistent with the requirements of Education Code relating to pupil restraint and seclusion

The content of the training shall include, but is not limited to, all the following:

1. Positive behavioral intervention and supports, including collection, analysis, and use of data to inform, plan and implement behavioral supports;
2. How to understand and address challenging behaviors, including evidence-based strategies for preventing those behaviors; and
3. Evidence-based interventions for reducing and replacing the challenging behaviors, including de-escalation techniques.

The LEA contracting with the NPS/NPA shall annually verify compliance with these training requirements and the NPS/NPA shall annually report to the California Department of Education (“CDE”) this verification. Written records of the annual training shall be maintained and provided upon request.

**NPS/NPA Administrator Credential/License:** The NPS/NPA is required to document (in the application for certification with CDE) that the administrator of the NPS/NPA holds or is in the process of obtaining one of the following:

1. An administrative credential granted by an accredited postsecondary education institution and two years of experience with students with disabilities;
2. A pupil personal services credential and authorizes school counseling or psychology;
3. A license as a clinical social worker issued by the Board of Behavioral Sciences;
4. A license in psychology regulated by the Board of Psychology;

5. A master’s degree issued by an accredited postsecondary institution in education, special education, psychology, counseling, behavioral analysis, social work, behavioral science, or rehabilitation;
6. A credential authorizing special education instruction and at least two years of experience teaching in special education before becoming an administrator;
7. A license as a marriage and family therapist certified by the Board of Behavioral Sciences
8. A license as an educational psychologist issued by the Board of Behavioral Sciences; or
9. A license as a professional clinical counselor issued by the Board of Behavioral Sciences

**NPS/NPA Notification of Law Enforcement Involvement:** An NPS/NPA is required to notify CDE and the LEA of any student involved incident at the NPS/NPA in which law enforcement was contacted. This notification shall be provided in writing no later than one business day after the incident occurred.

**NPS/NPAs Qualified Individual to Implement a Behavioral Intervention Plan (“BIP”):** A NPS serving students with significant behavioral needs or who have a BIP must have an individual onsite during school hours who is qualified and responsible for the design, planning and implementation of behavioral interventions to be certified by CDE.

**Requirements for School Districts:** For an NPS/NPA seeking initial certification, the school district is required to verify that the plan and timeline for the new training requirements are included in the master contract. For NPSs/NPAs not in existence as of January 1 immediately preceding a school year, the contracting school district must verify that the new training requirements are complied with 30 days following the commencement of the school year. The school district is required to submit verification to the Superintendent at that time.

A school district that enters into a master contract with an NPS/NPA school shall conduct, at minimum, the following:

1. An onsite visit to the NPS/NPA before placement of a pupil if the school district does not have any pupils enrolled at the school at the time of placement.
2. At least one onsite monitoring visit during each school year to the NPS/NPA at which the school district has a pupil attending and with which it maintains a master contract. The monitoring visit shall include, but is not limited to:
  - a. A review of services provided to the pupil through the individual service agreement between the school district and NPS/NPA;
  - b. A review of progress the pupil is making toward the goals set forth in the pupil’s Individualized Education Program;
  - c. A review of progress the pupil is making toward the goals set forth in the pupil’s BIP if the pupil has a BIP;
  - d. An observation of the pupil during instruction; and
  - e. A walkthrough of the facility

The school district shall report the findings resulting from the monitoring visit to CDE within 60 days of the onsite visit. On or before June 30, 2020, CDE, shall, with input from special education local plan area administrators, create and publish criteria for reporting this information to the department.

**ANNUAL HEALTH NOTIFICATION FOR PARENTS/GUARDIANS**

**Absence from School for Illness:** Students with recurring and/or ongoing health problems may miss days of

school because of symptoms of illness. When a student is absent numerous school days, school personnel may require parents to provide the school with a doctor's explanation of the symptoms and/or chronic health issue(s) that keep the student from attending school. The purpose of providing this information assists the collaboration between parents/guardians, attending physician, and school staff to best support the student's needs and to help minimize absence as much as possible. Please refer to the informational guidelines under "Guidelines for Keeping a Student Home" available on the District website at:

<https://www.cvesd.org/common/pages/DisplayFile.aspx?itemId=23118134>.

**Assistive Devices:** Occasionally students need to use assistive devices such as crutches, wheelchairs, casts, or walking boots to attend school. To reduce risk to a student and others, parents or guardians will provide notification from a physician responsible for managing the student's condition. The notification must include:

- The equipment prescribed for use at school.
- An acknowledgement that the student received instructions on safe use of the device.
- Parent consent for district staff to communicate with prescribing health professional if clarification is required.
- Anticipated amount of time equipment will be needed.

Until such notification is received from a health professional, students' activities will be at the discretion of the site administrator(s) or nurse, e.g. not allowed to play on blacktop or playground. Parents or guardians can request a copy or download from the District website the form entitled "Orthopedic/Medical Equipment Orders for School".

For a student whose temporary or permanent disability keeps him or her from full participation in physical education, the parent or guardian shall have a physician (MD, or DO, NP, PA) responsible for managing the student's condition describe restrictions and allowances for a modified physical education program. Parents or guardians can request a copy of the form entitled "Activity Limitation Checklist" or "Activity Limitation Plan" as needed. Both forms are available on the District website at [www.cvesd.org/community/health](http://www.cvesd.org/community/health).

**Concussions-Head Injuries:** Parents/guardians are required to notify the school nurse/ health office when a student has a concussion. During the days or weeks after a concussion, students require extra observation at school to determine if they are having problems that need to be addressed. If a student experiences concussion symptoms at school, the parent/guardian will always be notified. Students who have had symptoms of concussion will be observed at school and their activity levels monitored per district protocols.

Parents or guardians are responsible for notifying the school by providing a physician's statement including length of time and any activity limitations.

### **Control of Communicable Diseases: BP 5141-22**

The district is required to cooperate with the County of San Diego Health and Human Services Agency to prevent and control communicable diseases in school-age children. When there is good reason to believe a student has a contagious or infectious disease, the parent/guardian will be contacted, and the student sent home. The student may return to school when well and/ or released by a physician. If there is reason to believe a student is suffering from a recognized contagious or infectious disease, the student will be excluded from school until school officials are satisfied that the student no longer has the contagious or infectious disease.

## **Health Instruction/ Adolescent Growth Education (A.G.E.): BP 6142.1 - 6142.2 Education Code 51931, 51933**

Health instruction in areas such as nutrition, dental health, disease process, safe living, vision and hearing, drugs, alcohol, tobacco, community health, physical fitness, mental-emotional health, and human reproduction, is part of the school curriculum. Prior to instruction, parents/guardians have opportunities to preview instructional and audio-visual materials. A student may be excused from instruction related to Health education by written request from the parent/guardian.

AGE is taught to all students in grades 4, 5 and 6. Parents have opportunities to preview AGE instructional and audio-visual materials. Prior to instruction, a notice is sent home of upcoming AGE education. A student may be excused from education related to reproduction by written request from the parent or guardian.

### **Health/Vision Screenings EC 49451, 49452, 49455.20 U.S.C. § 1232h**

Hearing and vision screenings will be provided as required by state law at the following levels:

- Hearing screening for all students in grades TK, K, 2, 5, 8.
- Vision screening for grades TK, K, 2, 5, 8
- New students and students referred by parents or school personnel.

### **Immunization (Shot) Requirements: BP 5141.31**

State law requires that all students under the age of 18, preschool through grade 12, be immunized against certain diseases unless they are exempt for medical reasons. At the time of registration, the school is required to have proof that a child has received all currently due immunizations. The district participates in the California Immunization Registry (CAIR), a confidential, state-wide computer system that keeps track of immunizations. Parents/guardians should check with their pediatrician, family physician or medical clinic to ensure their child is fully immunized. Your child will not be registered and may be excluded from attending school if these requirements are not met. Refer to online enrollment for which immunizations are needed.

Students enrolled in Preschool (18 months through 5 years) need the following immunizations:

- 4 DTaP
- 3 Polio
- 3 Hep B
- 1 Varicella
- 1 Hib (On or after 1st birthday)
- 1 MMR (On or after 1st birthday)

Students Enrolled in TK/K-12 need the following immunizations:

- 5 DTaP; 4 doses acceptable if one was given on or after 4th birthday. 3 doses acceptable if one was given on or after 7th birthday.
- 4 Polio (OPV or IPV); 3 doses acceptable if one was given on or after 4th birthday
- 3 Hepatitis B (Hep B)
- 2 Measles, Mumps, and Rubella (MMR) — Both given on or after 1st birthday
- 2 Varicella (Chickenpox) — 2 doses; History of disease or positive lab results do NOT meet this requirement

Students Starting 7th Grade Also Need:

- Tetanus, Diphtheria, Pertussis (Tdap) — 1 dose (Given after age 7)

These immunization requirements apply to new admissions and transfers for all grades, including transitional kindergarten, and for students with previous immunization exemptions. All exemptions expire at the end of preschool and the end of 6th grade. As of January 1, 2016, parents/guardians are no longer allowed to submit a personal beliefs exemption for currently required vaccines. Medical exemptions require specific documentation from a CA licensed physician (MD/DO).

**Kindergarten Oral Health Assessment (KOHA):** A Kindergarten Oral Health Assessment (KOHA) by a licensed California dental health professional is required for children entering public school for the first time, at kindergarten or first grade. The KOHA must be completed and returned to the school by May 31 of that first school year. Assessments done 12 months prior to school entry also meet this requirement. Obtain the form from the school or dental health provider. Transitional kindergarten students who submit the KOHA will complete this requirement. Parents/guardians may sign a waiver of this requirement on the KOHA form available at the school. There is no penalty or exclusion if this requirement is not met. Parents/guardians can call 1-800-675-2229 for help in finding a provider for the KOHA.

#### **Medications, Procedures and Health Accommodations: BP 5141.21, 5141.24**

The California Education Code (E.C. 49422, 49423) states that any student who requires medication or a health-related procedure prescribed by a physician during the regular school day, may be assisted by the school nurse or other designated school personnel if the district receives:

- A written statement from the physician detailing the method, amount, and time schedules that the medication or procedure is to be administered, and
- A written statement from the student's parent/guardian authorizing the school district to administer the medication or procedure.

All medications must be in the original pharmacy container with the original prescription label adhered to the container. Students may carry and self-administer prescription auto-injectable epinephrine and asthma inhalers if certain requirements are met. Parents/ guardians who request school staff members to administer medications, perform procedures or provide health related accommodations at school must recognize that school health personnel will communicate with the student's prescribing health professional if the school requires clarification about that procedure, accommodation, or medication delivery. No other prescription or over-the counter medications, vitamins, herbs, or alternative medications may be carried by students on their person, in a backpack or other container except as indicated above and with the express knowledge and permission of the school nurse. Contact the school nurse should you have questions. Forms for medication administration or procedure are available at a school and on the website

**Medication at Home:** The parent/guardian of a student on a continuing medication regimen at home is required to inform the school nurse or other designated certificated school employee of the medication being taken, current dosage, and name of the supervising physician. The information is gathered annually on the *Health Information Exchange form distributed at the beginning of each year*. If new medications are started at any time during the school year, parents/guardians must notify the school health office.

**Medical Supplies:** Parents or guardians are responsible for supplying medical and orthopedic equipment and related supplies as ordered by their physician. Examples include, but are not limited to, formula, catheters and tubing, diapers, wipes, syringes, respiratory medication holding chambers, masks and nebulizers, insulin- delivery systems, and glucose monitoring equipment/ supplies.

### **Pediculosis Policy (Head Lice): BP 5141.32**

The problem of head lice (pediculosis) is ongoing and can be difficult to control at home and at school. Head lice and nits (eggs) are not a threat to health but are a frustrating nuisance. Treating students with a positive diagnosis of head lice promptly ensures minimal disruption of their education. When a student is identified as having head lice, the student will be sent home at the end of the school day for treatment. It is the responsibility of the parent/guardian to treat and control head lice infestation. The key to success in controlling head lice is in the removal of all nits after the use of the pediculicide. After home treatment, it is mandatory for the student to return to school the next day for inspection at the health office. The student may return to class provided the head lice have been treated and there are no live lice in the hair, even if nits (eggs) are still present. Parents/guardians should continue removing nits until the problem is resolved. There is no evidence that mass screenings (school-wide or whole classrooms) help to control head lice infestation or re-infestation. Parents/guardians are encouraged to incorporate inspecting their child’s hair as part of their regular hygiene routine.

### **Physical Education: BP 6142.7 Education Code 51241**

For a student whose temporary or permanent disability keeps him or her from full participation in physical education, the parent or guardian shall have a physician (MD, or DO, NP, PA) responsible for managing the student’s condition describe restrictions and allowances for a modified physical education program. Parents or guardians can request a copy of the form entitled “Activity Limitation Checklist” or “Activity Limitation Plan” as needed. Both forms are available on the District website at <https://bit.ly/3qIsaFR> .

### **Physical Exam for Interscholastic Sports: BP 6145.2**

An annual physical examination is required for all secondary students who participate in interscholastic athletic programs. The coach may arrange for health screenings at school. Complete physical exams by a personal physician are recommended. In addition, the district recommends that new students submit reports of recent physical exams when they enter school. A parent/guardian may file a written, signed statement with the school principal stating that the parent/guardian will not consent to a physical examination of the child.

**Specialized Diet:** Forms for specialized diet requirements are available at your child’s school and on the website at <https://bit.ly/3qFe9bU>. Please return them to the school once the California licensed physician completes them.

### **Type 1 Diabetes: EC 49452.6**

Effective January 1, 2023, Type 1 diabetes information is available at your local school. It is intended to raise awareness about this disease.

### **FOSTER YOUTH BILL OF RIGHTS - 48645.7, 48850-48853.5, 49069.5, 51225.1, 51225.2 ; Welfare and Institutions Code (IWC) 16001.9**

“Pupil in foster care” means a child who has been removed from their home pursuant to Section 309 of the Welfare and Institutions Code (WIC), is the subject of a petition filed under Section 300 or 602 of the WIC, or has been



removed from their home and is the subject of a petition filed under WIC section 300 or 602.

When a juvenile court school pupil becomes entitled to a diploma pursuant to subdivision (d) of EC 48645.5, the county office of education shall notify the pupil, the person holding the right to make educational decisions for the pupil, and the pupil's social worker or probation officer of all of the following:

- (A) The pupil's right to a diploma pursuant to subdivision (d) of Section 48645.5.
- (B) How taking coursework and other requirements adopted by the governing board of the county office of education or continuing education upon release from the juvenile detention facility will affect the pupil's ability to gain admission to a postsecondary educational institution.
- (C) Information about transfer opportunities available through the California Community Colleges.
- (D) The pupil's or the education rights holder's, as applicable, option to allow the pupil to defer or decline the diploma and take additional coursework pursuant to paragraph (2) of subdivision (b) or subdivision (c) of EC 48645.7.

A pupil in foster care who is placed in a licensed children's institution or foster family home shall attend programs operated by the local educational agency in which that licensed children's institution or foster family home is located, unless one of the following applies:

1. The pupil is entitled to remain in their school of origin;
2. The pupil has an individualized education program requiring placement in a nonpublic, nonsectarian school, or in another local educational agency.
3. The parent or guardian, or other person holding the right to make educational decisions for the pupil pursuant to Section 361 or 726 of the WIC or Section 56055 ("educational rights holder"), determines that it is in the best interests of the pupil to be placed in another educational program and has submitted a written statement to the local educational agency that they have made that determination. This statement shall include a declaration that the parent, guardian, or educational rights holder is aware of all of the following:
  - a. The pupil has a right to attend a regular public school in the least restrictive environment.
  - b. The alternate education program is a special education program, if applicable.
  - c. The decision to unilaterally remove the pupil from the regular public school and to place the pupil in an alternate education program may not be financed by the local educational agency.
  - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent, guardian, or educational rights holder.

The parent or guardian, or educational rights holder shall first consider placement in the regular public school before deciding to place the pupil in foster care in a juvenile court school, a community school, or another alternative educational setting.

A pupil in foster care may still be subject to expulsion under applicable law and board policy.

Pupils in foster care are subject to other laws governing the educational placement in a juvenile court school, of a pupil detained in a county juvenile hall, or committed to a county juvenile ranch, camp, forestry camp, or regional facility, notwithstanding the rights contained in this notice.

Children in foster care living in emergency shelters (as referenced in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.)), may receive educational services at the emergency shelter as necessary for short periods of time for either of the following reasons:

1. For health and safety emergencies.
2. To provide temporary, special, and supplementary services to meet the child's unique needs if a decision regarding whether it is in the child's best interests to attend the school of origin cannot be made promptly, it is not practical to transport the child to the school of origin, and the child would otherwise not receive educational services.

The educational services may be provided at the shelter pending a determination by the educational rights holder regarding the educational placement of the child.

All educational and school placement decisions shall be made to ensure that the child is placed in the least restrictive educational programs and has access to academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions shall be based on the best interests of the child.

CVESD's liaison for pupils in foster care is the Senior Director of Student, Family, Community and Instruction Services and Support, 84 East J Street, Chula Vista, CA, (619) 425-9600, Ext. 181507. The role of educational liaison is advisory with respect to placement decisions and determination of school of origin and does not supersede the role of the parent or guardian retaining educational rights, a responsible adult appointed by the court, a surrogate parent or a foster parent exercising their legal rights with respect to the education of the child in foster care. The educational liaison serves the following roles:

1. Ensures and facilitates proper educational placement, enrollment in school, and checkout from school for children in foster care.
2. Assists children in foster care when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records and grades.
3. When designated by the Superintendent, notifies a child in foster care's attorney and child welfare agency representative(s) of pending disciplinary proceedings and pending manifestation determination proceedings if they are also eligible to receive special education and related services under the IDEA.

At the initial detention or placement by the Juvenile Court, or any subsequent change in placement of a child in foster care by the Court, the local educational agency serving the child shall allow them to continue their education in the school of origin for the duration of the jurisdiction of the court. If the jurisdiction of the court is terminated prior to the end of the academic year:

1. Former children in foster care in grades kindergarten, or 1 to 8, inclusive, shall be allowed to continue their education in the school of origin through the duration of the academic year;
2. Former children in foster care in high school shall be allowed to continue their education in the school of origin through graduation;
3. Transportation is not required unless the former child in foster care has an IEP and the IEP team determines transportation is a necessary related service, required by the unique educational needs of the pupil in order to benefit from their special education program. Transportation may be provided at the local educational agency's discretion. The rights of those youth do not supersede any other law governing special education for eligible children in foster care.
4. To ensure that the children in foster care have the benefit of matriculating with their peers in accordance with the established feeder patterns of school districts, if a child in foster care is transitioning between school grade levels, they shall be allowed to continue in the school district of origin in the same attendance area, or, if they are transitioning to a middle school or high school, and the school designated for matriculation is in another school district, to the school designated for matriculation in that school district.

Juvenile court school students continue to have the right to a diploma upon completion of state graduation requirements. Students have the additional right to defer the granting of that diploma until release, at which time they can also decline the issuance of a diploma for the purpose of re-enrolling in their home school for further study. When a juvenile court school student becomes entitled to a diploma for meeting state graduation requirements, the County Office of Education must provide the student (or the educational rights holder if the student is not yet 18) and the student's social worker or probation officer information regarding the following:

- The student's right to a diploma;
- How taking coursework and other requirements adopted by the COE or continuing education upon release will affect the student's ability to gain college admission;
- Transfer opportunities available through California community colleges; and
- The student's or the education rights holder's option to allow the student to defer or decline the diploma and take additional coursework.

In consultation with the child in foster care and educational rights holder, the educational liaison may recommend that they waive their right to attend the school of origin and enroll in a public school within their attendance area. The educational liaison's recommendation must be accompanied by a written explanation for the basis of the recommendation and how it serves the child in foster care's best interests.

1. If the educational liaison, child in foster care, and educational rights holder agree it is in the best interest of the child to waive their right to attend the school of origin and attend the recommended school, the child in foster care shall immediately be enrolled within the recommended school.
2. The recommended school shall immediately enroll the child in foster care regardless of any outstanding fees, fines, textbooks or moneys due to any previous schools of attendance or if the child in foster care is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including proof of immunization, proof of residency or other documentation.
3. Within two business days of the request for enrollment, the educational liaison for the new school shall contact the school last attended by the child in foster care to obtain all academic and other records. The last school attended by the child in foster care shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. The educational liaison for the school last attended shall provide a complete copy of their education record to the new school within two business days of receiving the request.

If any dispute arises as to the school placement of a pupil under this section, the pupil has the right to remain in their school of origin, pending resolution of the dispute.

“School of origin” means the school that the child in foster care attended when permanently housed or the school in which the child in foster care was last enrolled. If the school the child in foster care attended when permanently housed is different from the school in which they were last enrolled, or if there is some other school that they attended with which they are connected and that they attended within the immediately preceding 15 months, the educational liaison, in consultation with, and with the agreement of, the child and the educational rights holder, shall determine, in the best interests of the child, the school that shall be deemed the school of origin.

If the child in foster care is absent from school due to a decision by a court or placing agency to change their placement, the grades and credits of the child in foster care will be calculated as of the date they left school and no lowering of grades will occur as a result of the absence of the child under these circumstances. If the child in

foster care is absent from school due to a verified court appearance or related court ordered activity, no lowering of their grades will occur as a result of the absence of the pupil under these circumstances.

A child in foster or a pupil who is a homeless youth who transfers between schools any time after the completion of the pupil's second year of high school shall be exempt from all coursework and other graduation requirements adopted by the governing board of the local educational agency that are in addition to the statewide coursework requirements, unless the local educational agency makes a finding that they are reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.

Within 30 days of the child's transfer into a school, the local educational agency should determine whether a child in foster care or a pupil who is a homeless youth is reasonably able to complete the local educational agency's graduation requirements within the pupil's fifth year of high school. If the pupil is reasonably able to complete the local educational agency's graduation requirements within a fifth year of high school, the local educational agency shall do all the following:

1. Inform the pupil of their option to remain in school for a fifth year to complete the local educational agency's graduation requirements.
2. Inform the pupil, and the educational rights holder, about how remaining in school for a fifth year to complete the local educational agency's graduation requirements will affect the pupil's ability to gain admission to a postsecondary educational institution.
3. Provide information to the pupil about transfer opportunities available through the California Community Colleges.
4. Permit the pupil to stay in school for a fifth year to complete the local educational agency's graduation requirements upon agreement with the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, upon agreement with the educational rights holder.

If the local educational agency fails to provide timely notice of the exemption, the pupil shall be eligible for the exemption, once notified, even if that notification occurs after the termination of the court's jurisdiction of the pupil or after the pupil is no longer considered homeless.

If a child in foster care or a pupil who is a homeless youth is exempt from local graduation requirements pursuant to this section and completes the statewide coursework requirements before the end of their fourth year of high school and that pupil would otherwise be entitled to remain in attendance at the school, a school or local educational agency shall not require or request that the pupil graduate before the end of their fourth year of high school, nor shall they be required to accept the exemption or be denied enrollment in courses for which they are otherwise eligible.

If a child in foster care or pupil who is a homeless youth is not exempt from local graduation requirements or has previously declined the exemption pursuant to this section, a local educational agency shall exempt the pupil at any time if an exemption is requested by the pupil and the pupil qualifies for the exemption. The exemption shall apply after termination of the court's jurisdiction or after the pupil is no longer considered homeless.

A transfer shall not be requested solely to qualify for an exemption under this section.

The local educational agency shall accept coursework satisfactorily completed by a child in foster care or a pupil

who is a homeless youth while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school even if the pupil did not complete the entire course and issue that pupil full or partial credit for the coursework completed.

The local educational agency may not require a child in foster care or pupil who is a homeless youth to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school. If the pupil did not complete the entire course, the local educational agency may not require the pupil to retake the portion of the course the pupil completed unless the local educational agency in consultation with the educational rights holder, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the child in foster care or pupil who is a homeless youth shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course. The pupil shall not be prevented from taking or retaking a course to meet eligibility requirements for admission to the California State University or University of California.

A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal. If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

AB 740 parties needed to be notified when a foster youth or an Indian child receives exclusionary discipline, including suspension. These changes require notification to the students':

1. education rights holder
2. Minor's Attorney
3. county social worker, and
4. if applicable, tribal social worker

### **Statutory Changes to Education Code(s)**

1. Pursuant to AB 1909 (2012) and AB 740 (2022), please provide notice of and an invitation to attend (if applicable) the following proceedings affecting any San Diego County foster child in your school/district.
2. Any suspension, including in-school suspensions for more than one class (as required by California Education code 48911.1(d) and 48911(d))
3. Any meeting to determine whether a suspension will be extended until the district's governing board has made a decision on an expulsion recommendation (as required by California Education Code 48911(g))
4. Any expulsion hearing (as required by California Education Code 48918.1(a)) Notice should be provided at least 10 calendar days before the date of the hearing.
5. Any meeting of an Individualized Education Program team to make a manifestation determination decision (as required by California Education Code 48915.5(d))
6. Any involuntary transfers (as required by California Education Code 48432.5(b)). Notice should provide opportunity to request a meeting with the designee of the district superintendent before the transfer.
7. For charter schools, any plans to involuntarily remove (disenroll, dismiss, transfer, or terminate) a foster child. Notice must be provided no less than 5 schools days before the effective action (as required by California

**CHILDREN OF MILITARY FAMILIES AND OTHER PROTECTED PUPILS—EC 49700-49703, 51225.1, 51225.2**

A pupil who is a “child of a military family” is defined as school-aged child or children, enrolled in kindergarten through twelfth grade, in the household of an active duty member. “Active duty” means full-time status in the active uniformed service of the United States, including member of 16 the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. sections 1209 and 1211.

Children of military families who transfer between schools any time after the completion of the pupil’s second year of high school shall be exempt from all coursework and other graduation requirements adopted by the governing board of the local educational agency that are in addition to the statewide coursework requirements, unless the local educational agency makes a finding that the child of a military family is reasonably able to complete the local educational agency’s graduation requirements in time to graduate from high school by the end of the pupil’s fourth year of high school.

Within 30 days of the child of a military family’s transfer into a school, the local educational agency should determine whether the child of a military family is reasonably able to complete the local educational agency’s graduation requirements within the pupil’s fifth year of high school. If the pupil is reasonably able to complete the local educational agency’s graduation requirements within a fifth year of high school, the local educational agency shall do all the following:

1. Inform the pupil of his or her option to remain in school for a fifth year to complete the local educational agency’s graduation requirements.
2. Inform the pupil, and the educational rights holder, about how remaining in school for a fifth year to complete the local educational agency’s graduation requirements will affect the pupil’s ability to gain admission to a postsecondary educational institution.
3. Provide information to the pupil about transfer opportunities available through the California Community Colleges.
4. Permit the pupil to stay in school for a fifth year to complete the local educational agency’s graduation requirements upon agreement with the pupil, if the pupil is 18 years of age or older, or, if the pupil is under 18 years of age, upon agreement with the educational rights holder.

Within 30 calendar days of the date that a pupil who is a child of a military family who may qualify for the exemption from local graduation requirements transfers into a school, the school district shall notify the pupil and the pupil’s parent or guardian of the availability of the exemption and whether the pupil qualifies for an exemption. If the District fails to provide timely notice, the pupil shall be eligible for the exemption from local graduation requirements, even if that notification occurs after the pupil no longer meets the definition of “a child of a military family.”

If a child of a military family is exempt from local graduation requirements pursuant to this section and completes the statewide coursework requirements before the end of his or her fourth year of high school and that pupil would otherwise be entitled to remain in attendance at the school, a school or local educational agency shall not require or request that the pupil graduate before the end of his or her fourth year of high school, nor shall the child of a military family be required to accept the exemption or be denied enrollment in courses for which they are otherwise eligible.

If a child of a military family is not exempt from local graduation requirements or has previously declined the exemption pursuant to this section, a local educational agency shall exempt the pupil at any time if an exemption is requested by the pupil and the pupil qualifies for the exemption. The exemption shall apply after the pupil no longer meets the definition of “a child of a military family” while the pupil is enrolled in school or if the pupil transfers to another school or school district.

A school district shall not require, and a parent or guardian shall not request a child of a military family to transfer schools solely to qualify the pupil for an exemption under this section.

The local educational agency shall accept coursework satisfactorily completed by a pupil who is a child of a military family while attending another public school (including schools operated by the United States Department of Defense), a juvenile court school, or a nonpublic, nonsectarian school or agency even if the pupil did not complete the entire course and issue that pupil full or partial credit for the coursework completed.

The local educational agency may not require a child of a military family to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the pupil did not complete the entire course, the local educational agency may not require the pupil to retake the portion of the course the pupil completed unless the local educational agency in consultation with the educational rights holder, finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the child of a military family shall be enrolled in the same or equivalent course, if applicable, so that the pupil may continue and complete the entire course. The pupil shall not be prevented from taking or retaking a course to meet eligibility requirements for admission to the California State University or University of California.

A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal.

If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

The above protections shall also apply to pupils in foster care, pupils who are homeless, former juvenile court school pupils, migratory children, and pupils participating in a newcomer program, as defined in Education Code section 51225.2(a).

### **ASBESTOS-40 C.F.R. 763.93**

CVESD has a current management plan for asbestos containing materials for all district portables. The plan is available for inspection at CVESD office during normal business hours.

### **USE OF PESTICIDES-EC 17611.5, 17612, 48980.3, 17610.5**

For the name of all pesticides products expected to be applied at the school facilities during the upcoming year, (see attachment E). Persons wishing to be notified in advance of individual pesticide applications may register

with CVESD for that purpose. To register, contact your school's office. Additional information on pesticides is made available by the Department of Pesticide Regulation at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

CVESD has developed an integrated pest management plan to provide a safe and low-risk approach to manage pest problems while protecting the environment, people and property. CVESD's integrated pest management plan can be found on [www.cvesd.org](http://www.cvesd.org) and parents or guardians may also view the integrated pest management plan at CVESD Facilities Department at 84 East J Street, Chula Vista, CA 91910 during normal business hours.

If a pesticide product not included in the annual notification is subsequently intended for use at the school site, the school designee shall, consistent with this subdivision and at least 72 hours before application, provide written notification of its intended use.

### **SCHOOL BUS AND PASSENGER SAFETY-EC 39831.5**

All pupils in prekindergarten, kindergarten, and grades 1 to 12, inclusive, in public or private school who are transported in a school bus or school pupil activity bus shall receive instruction in school bus emergency procedures and passenger safety. Bus safety regulations are provided to all new students and students not previously transported by school bus. The bus safety regulations shall include: a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops.

All pupils in prekindergarten, kindergarten, and grades 1 to 8, inclusive, who receive home-to-school transportation shall receive safety instruction that includes, but is not limited to, proper loading and unloading procedures, including escorting by the driver, how to safely cross the street, highway, or private road, instruction on the use of passenger restraint systems, as described in paragraph (3), proper passenger conduct, bus evacuation, and location of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit. As part of the instruction, pupils shall evacuate the school bus through emergency exit doors. Instruction on the use of passenger restraint systems, when a passenger restraint system is installed, shall include, but not be limited to, all of the following: proper fastening and release of the passenger restraint system; acceptable placement of passenger restraint systems on pupils; times at which the passenger restraint systems should be fastened and released; and acceptable placement of the passenger restraint systems when not in use.

### **WILLIAMS COMPLAINT POLICY AND PROCEDURES-EC 35186**

CVESD has adopted a uniform complaint process to help identify and resolve deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff and teacher vacancy or mis-assignment. Notice of the complaint process and the location at which to obtain a complaint form is posted in all classrooms.

### **NOTICE OF ALTERNATIVE SCHOOLS-EC 58501**

"California State law authorizes all school districts to provide for alternative schools. The Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

- Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.



- Recognize that the best learning takes place when the student learns because of his desire to learn.
- Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his teachers of choices of learning projects.
- Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the *County Superintendent of Schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information.* This law particularly authorizes interested persons to request the governing board of district to establish alternative school programs in each district.”

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

## **STATEMENT OF NON-DISCRIMINATION**

Discrimination in education programs is prohibited by state and federal law. Education Code section 200, et seq. requires school district to afford all pupils regardless of gender, gender identity, gender expression, sex, race, color, religion, natural origin, immigration status, ethnic group identification/ethnicity, mental or physical disability, sexual orientation, or the perception of one or more of such characteristics, equal rights and opportunities in accessing educational programs, activities and facilities. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Title IX prohibits discrimination on the basis of sex. The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination on the basis of disability. Also, pursuant to EC 212.1, “race” is inclusive of traits historically associated with race, including, but not limited to, protective hairstyles and textures. “Protective hairstyles” is defined to include (but not limited to) styles such as braids, locks, and twists.

This policy requires notification in the native language of persons with limited English language skills if service area contains a community of minority persons with limited English language skills if service area contains a community of minority persons with limited English language skills. CVESD will take the required steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging non-compliance with this policy are investigated through the Uniform Complaint Process.

## **ATTENDANCE-EC 48980(g)**

### **A. Residency Requirements-EC 48200, 48204, 48204.3, 48204.4, 48204.6, 48204.7**

Each person between the ages of 6 and 18 years (and not exempted) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school 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.

Notwithstanding EC 48200, a pupil may alternatively comply with the residency requirements for school attendance in a school district, if they meet any of the following:

1. A pupil who is placed within the boundaries of the school district in a foster home or licensed children's institution as defined in EC 56155.5 or a family home within the boundaries of the school district pursuant to a commitment or a placement under the Welfare and Institutions Code;
2. A pupil who is in foster care who remains in their school of origin.
3. A pupil for whom interdistrict transfer has been approved;
4. An emancipated pupil who resides within the boundaries of the school district;
5. A pupil who lives in the home of a care giving adult that is located within the boundaries of the school district with appropriate paperwork on file with CVESD;
6. A pupil residing in a state hospital located within the boundaries of the school district.
7. A pupil whose parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the pupil at the place of their employment within the boundaries of the school district for a minimum of three days during the school week;
8. A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both of the parents or legal guardians of the pupil are physically employed within the boundaries of the school district for a minimum of 10 hours during the school week with appropriate paperwork on file with CVESD.
9. A school district shall allow a pupil who is a child of a military family to continue their education in the school of origin, regardless of any changes of residence of the military family during that school year, for the duration of the pupil's status as a child of a military family;
10. A school shall allow a pupil who is a migratory child to continue attending their school of origin, or a school within the school district of origin regardless of any change of residence of the pupil; and
11. A pupil whose parent or parents were residents of this state and have departed California against their will, and if the pupil seeks admission to a school of a school district, shall be admitted, regardless of their current residency with appropriate paperwork on file with the District, provided the pupil has:
  - a. Official documentation evidencing the departure of their parent or legal guardian;
  - b. Moved outside of California as a result of their parent or legal guardian departing against their will and the pupil lived in California immediately before moving outside of California; and,
  - c. Provides documentation that the pupil was enrolled in a California public school immediately before moving outside of California.

Migratory students have the right to attend their school of origin in a similar manner to the rights provided to foster students and homeless students. Migratory students must be allowed to continue to attend their school of origin regardless of any subsequent change of residency so long as the student continues to be a student "who is a migratory child." A student who is transitioning between grade levels must be allowed to continue to attend the school district of origin in the same attendance area. A student who is transitioning to middle or high school must be allowed to attend the school district or origin's designated middle or high school even if the school is located within another school district. The enrolling school district is required to enroll the student even if the student has outstanding fees or items due to the last school district, or if the student is unable to produce enrollment records. If the receiving school has a uniform policy the student must immediately be enrolled even if the student does not have the appropriate school uniform clothes. If a migratory student loses their status during the school year, the student will be allowed to attend the school of origin of the remainder of the years for students in kindergarten through 8th grade. High school students must be allowed to continue at the school of origin through graduation. The school of origin is required to inform the student and their parents of the student's eligibility to receive migrant education services.

Residency Investigations: The governing board of CVESD has adopted AR 5111.1 which provides information regarding when an investigation may be initiated to verify residency <https://bit.ly/2LmlUNu>

## **B. Statutory Attendance Options**

Pursuant to EC 48980(g), the annual notification shall advise the parent or guardian of all existing statutory attendance options and local attendance options available in the school district. This notification component shall include all options for meeting residency requirements \for school attendance, programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. This notification component also shall include a description of all options, a description of the procedure for application for alternative attendance areas or programs, an application form from the school district for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. The notification component also shall include an explanation of the existing statutory attendance options.

1. **Intradistrict Choice Policy (EC 35160.5(b)):** Residents of CVESD may apply to other schools within the school district for their child to attend on a space available basis. For more information, contact: Student Placement office at (619) 425-9600 ext. 1570.
2. **Interdistrict Attendance (EC 46600, et seq.):** State law permits two or more school districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. School districts of residence may not deny a transfer of a student whose parent is active duty military where the district of proposed enrollment approves the application. If either district denies a transfer request, a parent may appeal that decision to the county board of education. The parent or guardian of a student may seek release from the home district to attend a school in any other school district if an Interdistrict Agreement is on file from the district of Residence. For more information, contact: Student Placement office at (619) 425-9600 ext. 1570.
3. **Open Enrollment Act (EC 48350, et seq.):** The Open Enrollment Act is based on the former accountability system, called the Academic Performance Index (API). California *Education Code (EC)* sections 48350-48361 provides students enrolled in a low-achieving school the option to transfer to a different school with a higher APE than the student's school of residence.

Due to the transition to a new accountability system, known as the California School Dashboard (referred to as the Dashboard), the California Department of Education is no longer able to produce a list of low-achieving schools based on the requirements specified in the *EC*.

## **C. Absence for Religious Instruction-EC 46014**

Pupils, with written consent of their parents and prior approval from the District, may be excused from school for religious exercises or instruction not to exceed four school days in a month per Board Policy and Administrative Regulation 5113.

## **D. Absence for Confidential Medical Services-EC 46010.1**

Students in grades 7 to 12 may be excused for the purpose of obtaining confidential medical services without consent of the pupil's parent or guardian.

**E. Notification of Minimum Days and Pupil Free Staff Development Day-EC 48980(c)**

A schedule of minimum days and pupil-free staff development days will be made available online at <https://bit.ly/2NYshVK> at the beginning of the school year or as early as possible, but no later than one month prior to the scheduled minimum day or pupil-free staff development day. This information may also be included in the school calendar.

**F. Grade Reduction/ Loss of Academic Credit-EC 48980(i)**

No pupil shall have his/her grade reduced or lose academic credit for any excused absence pursuant to EC 48205 for missed assignments/tests that can reasonably be provided/completed.

**G. Excused Absence; Justifiable Personal Reasons; Credit (EC 48205); Truancy: (EC 48260, et seq.)**

State law permits students to be absent for justifiable reasons and allows for completion of missed assignments. Students who are absent without valid excuse, and their parents/guardians, may be subject to truancy and/or criminal proceedings under Education Code section 48260, et seq.

• **Excused Absences:**

- a. Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
  - i. Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health. The state board shall update its illness verification regulations, as necessary, to account for including a pupil's absence for the benefit of the pupil's mental or behavioral health within the scope of this paragraph.
  - ii. Due to quarantine under the direction of a county or city health officer.
  - iii. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  - iv. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  - v. For the purpose of jury duty in the manner provided for by law.
  - vi. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
  - vii. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - viii. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - ix. For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of

time to be determined at the discretion of the superintendent of the school district.

- x. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
  - xi. For the purpose of participating in a cultural ceremony or event.
  - xii. For the purpose of a middle school or high school pupil engaging in a civic or political event, provided that the pupil notifies the school ahead of the absence. A middle school or high school pupil who is absent pursuant to this section is required to be excused for only one school day-long absence per school year. A middle school or high school pupil who is absent pursuant to this section may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.
  - xiii. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- b. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of any class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
  - c. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
  - d. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
  - e. "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil. "Cultural" means relating to the habits, practices, beliefs, and traditions of a certain group of people. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.

- **Truancy-EC 48264.5:**

- a. The first time a truancy report is issued, the pupil and, as appropriate, the parent or legal guardian, may be requested to attend a meeting with a school counselor or other school's designees to discuss the attendance issue and develop plan to improve attendance.
- b. The second time a truancy report is issued within the same school year, the pupil may be given a written warning by a peace officer pursuant to Penal Code section 830.1. A record of the written warning may be kept at the school for not less than two years or until the pupil graduates or transfers from that school. If they transfer from that school, the record may be forwarded to the school receiving the pupil's school records. The pupil may also be assigned to an afterschool or weekend study program located within the same county as the pupil's school. If the pupil fails to successfully complete the assigned study program, the pupil shall be subject to subdivision (c).
- c. The third time a truancy report is issued within the same school year, the pupil shall be classified as a habitual truant and may be required to attend an attendance review board or a truancy mediation program pursuant to EC 48263.
- d. The fourth time truancy is issued within the same school year, the pupil may be within jurisdiction of the Juvenile Court that may adjudge the pupil to be a ward of the court pursuant to Welfare and Institutions Code section 601.

## **FINGERPRINTING PROGRAM-EC 32390**

CVESD does not offer a voluntary fingerprinting program. Fingerprinting requires written parental consent as well as payment by the parent or guardian of any applicable fees. The fee shall be calculated to reimburse the district only for actual costs associated with the program.

### **SEX EQUITY IN CAREER COUNSELING AND COURSE SELECTION-EC 221.5(d)**

Commencing in Grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

### **COLLEGE ADMISSION REQUIREMENTS AND TECHNICAL EDUCATION-EC 51225.3, 51229**

For students who wish to continue their education after high school, the State of California offers community colleges, California State Universities (CSU), and Universities of California (UC).

Information pertaining to college admission requirements, information about University of California and California State University websites, information about technical information and the availability of school counselors to help students in choosing appropriate high school courses can be found online at the school's website. To the extent possible, shall not exceed one page in length and that includes all of the following:

- (1) A brief explanation of the college admission requirements.
- (2) A list of the current University of California and California State University Web sites that help pupils and their families learn about college admission requirements and that list high school courses that have been certified by the University of California as satisfying the requirements for admission to the University of California and the California State University.
- (3) A brief description of what career technical education is, as defined by the department.
- (4) The Internet address for the portion of the Web site of the department where pupils can learn more about how pupils may meet with school counselors to help them choose courses at their school that will meet college admission requirements or enroll in career technical education courses, or both.

CVESD allows a career technical education course to satisfy the visual/performing arts or foreign language graduation requirement, more information about high school graduation requirements and how each requirement satisfies or does not satisfy the subject matter requirements for admission to the California State University and the University of California, as well as a complete list of career technical education courses offered by CVESD that satisfy the subject matter requirements for admission to the California State University and the University of California can be found online at the school's website.

In order to attend a community college, students need only be a high school graduate or 18 years of age. In order to attend a CSU, students have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if the student's GPA is 3.0 or above. In order to attend a UC, students must meet coursework requirements, obtain the necessary GPA and test scores, or rank on the top four percent at a participating high school, or qualify by examination alone. Students may also transfer to a CSU or UC after attending community college. For more information on college admission requirements, please refer to the following websites.

[www.cccco.edu](http://www.cccco.edu) – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

[www.assist.org](http://www.assist.org) – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

[www.csumentor.edu](http://www.csumentor.edu) – This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

[www.universityofcalifornia.edu](http://www.universityofcalifornia.edu) – This massive website offers information regarding admissions, online application, and links to all UC campuses.

## **TEACHER QUALIFICATIONS**

Parents or guardian of all pupils may request specified professional qualifications of the student's classroom teacher(s) and assigned paraprofessional(s), including, at a minimum, the following:

Whether the student's teacher:

- has met the State qualifications and licensing criteria for the grade level and subject areas that the teacher provides instruction;
- is teaching under an emergency or other provisional status through which State qualifications or licensing criteria have been waived; and
- is teaching in the field of discipline of the certification of the teacher.

Whether the child is provided services by paraprofessionals and, if so, their qualifications.

## **UNIFORM COMPLAINT PROCEDURES-5 C.C.R. 4622; EC 33315**

CVESD has adopted a Uniform Complaint Procedure. CVESD shall follow uniform complaint procedures when addressing complaints involving adult education programs, categorical aid programs, migrant child education, career technical education training programs, child care and development programs, allegations of unlawful discrimination, harassment, intimidation, or bullying, lactation accommodations, non-compliance with school safety planning requirements, pupil fees, courses of study, instructional minutes for physical education, local control accountability plans, any deficiencies related to preschool health and safety issues for a California state preschool program, and matters pertaining to right of a child in foster care, a pupil who is a homeless youth, former juvenile court school pupils, and children of military families. The District's Assistant Superintendent of Innovation and Instruction Services and Support is responsible for processing complaints. Information regarding the Uniform Complaint Procedure, including civil law remedies and appeal procedures, can be found online at <https://bit.ly/2RAW4aH>

Parents are encouraged to review civil law remedies available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and of the appeal pursuant to Education code section 262.3.

## **PARENT ATTENDANCE OF SUSPENDED STUDENTS DURING SCHOOL DAY-EC 48900.1**

CVESD does not have a policy authorizing teachers to require the parent or guardian of a suspended pupil to attend a portion of a school day in the class of the suspended pupil.

#### **HOMEWORK ASSIGNMENTS FOR SUSPENDED STUDENTS-EC 48913.5**

Upon request of a parent, a legal guardian, or other person holding the right to make educational decisions for the pupil, a teacher shall provide to a pupil in any of grades 1 to 12 who has been suspended from school or two or more schooldays the homework that the pupil would otherwise have been assigned. If a pupil turns in a homework assignment requested in the above manner to the teacher upon the pupil's return to school from suspension, or within the timeframe originally prescribe by the teacher (whichever is later), and it is not graded before the end of the academic term, then that assignment shall not be included in the calculation for that pupil's overall grade.

#### **PUPIL INSURANCE FOR ATHLETIC TEAMS-EC 32221.5**

CVESD operates an interscholastic athletic team or teams and is required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health programs. Information about these programs may be found online at <https://bit.ly/2zPYsUj>

#### **SCHOOL ACCREDITATION-EC 35178.4**

CVESD will notify each parent or guardian of a pupil in a school that has lost its accreditation status and the potential consequences of the school's loss of status, in writing or by posting the information on the school district's or school's internet website, or by any combination of these methods.

#### **PUPIL RECORDS; NOTIFICATION OF RIGHTS-20 U.S.C. 1232g; EC 49062-49069.7**

Parents, pupils 18 and over, pupils 14 and over that are both homeless and an unaccompanied youth, and individuals who have completed and signed a Caregiver's Authorization Affidavit, have rights concerning pupil records under the federal Family Educational Rights and Privacy Act ("FERPA") and Education Code section 49063. These rights include:

- The right to inspect and review the student's education records within five (5) business days of the day the school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will forward requests to the Custodian of Records. The Custodian of Records will make arrangements for access and notify the parent or eligible student. Copies of records may be requested and a small fee for reproducing the records may be charged by the school site.
- The right to request the amendment of the student's education records that the parent or eligible student believes to be any of the following: (1) inaccurate; (2) an unsubstantiated personal conclusion or inference; (3) a conclusion or inference outside of the observer's area of competence; (4) not based on the personal observation of a named person with the time and place of the observation noted; (5) misleading; or (6) in violation of the privacy or other rights of the pupil. Parents or eligible students should submit the request in writing to the school principal, which clearly identifies the part of the record they want changed and specify the reasons therefor. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will



be provided to the parent or eligible student when notified of the right to a hearing.

- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, CVESD shall disclose education records without parental consent.
- When a student moves to a new district, CVESD will forward the student's records upon the request of the new school district within 10 school days.
- A record shall be maintained within the pupil's cumulative file which lists all persons, agencies, or organizations requesting or receiving information from the file and the legitimate interests therefor. The record shall be open for inspection by a parent at the student's school.

Further, parents, or an eligible student, are hereby informed of the following rights pertaining to student records:

1. The types of records and the information contained therein which are directly related to the student and maintained by the institution;
2. The position of the official responsible for the maintenance of each type of record.
3. The location of the log or record required to be maintained pursuant to Section 49064.
4. The criteria to be used by the school district in defining "school officials and employees" and in determining "legitimate educational interest" as used in EC 49064 and EC 49076(a)(1).
5. The policies of the institution for reviewing and expunging those records.
6. The procedures for challenging the content of pupil records.
7. The cost, if any, that will be charged to the parent for reproducing copies of records.
8. Their right to review individual records by making a written request for the same;
9. The school district must respond to a pupil record request by providing access no later than five business days following the date of request;
10. Availability of qualified personnel to interpret records, if requested;
11. Procedures for challenging content of pupil records;
12. In addition, parents or eligible students may receive a copy of any information in the records at reasonable cost per page;
13. District policies and procedures relating to: location of records, if not centrally located; position of official responsible for maintenance of records; access by other persons; policy for review and expunging of records;
14. Categories of information designated as directory information pursuant to EC 49073;
15. When a student moves to a new district, records will be forwarded upon the request of the new school district within 10 school days. At the time of transfer the parent (or eligible student) may review, receive a copy (at a reasonable fee), and/or challenge the records; and
16. Their right to file a complaint with the Family Policy Compliance Office in the U.S. Department of Education if they believe the school district is not in compliance with federal regulations regarding privacy.

A foster family agency with jurisdiction over a currently enrolled or former pupil, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver who has direct responsibility for the care of a pupil may access the current or most recent records of grades, transcripts, attendance, discipline, online communications on school platforms, any IEPs or Section 504 plans maintained by the responsible LEA of that pupil. The above-referenced individuals may access the pupil records listed above solely for the purpose of monitoring the pupil's educational progress, updating and maintaining the pupil's

education records as required by Welfare and Institutions Code section 16010, and to ensure the pupil has access to educational services, supports and activities, including enrolling the pupil in school, assisting the pupil with homework, class assignments, and college and scholarship applications, and enrolling the pupil in extracurricular activities, tutoring and other afterschool or summer enrichment programs.

“Student Records” means any item of information directly related to an identifiable pupil, other than directory information, that is maintained by a school district or required to be maintained by an employee in the performance of his or her duties whether recorded by handwriting, print, tapes, film, microfilm, or other means.

“Student Records” do not include:

- Instructional, supervisory or administrative notes by District staff that are made only for that staff member or his/her substitute
- Records of a law enforcement unit that were created for use by the law enforcement unit
- Employee records made for personnel use
- Records of a doctor, psychologist, psychiatrist or other treatment provider and/or assistant regarding a student who is 18 or older or who is attending a postsecondary educational institution. In this case, “treatment” does not include remedial instructional measures.

Parents have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

### **SAFE PLACE TO LEARN ACT-EC 234, 234.1, 48985**

CVESD has adopted policies pertaining to the following:

- Prohibition of discrimination and harassment based on characteristics set forth in EC § 220 and Penal Code 422.55;
- Process for receiving and investigating complaints of discrimination and harassment;
- Maintenance of documentation of complaints and their resolution;
- Process to ensure complainants are protected from retaliation and the identity of a complainant is kept confidential if appropriate; and
- Identification of a responsible LEA officer to ensure compliance.

CVESD’s antidiscrimination and anti-harassment policies are posted in schools and offices. The notice shall be in English and in the primary language if 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 through 12 inclusive, speak a single primary language other than English as determined by census data. The antidiscrimination and anti-harassment policies shall also be posted in schools and administrative offices.

### **PUPIL PROTECTIONS RELATING TO IMMIGRATION AND CITIZENSHIP STATUS-EC 234.7**

Except as required by state or federal law or as required to administer a state or federally supported educational program, CVESD shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

Should any request be made for information or access to a school-site by an officer or employee of a law enforcement agency for the purpose of enforcing immigration laws, CVESD's Superintendent shall report to the governing board any such requests in a timely manner that ensures the confidentiality and privacy of any potentially identifying information.

If CVESD becomes aware that a pupil's parent or guardian is not available to care for the pupil, CVESD staff shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. CVESD will not contact Child Protective Services to arrange for the pupil's care unless it is unable to arrange care through the use of emergency contact information provided by the parents or other information provided by the parent or guardian.

All children have a right to a free public appropriate education, regardless of immigration status for religious beliefs. Therefore, CVESD has fully adopted model policies published by the Attorney General's Office entitled "Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues" (<https://oag.ca.gov/sites/all/files/agweb/pdfs/bcj/school-guidance-model-k12.pdf>.) These policies include, but are not limited to, refraining from collecting national origin information during the school enrollment process, accepting all forms of evidence listed in California Education Code section 48002 for the purpose of verifying student age, and not including citizenship status, immigration status, place of birth, or any other information indicative of national origin as directory information. Please visit the State of California's Attorney General's "Know Your Rights" page at <https://oag.ca.gov/immigrant/resources>,

#### **AVAILABILITY OF PROSPECTUS-EC 49091.14**

Each school site shall create a prospectus which includes the curriculum, including titles, descriptions, and instructional aims of every course offered. The prospectus shall be made available upon request by parent or guardian.

#### **DIRECTORY INFORMATION-EC 49073**

Student directory information is made available by CVESD in accordance with state and federal laws. FERPA defines "directory information" as information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. "Directory information" may include a pupil's name, birthdate, address, telephone number, email address, major course of study, photographs, videos, participation in officially recognized school activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and most recent previous public or private school attendance. CVESD has determined that the following individuals, officials, or organizations may receive directory information:

- Certain school publications
- Outside organizations including, but not limited to, companies that manufacture class rings or publish yearbooks
- Military recruiters

- Post-secondary educational institutions
- Outside governmental agencies

No information may be released to a private profit-making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil's directory information. However, directory information related to homeless and unaccompanied youth will not be released without the express written consent for its release by the eligible pupil, his/her parent or guardian.

CVESD may disclose appropriately designated "directory information" as specified herein without written consent unless advised to the contrary in accordance with procedures.

Parents/guardians must notify CVESD in writing every year if they do not want CVESD to disclose directory information from their child's education records without prior written consent.

Also, in accordance with Section 49073.2, the LEA shall not include the directory information or the personal information of a pupil or of a parent or guardian of a pupil in the minutes of a meeting of its governing body, except as required by judicial order or federal law, if a pupil who is 18 years of age or older or a parent or guardian of a pupil has provided a written request to the secretary or clerk of the governing body to exclude his or her personal information or the name of his or her minor child from the minutes of a meeting of the governing body.

Personal information includes a person's address, telephone number, date of birth, and email address.

### **SURVEYS-EC 51513, 51514; 20 U.S.C. 1232h**

CVESD will notify parents or guardians of the need for their written permission before any test, questionnaire, survey or examination containing any questions about their child's personal beliefs or practices (or the pupil's family's beliefs or practices) in sex, family life, morality and religion, may be administered to any pupil in kindergarten, or grades 1-12, inclusive. Notification will include specific or approximate dates of when any survey containing sensitive, personal information is to be administered and provide an opportunity for parents to opt pupils out of participating in the survey. Upon request, parents or guardians will be given the opportunity to inspect any third-party survey.

Please also note, the District may administer a Hanover Research survey to students in grades 4 through 12. Although the Hanover Research survey is not subject to the provisions of Education Code section 51513 or Title 20, United States Code section 1232h given the nature of the questions posed by that survey, parents and guardians are welcome to preview the Hanover Research survey by contacting the Instructional Services and Support department at (619) 425-9600 x181500.

### **CALIFORNIA HIGH SCHOOL PROFICIENCY EXAM-5 C.C.R. 11523**

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from

high school. For more information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>

### **CAL GRANT PROGRAM-EC 69432.9**

All pupils enrolled in grade 12 will be deemed Cal Grant applicants, unless they, or their parent or guardian if the pupil is 17 years or younger, specifically opts-out of such notification. CVESD will electronically submit each 12<sup>th</sup> grade pupil's grade point average by March 2 of the pupil's 12<sup>th</sup> grade school year. A pupil of 18 years of age or a parent or guardian of a pupil 17 years or younger, may, by written statement, opt out of the Cal Grant program.

### **PUPIL FEES-EC 49013**

CVESD maintains a policy concerning the provision of a free education to pupils and for filing a complaint of non-compliance pursuant to the Uniform Complaint Procedures with the principal of the school alleged to be in non-compliance. More information is available online at [www.cvesd.org](http://www.cvesd.org).

### **RIGHTS OF PARENTS OR GUARDIANS TO INFORMATION-EC 51101**

Parents/guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:

1. Within a reasonable period of time following making the request, to observe the classroom or classrooms in which their child is enrolled or for the purpose of selecting the school in which their child will attend pursuant to intra-district or inter-district pupil attendance policies or programs.
2. Within a reasonable time of their request, to meet with their child's teacher or teachers and the principal of the school in which their child is enrolled.
3. To volunteer their time and resources for the improvement of school facilities and school programs under the supervision of district employees, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher. Although volunteer parents may assist with instruction, primary instructional responsibility shall remain with the teacher.
4. To be notified on a timely basis if their child is absent from school without permission.
5. To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of the school that their child attends on standardized statewide tests.
6. To request a particular school for their child, and to receive a response from the school district. This paragraph does not obligate the school district to grant the parent's request.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of the class or classes in which their child is enrolled.
9. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
10. To have access to the school records of their child.
11. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
12. To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
13. To receive information about any psychological testing the school does involving their child and to deny

permission to give the test.

14. To participate as a member of a parent advisory committee, school-site council, or site-based management leadership team, in accordance with any rules and regulations governing membership in these organizations. In order to facilitate parental participation, school-site councils are encouraged to schedule a biannual open forum for the purpose of informing parents about current school issues and activities and answering parents' questions. The meetings should be scheduled on weekends, and prior notice should be provided to parents.
15. To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
16. To be notified, as early in the school year as practicable pursuant to EC 48070.5, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child. Parents and guardians of pupils, including those parents and guardians whose primary language is not English, shall have the opportunity to work together in a mutually supportive and respectful partnership with schools, and to help their children succeed in school. Each governing board of a school district shall develop jointly with parents and guardians, and shall adopt, a policy that outlines the manner in which parents or guardians of pupils, school staff, and pupils may share the responsibility for continuing the intellectual, physical, emotional, and social development and well-being of pupils at each school-site.
17. The policy shall include, but is not necessarily limited to, the following:
  1. The means by which the school and parents or guardians of pupils may help pupils to achieve academic and other standards of the school.
  2. A description of the school's responsibility to provide a high-quality curriculum and instructional program in a supportive and effective learning environment that enables all pupils to meet the academic expectations of the school.
  3. The manner in which the parents and guardians of pupils may support the learning environment of their children, including, but not limited to, the following:
    - a. Monitoring attendance of their children.
    - b. Ensuring that homework is completed and turned in on a timely basis.
    - c. Participation of the children in extracurricular activities.
    - d. Monitoring and regulating the television viewed by their children.
    - e. Working with their children at home in learning activities that extend learning in the classroom.
    - f. Volunteering in their children's classrooms, or for other activities at the school.
    - g. Participating, as appropriate, in decisions relating to the education of their own child or the total school program.

## **CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS-EC 52052, 60640**

The California Assessment of Student Performance and Progress (CAASPP) System was established on June 1, 2014. Commencing with the 2014-15 school year, the CAASPP System includes Smarter Balanced Summative assessments in English Language Arts and Math in grades three through eight and eleven and California Alternate Assessments (CAA) in English Language Arts and Math in grades three through eight and eleven for students with significant cognitive disabilities. The California Science Test (CAST) for science is required for all students in grades five, eight and once in high school unless the student's IEP indicates administration of the CAA. CVESD will administer the California Spanish Assessment (CSA) to third through sixth grade students who are enrolled in a Dual Language Immersion Program. The CSA allows students to demonstrate their reading, writing mechanics, and listening skills in Spanish. The test aligned with the California Common Core State Standards en Español. English Learners who have been enrolled in a school in the United States for less than twelve months will not take the Smarter Balance English Language Arts Assessment. A parent

or guardian may make a written request to excuse his or her child from any or all parts of the assessment.

### **DRESS CODE/GANG APPAREL-EC 35183**

Students are expected to come to school appropriately dressed. Students failing to dress appropriately will be asked to change. Contact your child's school for information regarding dress code.

### **SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN-EC 35183.5**

CVESD allows for outdoor use of sun-protective clothing and the use of sunscreen by students during the day and authorizes sites to establish a policy related to the use of sunscreen by pupils during the school day.

### **LANGUAGE ACQUISITION PROGRAMS (EC 310)**

Chula Vista Elementary School District offers the following language acquisition programs for student enrollment. Parents/Guardians may choose a language acquisition program that best suits their child (*EC* Section 310[a]).

- **Structured English Immersion (SEI) Program:** A language acquisition program for English Learners (Els) in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. At minimum, students are offered Designated English Language Development (ELD) and provided access to grade level academic subject matter content with Integrated ELD. *Education Code (EC)* sections 305(a)(2) and 306(c)(3).
- **Dual-Language Immersion (DLI) Program (English/Spanish):** Also referred to as **Two-Way Immersion**. A language acquisition program that provides language learning and academic instruction for native speakers of English and native speakers of Spanish, with goals of high academic achievement, first and second language proficiency, and cross-cultural understanding. This program should be designed using evidence-based research and include both Designated and Integrated ELD. Typically, this program begins in transitional kindergarten/kindergarten (TK/K) and continues to sixth grade, but can continue through high school. *EC* Section 306(c)(1).

#### **How to Enroll Your Child in a Language Acquisition Program:**

Request for language acquisition program is done at the time of registration. Parents may submit a zone transfer to a school that offers a DLI program if their resident school does not currently offer one.

#### **How to Request the Establishment of a New Program at a School:**

Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (*EC* Section 310[a].) Parents may submit their request to the school's front office.

#### **Parent and Community Engagement**

Parents may provide input regarding language acquisition programs in the local educational agency (LEA) or to be considered in the LEA during the development of the Local Control and Accountability Plan (*EC* Section 52062.) If interested in a different program from those listed above, please contact the Language Development and Instructional Services and Support Department to ask about the process.

## About Language Acquisition Programs and Language Programs

Program Type	Characteristics
<b>Language Acquisition Program (ELs)</b>	<p><b>The California Code of Regulations section 11309 requires that any language acquisition program provided by a school, district, or county shall:</b></p> <ul style="list-style-type: none"> <li>• Be designed using evidence-based research and include both Designated and Integrated ELD;</li> <li>• Be allocated sufficient resources by the LEA to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and</li> <li>• Within a reasonable period of time, lead to:               <ul style="list-style-type: none"> <li>• Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and</li> <li>• Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state- adopted academic content standards in that other language.</li> </ul> </li> </ul>
<b>Language Program (non-ELs)</b>	<ul style="list-style-type: none"> <li>• Language programs offer students who are not ELs opportunities to be instructed in languages other than English</li> <li>• May lead to proficiency in languages other than English</li> </ul>

### GATE PROGRAMS

DISTRICT’s written plan for its GATE program includes procedures to inform parents or guardians of their pupil’s participation or non-participation in the GATE program. The written plan is available at <https://bit.ly/3ijk6BR>.

### TITLE 1-20 U.S.C. 6311

Parents may request information regarding the professional qualifications of the student's classroom teachers, including the following:

- Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
- Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.



- Whether the child is provided services by paraprofessionals and, if so, their qualifications.

In addition to the information that parents may request regarding their child's teacher, parents may also request:

- Information on the level of achievement of the parent's child in each of the State academic assessments, and
- Timely notice that the parent's child has been assigned, or has been taught for four (4) or more consecutive weeks by a teacher who is not highly qualified.

Parents may obtain this information by logging on to <https://www.ctc.ca.gov/> and looking up the child's teacher's credentials by entering the first and last name.

The law also requires that parents be notified when a teacher who is not *highly qualified* is hired and teaches the child *four (4) consecutive weeks or more*.

### **TOBACCO-FREE CAMPUS-HSC 104420, 104495**

Health and Safety Code section 104495 prohibits smoking and use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground. The prohibition does not apply to a public sidewalk located within 25 feet of a playground.

### **UNSAFE SCHOOL CHOICE-5 C.C.R. 11993(k); 20 U.S.C. 7912**

Students shall be allowed to attend a safe school. The District shall notify parents or guardians of pupils in elementary and/or secondary schools considered to be "persistently dangerous" pursuant to California Department of Education guidelines and of available options for attendance at a safe school. "Any firearms violations" is an event which must be considered in determining whether a school site is at risk of being classified as persistently dangerous.

### **SCHOOL ACCOUNTABILITY REPORT CARD-EC 35256, 35258**

The School Accountability Report Card provides parents and other interested members of the community a variety of information about the school, its resources, its successes, and the areas where it needs improvement. On or before February 1 of each year, an updated copy of the School Accountability Report Card for each District operated school can be found on each individual school's website and the District's website. A hard copy will also be provided upon request to any student's parent or guardian. Contact your school or call CVESD Office at (619)425-9600 extension 181328

### **CALIFORNIA LAW REGARDING SAFE STORAGE OF FIREARMS-PENAL CODE 25100-25125, AND 25200-25220; 25100(C)**

The purpose of this memorandum is to inform and to remind parents and legal guardians of students in the Chula Vista Elementary School District of their responsibilities for keeping firearms out of the hands of children as required by California law. There have been many news reports of children bringing firearms to school. In many instances, the child obtained the firearm(s) from his or her home. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding

the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child’s parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.
  - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child’s parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person’s child or ward.

**Note:** Your county or city may have additional restrictions regarding the safe storage of firearms.

Thank you for helping to keep our children and schools safe. Remember that the easiest and safest way to comply with the law is to keep firearms in a locked container or secured with a locking device that renders the firearm inoperable.

### **COMPREHENSIVE SCHOOL SAFETY PLAN-EC 32286, 32288**

Each school is required to develop a school safety plan, which includes a comprehensive disaster preparedness plan. Copies of the school safety plan are available to read at your child’s school during normal business hours.

### **DUTY CONCERNING CONDUCT OF PUPILS-EC 44807**

All students participating in CVESD programs or activities will comply with CVESD policies, rules and regulations, pursue their studies and obey the valid authority of CVESD staff. Any student who feels another participant is disrupting the student’s learning environment is strongly encouraged to report that misconduct to a CVESD staff member. CVESD staff member will, in turn, report to the designated CVESD staff member in charge of handling student complaints. CVESD staff expects all students enrolled in CVESD programs or activities to conduct themselves in a manner that enriches the educational environment and does not disrupt the learning process. CVESD believes all students enrolled in CVESD programs or activities should experience a positive learning environment. All students participating in CVESD programs or activities are expected to cooperate by respecting the rights of other participants, which includes the right to a learning environment free from disruptions. Student conduct includes conduct on school grounds, going to and from school and during recess and lunch periods.

Every teacher has a duty to hold pupils accountable for their conduct on the way to and from school, on the playground, or during recess. A teacher, vice principal, principal or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree or physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

#### **DANGEROUS OBJECTS-PENAL CODE 417.27, 12550, 12556**

CVESD prohibits dangerous objects on campus, such as laser pointers and B.B. guns, unless possession is for valid instructional or other school related purpose.

#### **INVESTING FOR FUTURE EDUCATION-EC 48980(d)**

CVESD encourages the investment by parents or guardians for higher education for their children and of considering appropriate investment options, including, but not limited to, United States savings bonds.

#### **CHILD ABUSE AND NEGLECT REPORTING-PENAL CODE 11164**

CVESD staff is required by law to report cases of child abuse and neglect to the appropriate law enforcement agency when they have a reasonable suspicion that a child has been a victim of child abuse and/ or neglect. Reasonable suspicion does not require certainty that the child abuse and/or neglect has occurred. The reporting staff member's name and report are confidential. The fact that a child is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

#### **DISRUPTION IN PUBLIC SCHOOL OR MEETING-EC 32210**

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

#### **MEDICAL RECORD SHARING-H&SC 120440**

Medical information may be shared with local health departments and the State Department of Public Health. Any information shared shall be treated as confidential medical information. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; and the student or parent or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both.

#### **MEGAN'S LAW-PENAL CODE-290**

Information about registered sex offenders in California and how to protect their families can be found at <http://meganslaw.ca.gov/>.

#### **LIABILITY OF PARENT OR GUARDIAN FOR WILLFUL PUPIL MISCONDUCT-EC 48904**

The parent or guardian of any minor may be held financially liable for the pupil's willful misconduct which results

in injury or death to any pupil or person employed or volunteering for CVESD or injury to real or personal property belonging to CVESD or a CVESD employee. The parent or guardian of a minor shall be liable to CVESD for all property belonging to CVESD loaned to the minor and not returned upon demand of an employee of CVESD authorized to make the demand. CVESD shall notify the parent or guardian of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma or transcript pursuant to this Section.

### **CHILDREN IN HOMELESS SITUATIONS-42 U.S.C. 11432**

CVESD has appointed a liaison(s) for homeless children responsible for ensuring the dissemination of public notice of the educational rights of students in homeless situations.

- CVESD liaison for children in homeless situations:  
Student Placement Manager, 84 East J. Street, Chula Vista, CA. 91910, (619) 425-9600, Ext.181570.
- Circumstances for eligibility include:  
Children who lack a fixed, regular, and adequate nighttime residence.  
Children who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.  
Children who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.  
Migratory children who qualify as homeless because they are living in circumstances described above.
- The rights of homeless children include:  
Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, school records, or legal guardianship papers;  
Right to education and other services including to participate fully in all school activities and programs for which child is eligible, to qualify automatically for school meal programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment;  
No homeless youth shall be required to attend a separate school for homeless children or youth; and  
Homeless youth shall not be stigmatized by school personnel.

For more information, contact the Student Placement Manager at (619) 425-9600, Ext. 181570.

### **HOMELESS YOUTH IN AFTER SCHOOL PROGRAMS-EC 8483.1**

CVESD currently operates an afterschool program pursuant to the After School Education and Safety Program Act of 2002. CVESD provides priority enrollment to students as follows. First priority shall go to pupils who are and to pupils who are identified by the program as being in foster care. For programs serving middle school pupils, second priority shall go to pupils who attend daily. CVESD has a certification process through the CVESD liaison.

### **ACCEPTABLE USE OF TECHNOLOGY**

CVESD's policy on the acceptable use of technology (Student Internet Use Guidelines/Agreement) on school campuses and access by pupils to the Internet and on-line sites is available at <https://bit.ly/2LnkiTM>

### **CUSTODY ISSUES**

Schools are not a forum to settle custody disputes and the school has no legal jurisdiction to refuse a biological

parent access to his or her child and the child's school records unless a court order specifically setting forth limitations are on file at the school office. Custody disputes must be handled by the courts.

### **SCHOOL VISITING PROCEDURES-EC 51101(a)(12)**

CVESD policy concerning visiting procedures may be found online at <https://bit.ly/3aeSp93>

Penal Code 627.6: requires schools to post at every entrance a notice of visitor registration requirements, registration hours, registration location, and penalties for the violation of the registration requirements.

### **WALKING OR RIDING A BIKE TO SCHOOL-VC 21212**

CVESD requests that parents or guardians of children who walk or ride their bike to school plan a safe route to school with their children. The route shall not involve shortcuts through private property and all students are expected to exhibit good behavior. Furthermore, a student under 18 years of age may be fined for not wearing a properly fitted and fastened helmet, and the parent or legal guardian of a minor who violates this section shall be jointly and severally liable with the minor for the fine.

### **SEARCH OF SCHOOL LOCKERS**

CVESD's policies and procedures related to the search of school lockers may be found online at the school's website.

### **CYBER SEXUAL BULLYING-EC 234.2**

CVESD may suspend or expel students who engage in cyber sexual bullying consistent with CVESD'S disciplinary procedures described above. The California Department of Education has developed information regarding cyber sexual bullying available at <http://www.cde.ca.gov/ls/ss/se/bullyingprev.asp> and available on the California Healthy Kids Resource Center Website and other sources.

### **LOCAL SCHOOL WELLNESS POLICY-EC 49432**

The local school wellness policy for each CVESD school is available at <http://bit.ly/2NYLRRT>.

### **ILLEGAL RECORDING OF CONFIDENTIAL COMMUNICATION-PC 632, EC 51512**

It is unlawful to intentionally eavesdrop or record the confidential communication between two or more parties without the consent of all parties to the confidential communication. The eavesdropping or recording of a confidential communication includes by means of any electronic amplifying or recording device whether the communication is carried on among the parties in the presence of one another or by means of a telegraph, telephone, or other device, except a radio. Such an act is punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or imprisonment in the county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment. Additionally, pursuant to Education Code section 51512, the use by any person, including a student, of any electronic listening or recording device in any classroom without prior consent of the teacher and the principal is prohibited. Any person, other than the student, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation is subject to CVESD's disciplinary procedures.

### **PUPIL COLLECTION OF DEBT-EC 49014**

A pupil or former pupil, unless emancipated at the time the debt is incurred, shall not owe or be billed for a debt owed to an LEA.

An LEA cannot take negative action against a pupil or former pupil for a debt owed, including, but not limited to, all of the following:

- Denying full credit for any assignments for a class;
- Denying full and equal participation in classroom activity;
- Denying access to on-campus educational facilities, including, but not limited to, the library;
- Denying or withholding grades or transcripts;
- Denying or withholding a diploma;
- Limiting or barring participation in an extracurricular activity, club, or sport; and
- Limiting or excluding from participation in an educational activity, field trip, or school ceremony.

### **ELECTRONIC PRODUCTS OR SERVICES THAT DISSEMINATE ADVERTISING-EC 35182.5**

If the District enters into a contract for electronic products or services that requires the dissemination of advertising to students, the district, among other requirements specified in EC 35182.5 (3), must provide written notice to the parents or guardians of the students that the advertising will be used in the classroom or other learning centers.

### **ACCESS TO STUDENT MENTAL HEALTH SERVICES-EC 49428**

DISTRICT shall notify pupils and parents or guardians of pupils no less than twice during the school year on how to initiate access to available pupil mental health services on campus or in the community, or both.

To notify parents or guardians, a school shall use at least two of the following methods:

- Distribute the information in a letter (electronic or hardcopy)
- Include the information in the annual parent notification
- Post the information on the school's Internet Web site or page

To notify pupils, a school shall use at least two of the following methods:

- Distribute the information in a document or school publication
- Include the information in pupil orientation materials or in a pupil handbook at the beginning of the year
- Post the information on the school's Internet Web site or page

If a school decides to notify parents through distributing the information in a letter and posting the information on the school's Internet Web site or page, then it need not also include the information in the annual parent notification.

### **PUPIL SUICIDE PREVENTION POLICIES-EC 215**

Before the beginning of the 2020-21 school year, the governing board or body of a local educational agency that serves pupils in kindergarten and grades 1 to 6 shall adopt a policy on pupil suicide prevention for the above grade levels. The age-appropriate policy shall be developed in consultation with school and community stakeholders,

the county mental health plan, school-employed mental health professionals, and suicide prevention experts. The policy shall also, at minimum, address procedures relating to suicide prevention, intervention, and postvention.

The policy should address needs of high-risk student groups. The definition of high-risk groups includes (but not be limited to):

- Students bereaved by suicide
- Students with disabilities, mental health disorders, or substance abuse disorders
- Homeless youth or in out-of-home settings, such as foster care.
- LGBTQ students

### **INFORMATION ABOUT COMPLETION OF APPLICATIONS FOR STUDENT FINANCIAL AID-EC 51225.8**

Commencing with the 2021-22 school year, the governing board/body of school districts and charter schools must ensure that each student, at least once before the pupil enters grade 12, receives information on how to properly complete and submit either the Free Application for Federal Student Aid (FAFSA) or California Dream Act application. A paper copy of the FAFSA or the California Dream Act application must be provided to a pupil or parent/guardian upon request.

The information provided in the notice shall include, but not necessarily be limited to, the following materials:

1. The types of documentation and personal information that each student financial aid application requires, including, but not necessarily limited to, documents relating to income taxes, finances and income, college choices, academic status, and personal identification such as social security or taxpayer identification numbers
2. An explanation of definitions used for each application, such as “legal guardianship,” “household size,” “parent,” “dependent,” and taxable college grants and scholarships”
3. Eligibility requirements for student financial that may be applied for using the FAFSA or the California Dream Act Application
4. Application timelines and submission deadlines
5. The importance of submitting applications early, especially when student financial aid is awarded on a first-come, first-served basis

The manner in which this information is provided shall be at the discretion of the governing board of the school district or charter school.

### **BULLYING AND HARASSMENT PREVENTION INFORMATION-EC 234.6**

Commencing with the 2020-21 academic year, each county office of education, school district, and charter school or LEA (“local education agency”) for the purpose of this section – shall ensure that all of the following information is readily accessible in a prominent location on the local educational agency’s existing website in a manner that is easily accessible to parents or guardians and pupils:

1. The LEA’s policy on pupil suicide prevention in grades 7 to 12
2. The LEA’s policy on pupil suicide prevention in kindergarten and grades 1 to 6, including reference to the age appropriateness of that policy
3. The definition of discrimination and harassment based on sex, and the rights derived from the Sex Equity in

#### Education Act

4. The Title IX information included on a LEA's internet website
5. A link to the Title IX information included on the department's internet website
6. The LEA's written policy on sexual harassment, as it pertains to pupils
7. The LEA's policy, if it exists, on preventing and responding to hate violence
8. The LEA's anti-discrimination, anti-harassment, anti-intimidation, and anti-bullying policies
9. The LEA's anti-cyberbullying procedures
10. A section on social media bullying that includes all of the following references to possible forums for social media bullying:
  - a. Internet websites with free registration and ease of registration
  - b. Internet websites offering peer-to-peer instant messaging
  - c. Internet websites offering comment forums or sections
  - d. Internet websites offering image or video posting platforms
11. A link to statewide resources, including community-based organizations, compiled by the department
12. Any additional information the LEA deems important for preventing bullying and harassment

#### **SCHOOL START TIME-EC 46148**

Commencing July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement operative on January 1, 2020 expires (whichever is later), the school day for middle and high schools must begin no earlier than 8:00 a.m. and 8:30 a.m., respectively. The State Department of Education will advise school districts and charter schools of the posting of information on its website related to research on the impact of sleep deprivation on adolescents and the benefits of a later school start time. This start time requirement will not apply to rural school districts.

#### **ELECTRONIC SIGNALING DEVICE-EC 48901.5**

CVESD policy regulating the rights of pupils to possess or use electronic signaling devices (e.g., cell phones and pagers) on school campuses during the school day or at school activities can be found online at <https://bit.ly/2uLa84X>

#### **USE OF SMARTPHONES-EC 48901.7**

Student cannot be prohibited from possessing or using a smartphone at school in the following situations:

1. During an emergency situation or as a response to a perceived threat of danger;
2. When a teacher or administrator gives permission to a student to possess or use a cell phone, subject to reasonable limitations imposed by the person giving permission;
3. When necessary for the health or well-being of a student, as determined by a licensed physician and surgeon; and
4. When possession or use of the cell phone is required pursuant to a student's individualized education program

#### **MENSTRUAL EQUITY FOR ALL ACT-EC 35292.6**

35292.6 (a) On or before the start of the 2022-23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products,



available and accessible, free of cost, in all women’s restrooms and all-gender restrooms, and in at least one men’s restroom. (b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils. (c) A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of the section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products. (d) For purposes of this section, “menstrual products” means menstrual pads and tampons for use in connection with the menstrual cycle.



## CHULA VISTA ELEMENTARY SCHOOL DISTRICT SUMMARY OF WELLNESS POLICY (BP 5030) ATTACHMENT A

The Chula Vista Elementary School District (CVESD) recognizes the link between student health and learning and is committed to providing a healthy school environment that promotes student and staff wellness, proper nutrition, nutrition education, and regular physical activity. The CVESD Wellness Policy (BP 5030) was revised August 9, 2017. It updates and reflects changes to all federal, state, local, and District guidelines. Additionally, the policy was re-organized and headings added for clarity and organizational purposes.

### **Summary of Key Wellness Policy Guidelines- School and District Community:**

- *Establishing* an Early Education (Preschool) component to the Wellness Policy which includes guidelines for physical activity, nutrition education, and school celebrations.
- *Developing* School Site Wellness Leads (required for each site by August 2022) and School Site Wellness Councils (recommended) to lead efforts towards improving health and wellness at each school site.
- *Ensuring* lactation accommodations are provided pursuant to Labor Code Section 1030 and 1031.
- *Integrating* health education into K-6 core academic subjects during the school day and before-and after-school programs as well as providing professional development in health and physical education highlighting healthy behaviors.
- *Supplying* a standards-based K-6 physical education program emphasizing physical fitness, positive health practices, and skill development, that meets or exceeds the State mandated instructional minutes required at the elementary level.
- *Giving* all students opportunities to be physically active throughout the day with activities such as classroom mini-breaks, physical education, recess, school intramurals, special events, Safe-Routes to School, and before-and after-school programs.
- *Implementing* nutrition guidelines for all foods available on each campus during the day (*midnight through 30 minutes after school*), with the objective of promoting student health and reducing childhood obesity.
- *Delivering* foods and beverages through federally mandated reimbursable school meal programs that meet or exceed federal regulations. *For example, the District has chosen to serve flavored milk only during lunch meal periods.*
- *Prohibiting* the marketing and advertising of non-nutritious foods and beverages on school sites. School staff are *strongly encouraged* to use non-descriptive containers for food and beverages they consume while with children.
- *Prohibiting* food items in celebration of a student's birthday on the school site during the school day.
- *Permitting* no more than *two* parties/celebrations *with food* for each class, per school year, to be scheduled after lunch whenever possible. All food items should be store-bought, pre-packaged, and/or pre-wrapped for food safety and allergies.
- *Restricting* school staff and other entities from using non-compliant food as a reward for academic performance, accomplishments, or classroom behavior. The District emphasizes *non-food* incentives as alternatives to all school staff.
- *Encouraging* school organizations to use *non-food items* and/or healthy food items for fundraising purposes and special events. If food is used, there should be an effort to *balance healthier, appropriate portion-size food choices with non-nutritious items.*
- *Encouraging* parents/guardians to support student wellness by considering the *nutritional quality* and *portion-size* of items they send for snacks/lunch and complying with new District guidelines for *non-food birthday parties, healthier celebrations and special events.*
- *Fostering* consistent health messages between the home and school environment by disseminating information through District menus, school newsletters, handouts, websites, parent meetings, and/or other communications.
- *Establishing* a plan for promoting, implementing, monitoring and evaluating wellness policy practices in each school, and throughout the District.

\*The complete Wellness Policy can be found at <http://bit.ly/2NYLRRT>  
ANNUAL NOTIFICATION TO PARENTS/GUARDIANS

## ATTACHMENT B

### **BOARD POLICY 5145.7 – SEXUAL HARASSMENT**

The Chula Vista Elementary School District recognizes that harassment on the basis of sex is a violation of both federal and state anti-discrimination laws. The District expects that all students will have a learning environment free from sexual harassment or the threat of sexual harassment. Sexual harassment will not be tolerated toward students by students or by adults at school or during school-related, or school-sponsored activities.

Teachers shall inform students in age-appropriate ways of what sexual harassment is, that they do not have to endure it, and that it will not be tolerated. Teachers shall also inform students of the District's procedure for investigating complaints.

If any student perceives comments, gestures, or actions, from any other student or adult during school-related or school-sponsored activities to be sexual harassment, the student is encouraged, but not required, to inform directly the person engaging in such conduct that such conduct is offensive and must stop. If this approach is not taken and/or is not successful, the student should notify the classroom teacher and/or the school principal or any other available school employee. School staffs who are aware, or who become aware, of sexual harassment or any allegations of sexual harassment shall inform the principal or a District Compliance Officer. The principal or a District Compliance Officer shall take immediate steps to investigate any complaints of sexual harassment in a manner that respects the privacy of all parties concerned to the extent practicable.

In any case of sexual harassment involving the principal to whom the complaint would ordinarily be made, the employee who receives the student's report or observes the incident shall instead report to the Superintendent or his/her designee.

No student, staff member, parent or other individual will suffer reprisals for reporting incidents of sexual harassment or making complaints.

The Superintendent/designee shall take appropriate actions to reinforce the District's sexual harassment policy.

#### Instruction/Information

The Superintendent or designee shall ensure that all District students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

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

#### Complaint Process and Disciplinary Actions

Sexual harassment complaints by and against students shall be investigated and resolved in accordance with law and District procedures specified in Administrative Regulation (AR) 1312.3 - Uniform Complaint Procedures. Principals are responsible for notifying students and parents/guardians that complaints of sexual harassment can be filed under AR 1312.3 and where to obtain a copy of the procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

Upon investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action.

Any students in grades 4-12 found responsible for sexual harassment of anyone in or from the District, will be subject to appropriate discipline as contained in the school's discipline policy. The severity of the disciplinary action will be based upon the circumstances of the infraction.

#### **Confidentiality and Record-Keeping**

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

The Superintendent or his/her designee shall maintain a record of all reported cases of sexual harassment to enable the District to monitor, address, and prevent repetitive harassing behavior in the schools and during school-related activities.

## ADMINISTRATIVE REGULATION 5145.7 – SEXUAL HARASSMENT

The District 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 Administrative Regulation (AR) 1312.3 - Uniform Complaint Procedures. The coordinator/compliance officer(s) may be contacted at:

Title: Assistant Superintendent of Student Services  
Chula Vista Elementary School District  
84 East J Street  
Chula Vista, CA 91910  
619-425-9600

*(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 sex in the educational setting, when made on the basis of sex and under any of the following conditions (Education Code 212.5; CCR 4916)

1. Submission to the conduct is made either an 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 the individual is used as the basis for an educational decision affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's performance, or of creating an intimidating, hostile, or offensive learning environment.
4. Submission to, or rejection of, the conduct by the individual is the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available through the District.

Examples of types of conduct that are prohibited in the District 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 battery, 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 District 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 District's compliance officer identified in AR 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 District 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 District'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 District procedures specified in AR 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 to the 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)

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

### **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, but are not necessarily limited to, placing the individuals involved in separate classes or transferring a student to a class taught by a different teacher, in accordance with law and Board 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 District'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)
2. Be displayed in a prominent location in the main administrative building or other area where notices of District rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

A copy of the District's sexual harassment policy and regulation shall be posted on District and school web sites and, when available, on District-supported 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 District publication that sets forth the school's or District's comprehensive rules, regulations, procedures, and standards of conduct. (Education Code 231.5)

**ANNUAL NOTIFICATION TO PARENTS/GUARDIANS  
ATTACHMENT C**

**BOARD POLICY 5145.3 – NONDISCRIMINATION/ HARASSMENT**

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

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

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 5131 - Conduct)*

*(cf. 5131.2 - Bullying)*

*(cf. 6164.6 - Identification and Education Under Section 504)*

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also includes the creation of a hostile environment through prohibited conduct that is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

The Governing Board shall ensure equal opportunities for all students in admission and access to academic courses, guidance and counseling programs, athletic programs, testing procedures, vocational education and other activities.

School staff and volunteers must be especially careful to guard against unconscious sex discrimination, insensitivity and stereotyping in instruction, guidance and supervision

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

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

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

*(cf. 1312.3 - Uniform Complaint Procedures)*

*(cf. 1330 - Use of Facilities)*

*(cf. 4131 - Staff Development)*

*(cf. 6145.2 - Athletic Competition)*

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, shall be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

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

*(cf. 5144 - Discipline)*

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

*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

*(cf. 5145.2 - Freedom of Speech/Expression)*

**Record-Keeping**

The Superintendent/designee shall maintain a record of all reported cases of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, to enable the District to monitor, address, and prevent repetitive prohibited behavior in District schools.

*(cf. 3580 - District Records)*

**ANNUAL NOTIFICATION TO PARENTS/GUARDIANS  
ATTACHMENT D**

**BOARD POLICY 5146 – MARRIED/PREGNANT/PARENTING STUDENTS**

The Governing Board recognizes that early marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board, therefore, desires to support married, pregnant, and parenting students to continue their education, attain strong academic and parenting skills, and promote the healthy development of their children.

*(cf. 5147 - Dropout Prevention)*

The District shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

For school-related purposes, a student under the age of 18 years who enters into a valid marriage shall have all the rights and privileges of students who are 18 years old, even if the marriage has been dissolved.

**Education and Support Services for Pregnant and Parenting Students**

Pregnant and parenting students shall retain the right to participate in any comprehensive school or educational alternative program. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the student and/or his/her child.

*(cf. 6158 - Independent Study)*

Any education program or activity that is offered separately to pregnant students, including any class or extracurricular activity, shall be equal to that offered to other District students. A student's participation in such programs shall be voluntary.

*(cf. 6142.7 - Physical Education and Activity)*

As required for other students with physical or emotional conditions or temporary disabilities, the Superintendent/designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that the student is physically and emotionally able to participate in an educational program or activity.

To the extent feasible, educational and related support services shall be provided, either through the District or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children.

**Absences**

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with Board Policy/Administrative Regulation, 5113 Students, Absences and Excuses.

*(cf. 5113 - Absences and Excuses)*

The Superintendent/designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by a physician. At the conclusion of the leave, the student shall be reinstated to the status held when the leave began. (34 CFR 106.40)

A parenting student may request exemption from attendance because of personal services that must be rendered to a dependent.

*(cf. 5112.1 - Exemptions from Attendance)*

**Reasonable Accommodations**

When necessary, the District shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions.

*(cf. 6183 - Home and Hospital Instruction)*

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to:

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child.
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
3. Access to a power source for a breast pump or any other equipment used to express breast milk.
4. Access to a place to store expressed breast milk safely.
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child.

#### Complaints

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the District's uniform complaint procedures in accordance with 5 CCR 4600-4687 and Board Policy/ Administrative Regulation 1312.3 Uniform Complaint Procedures.

*(cf. 1312.3 - Uniform Complaint Procedures)*

Any complaint alleging District noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the District's procedures in Administrative Regulation 1312.3, Community Relations, Uniform Complaint Procedures. A complainant who is not satisfied with the District's decision may appeal the decision to the California Department of Education (CDE). If the District or the CDE finds merit in an appeal, the District shall provide a remedy to the affected student.



**ANNUAL NOTIFICATION TO PARENTS/GUARDIANS**  
**Attachment E**  
**NOTIFICATION OF USE OF PESTICIDE/HERBICIDE PRODUCTS**

Dear Parent or Guardian:

**The California Education Code § 48980.3 requires all California school districts to notify parents and guardians of pesticides/herbicides they expect to apply during the year. We may use the following pesticides/herbicides this school year:**

<i>NAME OF PESTICIDE/HERBICIDE</i>	<i>ACTIVE INGREDIENTS</i>
ACECAP 97 SYSTEMIC INSECTICIDE IMPLANTS	ACEPHATE (0,5 –DIMETHYL ACETYL –PHOSPHORAMIDOTHIOATE) 97% INERT INGREDIENTS 3%
BONIDE EIGHT/INSECT CONTROL (VEGETABLE, FRUIT AND FLOWER)	2.5% PERMETHRIN, 97.5% AQUEOUS/EMULSION DILUENT
BRANDT HERBICID ACTIVATOR	PARAFFINIC PRETROLEUM OIL 80% ALCOHOL ETHOXYLATE 20%
CONTRACT ALL WEATHER BLOX (RAT BAITS)	BROMADIOLONE (CAS #28772-56-7), 0.005% OTHER 99.995% –CONTAINS DENATONIUM BENZOATE TOTAL 100.000%
DACONIL /FUNGICIDE	54% CHLOROTHALONIL (TETRACHLOROISOPHTHALONITRILE), 46% INERT INGREDIENTS
DRAGNET/TERMITICIDE INSECTICIDE	36.8% PERMETHRIN, 63.2% OTHER
GRASS GETTER POSTEMERGENCE/GRASS HERBICIDE	SETHOXYDIM 18%:2-[1-(ETHOXYMINO) BUTYL] -5-[2-(ETHYLTHIO) PROPYL] -3-HYDROXY-2-CYCLOHEXEN-1-ONE, 82% OTHER
MAGNIFY	ALKYL POLYGLYCOSIDE AMMONIUM SULFATE 51.15% SPRAY ADJUVANT 48.85 %
MALATHION 8/AQUAMUL	81.8% MALATHION (0.0-DIMETHYLPHOSPHORODITHIOATE OF DIETHYL MERCAPTOSUCCIANE), 18.2 % OTHER
MAXFORCE/ANT BAIT STATION	% BY WEIGHT 0.0100 FIPRONIL
MAXFORCE/ROACH BAIT STATION	% BY WEIGHT 0.0500 FIPRONIL
MONTEREY GARDEN/INSECT CONTROL (ONCE A YEAR)	1.47% IMIDACLOPRID 1-[(6-CHLORO-3-PYRIDINYL) METHYL]-N-NITRO-2-IMIDAZOLIDINIMINE
MONTEREY HORTICULTURAL OIL	MINERAL OIL 80%, OTHER 20%, TOTAL 100%
ONE SHOT	2,4-D(CAS 94-75-7) 0.64%, MECOPROP-P (CAS 16484-77-8) 0.14%, DICAMBA (CAS 1918-00-9) 0.06%, DITHIOPYR (CAS 97886-45-8) 0.19%, OTHER INGREDIENTS 98.97%, TOTAL 100%
ORYZALIN 4 PRO	3,5 DINITRO-N4N4-DIPROPYLSUFANILAMIDE 41% OTHER INERT INGREDIENTS 59.0%
OXADIAZON 2 G/PREEMERGENT HERBICIDE (RONSTAR G)	2% OXADIAZON [2 TERT-BUTYL-4-(2, 4 DICHLORO-5-ISOPROPOXYPHENYL)-2-1, 3-4-OXADIAZOLINE-5-ONE]:98% OTHER
PHANTOM/TERMITICIDE - INSECTICIDE	21.45% CHLORFENAPYR: 4 - BROMO - 2 - (4- CHLOROPHENYL) - 1- (ETHOXYMETHYL) - 5 - (TRIFLUOROMETHYL) – 1 H- PYROLE -3- CARBONITRILE 78.55% OTHER
PREMISE 2 INSECTICIDE	IMIDACLOPRID, 1-[(6-CHLORO-3-PYRIDINYL)METHYL]-N-NITRO-2-IMIDAZOLIDINIMINE 21.4%, INERT INGREDIENTS, 78.6% TOTAL:100%
PREMISE FOAM	0.05% INIDALCLOPRID: [ 1-(6-CHLORO -3- PYRIDINYL) METHYL] N-NITRO -2-IMIDAZOCIDINMINE, OTHER 99.95%
RANGER PRO	GLYPHOSATE 41% OTHER 59 %
RESCUE YELLOW JACKET ATTRACTANT	2-METHYL-1-BUTANOL 59.75% NET WT. OTHER 40.25%, TOTAL: 100%
REWARD HERBICIDE	DIQUAT DIBROMIDE [6.7 DIHYDRODIPYRIDO (1, 2-9:1'-2'C) PYRAZINEDIUM DIBROMIDE] 37.3%
RONSTAR G	OXADIAZON [2-TERT-BUTYL-4-(2,4-DICHLORO-5-ISOPROPOXYPHENYL) 1,3,4 OXADIAZOLIN -5-ONE] 2.0%, INERT INGREDIENTS 98.0% TOTAL 100%
SEDGE HAMMER/HERBICIDE	75% HALOSULFURON METHYL, 25% OTHER
SEVIN INSECT KILLER CONCENTRATE	ZETA-CYPERMETHRIN 0.35% OTHER 99.65%
SLUGGO SNAIL SLUG BAIT	IRON PHOSPHATE 1.0%, OTHER INGREDIENT 99.0%, TOTAL: 100%
SPECTRACIDE PRO WASP AND HORNET KILLER	PRALLETHRIN 0.025% LAMBDA-CYHALOTHRIN - 0.010%
SPEEDZONE	CARFENTRAZONE –ETHYL 0.54% , 2,4 –D, 2-ETHYLHEXYL ESTER 10.49%, MECOPROP-P ACID 2.66%, DICAMBA ACID 0.67%, INERT INGREDIENTS 86.64%
SURFLAN AS HERBICIDE	40.4% ORYZALIN: 3.5 DINITRO- N4- N4 DIPROPYLSULFANILAMINE 59.6%
TEMPO SC ULTRA/INSECTICIDE	CYCLOPROPANECARBOXYLATE 11.8% OTHER 88.2%
TEMPO ULTRA WP	(8 CYFLUTHRIN CYANO, METHYL 3, DIMETHYLCYCLO) 20% OTHER 80%
TEMPO 20 WP	(8 CYFLUTHRIN CYANO, METHYL 3, DIMETHYLCYCLO) 20%, OTHER 80%
TENGARD	PERMETHRIN 36.8% OTHER INGREDIENTS 63.2%
TERMIDOR SC/TERMICIDE – INSECTICIDE	9.1% FIPRONIL: 5- AMINO -1 (2, 6 -DICHLORO - 4 - (TRIFLUOROMETHYL) PHENYL - 4 - (1,R,S) - (TRIFLUOROMETHYL) SULFINYL) – 1-H - PYRAZOLE - 3 - CARBONITRILE - 90.9 % INERT INGREDIENTS
TERRO – PCO/LIQUID ANT BAIT	5.4% SODIUM TERTABORATE DECAHYDRATE (BORAX)
TREFLON EC	TRIFLURALIN 43% INERT INGREDIENTS 58%

TRI TEK	80 % MINERAL OIL 20% OTHER
TURFLON ESTER/HERBICIDE	61.1 % TRICLOPYR 3,5,6 – TRICHLORO-2-PYRIDINYOXYACETICE ACID BUTOXETHYL ESTER 38.4 % OTHER
WASP FREEZE II	PRALLETHRIN [(RS)-2-METHYL-4-OXO-3-(2-PROPYNYL), CYCLOPENT-2-ENYL-(IRS)- CIS, TRANS-CHRIYSANTHEMATE] 0.1%, OTHER 99.9%, TOTAL: 100%

You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation's Web site at <http://www.cdpr.ca.gov>

As parent or guardian, you have the right to request a 72-hour notification prior to application. Signs are required to be posted 24 hours prior to pesticide applications and will remain on site until 72 hours after application.

If you wish to be notified, please complete the bottom portion of this letter and **return to your child's school**. The District Grounds Manager will notify the school of exact date and time prior to each application of pesticides/herbicides. At that time, if you are registered to receive notification, the school will call or send a note home. No regular spraying schedule is followed. Spraying is only done when absolutely necessary.

A copy of the Healthy Schools Act of 2000, Material Safety Data Sheets, and sample copies of notification letters are available at each school site.

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**ONLY IF YOU WISH TO BE NOTIFIED OF PESTICIDE/HERBICIDE APPLICATION**  
**RETURN SLIP TO YOUR SCHOOL SITE**

Child's Name: \_\_\_\_\_ Room #: \_\_\_\_\_ E-mail: \_\_\_\_\_

Parent's Name: \_\_\_\_\_ Phone: \_\_\_\_\_

***It is the responsibility of the parent/guardian to keep current phone number & address on file at school site.***

## NOTIFICATION OF PESTICIDE PRODUCTS

Information Sheet for Parents Regarding AB 2260, the Healthy Schools Act of 2000, which enacted California Education Code § 48980.3.

In September 2000, Governor Davis signed into law the Healthy Schools Act of 2000 (Assembly Bill 2260). This law requires schools to notify parents and school employees about pesticides used in their schools and requires the Department of Pesticide Regulation to promote the voluntary adoption of integrated pest management (IPM) practices in California schools. Most provisions of the law took effect January 1, 2001. Each school district is to implement the following requirements of the law:

- Notification of all pesticide products the school district expects to use on school grounds must be sent annually to parents or guardians of all students. These products include over-the-counter pesticides available at retail outlets, but do not include certain products exempted under the law. The notifications must list the active ingredients in each pesticide product and the Internet address for the Department of Pesticide Regulation (DPR) to access additional information. Visit DPR's website at <https://www.cdpr.ca.gov/> and click on School IPM Program.
- Each school will establish a list of parents or guardians who want to be notified before individual pesticide applications are made.
- Each school district will ensure that warning notices are posted in areas where pesticides will be applied. These signs will be posted 24 hours in advance and 72 hours after application of pesticides and will contain information as specified in the law.
- Each school will maintain records of all pesticide use at the school for four years and the records will be available to the public upon request.

For more information, contact the District Grounds Manager (619) 425-9600, extension 181424.

## BLACK WIDOW SPIDER INFORMATION

The Chula Vista Elementary School District encourages you to speak with your child about avoiding contact with black widow spiders both at home and on school sites.

### **Black Widow**

The adult female Black Widow spider has a shiny, black, round abdomen with two connected red triangles on the underside that form an hourglass figure. Adult females are about ½ inch long, not including the legs. Adult male Black Widow spiders are harmless, and about half the size of females. The male's abdomen usually has red spots and white lines or bars.

### **How to avoid spider bites**

- Wear shoes outdoors.
- Do not put your hands in holes, under furniture and in woodpiles where you cannot see them.
- Shake out clothing, towels, shoes, gloves and boots before each use.
- Use caution when using outdoor toilets, as they are favorite places for spider to hide.

### **Symptoms of a Black Widow spider bite**

The initial pain from a spider bite can cause an intense and burning sensation. Common symptoms include:

- Sweating
- Nausea
- Rapid heartbeat
- Muscle spasms
- Blurred vision
- Trouble Breathing and swallowing

Children under the age of 6, people over the age of 60, and people at risk for cardiovascular disease are at risk of having problems from a poisonous spider bite. Some people may also have allergic reactions that can cause circulatory failure. To see if they are going to have an allergic reaction, they may be kept under observation for 24 hours.

For more information on spiders or other vectors contact: (858) 694-2888 or [vector@sdcountry.ca.gov](mailto:vector@sdcountry.ca.gov).

# CHULA VISTA ELEMENTARY SCHOOL DISTRICT

84 EAST "J" STREET • CHULA VISTA, CALIFORNIA 91910 • 619 425-9600

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**EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH**

## Annual Notice of Physical Education Requirements

Chula Vista Elementary School District focuses on providing the highest quality educational experience for all students. Included in that is a high quality physical education (P.E.) program in our schools. As per California Education Code 51210(g), first through sixth grade teachers are required to teach 200 minutes of physical education over 10 instructional days. It is at the discretion of the school as to how and when these minutes are distributed over this time frame. We are providing this notice to inform parents/guardians that, if they have questions regarding P.E. minutes, they should first contact their child's teacher or principal. If they are not satisfied with the school's response, they may contact the Office of the Executive Director of Curriculum and Instruction, at 619-425-9600 x181364. If there is an interest in filing a formal complaint with the district regarding P.E. minutes of instruction, parents are to use the CVESD Uniform Complaint Procedure Form, which can be accessed by going to <http://bit.ly/2JyJJwK>. You may also request a copy of this form in your school's main office.