

**2017-18**

***Student and Parent  
Rights and  
Responsibilities  
Handbook***





July 1, 2017

Dear Parent of Guardian,

Welcome to the 2017-2018 school year! We look forward to partnering with you in the education of your child in the upcoming year.

For our students to be successful, it is important that everyone on the educational team, which is a collaboration of all Clovis Unified School District employees, parents and guardians, be informed of policies and practices that affect students. It is our hope that the information in this Student and Parent Rights and Responsibilities Handbook will serve as an effective resource to answer any questions or concerns you may have throughout the school year. It is easily accessible all year at [www.cusd.com/parents](http://www.cusd.com/parents) or by asking your school office staff for a copy.

This handbook is designed to give you a brief summary of the rights and responsibilities that you and your child have within Clovis Unified School District. In the following pages, you will find key policies and laws that affect your child's education; processes for accessing services; and procedures for finding answers to questions or voicing concerns. Please consult the District's website ([www.cusd.com](http://www.cusd.com)) or your local school for detailed information, which is updated throughout the year. Of special interest, this booklet contains information on:

- Governing Board Policies and Administrative Regulations
- California Education Codes
- Special Education, Categorical Funding and Child Development
- Dress Code
- Student Discipline

It is our ongoing goal to provide a safe and positive learning environment for your child, a mission that we take very seriously. In fact, we consider it a vital part of maximizing your child's achievement in school. Therefore, this guide also directs you to resources relating to policies adopted by the Governing Board to identify and avoid any forms of harassment, hate-motivated behavior and/or discrimination in our schools.

Thank you for being part of our team and our mission to be a quality educational system that aims to provide the opportunity for all students to reach their potential in mind, body and spirit. Together, we can help every child be successful.

Sincerely,

Eimear O'Farrell, Ed.D.  
Superintendent

**Governing Board**

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Associate Superintendent

<b>NOTICE TO PARENTS AND GUARDIANS: ADDITIONS AND CHANGES TO 2017-18 STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES HANDBOOK</b>
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While all enclosed information is relevant to the education of your student, of particular note are the following changes from last year's 2016-17 Student and Parent Rights and Responsibilities Handbook:

1. Change of graduation requirements for former juvenile court students (found on page 7 of this handbook)
2. Addition of excused absence for a student to attend his/her naturalization ceremony (found on page 17 of this handbook)
3. Revised Board Policy No. 9208 (found on page 43 of this handbook)
4. Revised Board Policy/Administrative Regulation No. 9211, along with Exhibit 9211(1) (found on pages 50 and 72, respectively, of this handbook)
5. Revised *Petition for Waiver of Dress and Grooming Compliance, Exhibit 2105-1* (found on page 57 of this handbook)
6. Deletion of language related to parent request for one or more District employees to be trained in administration of anti-seizure medication and deletion of Paragraph 7 in the 2016-17 *Student and Parent Rights and Responsibilities Handbook*, which reflects the change in law.

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*Please note:*

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

*Notice of non-discrimination:*

This school district does not discriminate on the basis of race, color, national origin, sex, age, religion, political affiliation, gender, mental or physical disability, sexual orientation, parental or marital status, or any other basis protected by federal, state, or local law, ordinance or regulation, in its educational program(s) or employment.

*Quick contact reference guide:*

For questions about general student concerns, contact Associate Superintendent Norm Anderson at 559-327-9350. For questions regarding Special Education, contact Administrator for SELPA and Psychology Services Theresa Pafford at 559-327-9400. For questions regarding Section 504, contact Learning Director for the Section 504 Program Wendy Karsevar at 559-327-9385. For questions regarding English Language Development, contact Director of Special Projects Bob Kampf at 559-327-9086. For questions regarding Title IX, contact Associate Superintendent Norm Anderson, the District's Title IX Compliance Officer at 559-327-9350, [normanderson@cusd.com](mailto:normanderson@cusd.com), or 1450 Herndon Ave., Clovis, CA 93611.

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

## A. 2017-18 NOTICE OF PARENTAL RIGHTS

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

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

1. To obtain a copy of the governing board's rules and regulations on student discipline. (Ed. Code § 35291.) Board Policy/Administrative Regulation 2102 – Student Discipline can be accessed in full at [www.cusd.com](http://www.cusd.com).
2. To be informed that you may be required to attend your child's class if he or she is suspended for unruly or disruptive conduct. (Ed. Code §§ 48900.1 and 48914.)
3. To apply for enrollment of your child in a district whose boundaries in which you are employed at least 10 hours per school week; however, the district may have the right to deny the application under certain conditions. (Ed. Code § 48204(b).)
4. To request information about enrollment in alternative schools. (Ed. Code § 58501.) Please see page 13.
5. To excuse a child from school to attend religious exercises or classes upon written notice. Such absences may not exceed four days per month. An excused child must nevertheless maintain his or her attendance at the minimum level of school days required for his or her grade. (Ed. Code § 46014.)
6. To excuse your child from school for justifiable personal reasons upon written notice and approval by the principal or designated representative. Personal reasons may include attendance at a religious retreat, not to exceed four hours per semester, and the observance of a religious holiday or ceremony. (Ed. Code § 48205.)
7. To be informed that the Governing Board, pursuant to section 44808.5 of the Education Code, has decided to permit seniors enrolled at each high school to leave their respective school grounds during the lunch period only. Neither the District nor any officer or employee thereof will be liable for the conduct or safety of any high school student during such time as the student has left the school grounds. (Ed. Code § 44808.5.)
8. To receive the District's written policy on sexual harassment as it relates to students. (Ed. Code §§ 231.5 and 48980(g).) Please see page 26 for the policy.
9. To receive notification of all current statutory attendance options and local attendance options. Parents will receive a written description of all options for meeting residency requirements for school attendance, all programmatic options offered within the local attendance areas, and any special programmatic options available on both an interdistrict and intradistrict basis. The notice will include a description of the procedure for application for alternative attendance areas or programs, an application form for requesting a change of attendance, and a description of the appeals process available, if any, for a parent or guardian denied a change of attendance. (Ed. Code § 48980 (h) and (i).) Please see pages 8-13.
10. To be informed that a student with a temporary disability who is in a hospital or other residential facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent or guardian resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located. Once the parent has notified the district in which the hospital is located of the student's presence in the qualifying hospital, the district has five working days to notify the parent if individualized instruction shall be made available. If the determination is positive, individualized instruction shall commence within five days. (Ed. Code §§ 48206.3, 48207, 48208 and 48980.)
11. To be given at least six months' notice if the District adopts a dress code policy that requires students to wear uniforms. Parents are also entitled to notice of the availability of resources to assist economically disadvantaged students. (Ed. Code § 35183.)
12. To be informed that the District will notify your child's teacher(s), in confidence, if your child has engaged in, or is reasonably suspected to have engaged in, any of the acts described in any of the subdivisions, except subdivision (h), of Education Code § 48900 or in §§ 48900.2, 48900.3, 48900.4, or 48900.7. Also, that the District will notify appropriate staff members of information about your child received from the court or law enforcement agency. The information provided the teacher(s) and staff members will be based on written records that the District maintains or receives from the court or a law enforcement agency regarding your child. (Ed. Code §§ 48267 and 49079.)
13. To be informed that foster children must be allowed to continue their education at their school of origin. When a student's foster student status is terminated by the juvenile court during the school year, former foster students in grades K-8 must be allowed to finish the school year in their school of origin. Former foster students in high school must be allowed to continue attending their schools of origin through graduation. (Ed. Code §§ 48204(a)(2) and 48853.5(e).)

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

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

1. To be informed that school authorities will notify students in grades 7 to 12 that they may be excused from school for the purpose of obtaining confidential medical services without your consent. (Ed. Code § 46010.1.)

2. To be informed that your child must be immunized against certain diseases before being admitted to school, unless you file with the District a written statement by a licensed physician that the physical condition of your child is such that immunization of your child is not considered safe due to medical reasons. Students who have an individualized education program (IEP) will continue to receive all necessary services identified in their IEP regardless of their vaccination status. (Ed.Code § 48216, HSC § 120335, 120370.)
3. To consent to the immunization of your child whenever the immunization of children is permitted at the District. (Ed. Code § 49403.) Additional information, policies or notices will be provided when such activity takes place.
4. To request assistance in administering prescription or over the counter medication to your child during school hours. Such assistance requires your written authorization and written authorization of a physician or surgeon or an order from an authorized physician's assistant detailing the medication name, method, amount, and time schedules for taking the medication. Medication must be in the original container. (Ed. Code §§ 49423 and 48980; 5 Cal. Code Regs. §§ 600-611.)
5. To provide a written statement to the school District allowing your child to carry and self-administer auto-injectable epinephrine and/or inhaled asthma medication. A California board certified physician or surgeon's written statement confirming that your child is able to self-administer the medication and detailing the name of the medication, the method, amount and time schedules for administration must also accompany the request. In the case of auto-injectable epinephrine, a physician's assistant may also provide this written statement. The parent or guardian must also: (1) consent in writing to the self-administration, (2) provide a release for the school nurse or other designated school personnel allowing them to consult with the student's physician and (3) agree to release the District and school personnel from civil liability in the event of an adverse reaction to the medication. These written statements must be provided to the school at least annually or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. (Ed. Code §§ 48980, 49423)
6. To be informed of your obligation to notify appropriate school personnel (e.g., school nurse or designated employee) of your child's continuing medication regimen for a nonepisodic condition. With your consent, the school nurse may communicate with your child's physician and may counsel school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose. (Ed. Code § 49480.)
7. To be informed that site emergency epinephrine auto-injectors are available to school nurses and trained voluntary personnel to be used to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Ed. Code § 49414.)
8. To exempt your child from any physical examination upon your written notification. California mandated screenings for dental, vision and hearing are performed periodically and may be waived also with written notification. However, where there is good reason to believe that your child is suffering from a recognized contagious or infectious disease, your child will be sent home and will not be permitted to return until school authorities are satisfied that any contagious or infectious disease does not exist. (Ed. Code §§ 49451 and 48980.)
9. To purchase insurance for medical and hospital services for your child's injuries while participating in athletic activities since the District does not provide such medical and hospital services. (Ed. Code §§ 49471, 49472 and 48980.)
10. To obtain information and apply for participation in the Free and Reduced Lunch Program offered by the District to provide nutritional meals to needy pupils. (Ed. Code § 49510 et seq.)
11. To be notified of all pesticides the District expects to apply during the year. Please contact the Plant Operations Department at 559-327-9492 if you wish to receive written notification at least 72 hours prior to the application of an individual pesticide at your school. Each school will maintain a list of parents or guardians who want to be notified before individual pesticide applications are made. Prior to the application of any pesticide, the District will post a warning sign at the area to be treated at least 24 hours prior to the pesticide application and such sign will remain posted for at least 72 hours after the application. In the event of an emergency condition, advance notification and prior sign posting may not be feasible, but a warning sign will be posted immediately upon application of the pesticide. For additional information regarding pesticides and pesticide use, please visit the Department of Pesticide Regulation's website at [www.cdpr.ca.gov](http://www.cdpr.ca.gov). (Ed. Code §§ 48980.3 and 17612.) Please refer to the chart on CUSD's planned pesticide use on page 30.

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

1. To be notified of the District's policies concerning student records maintained by the District. (Ed. Code § 49063; 34 Code of Federal Regulations (C.F.R.) Part 99.7.) Please see page 37.
2. To know that your child's right to privacy prohibits the release of confidential information in your child's records to individuals other than yourself, your child (if 16 or older or having completed the 10th grade), or certain authorized individuals. (Ed. Code. §§ 49060 et seq.) Certain entities, such as military recruiters and institutions of higher education, are authorized under federal law to access student directory information unless the parents request in writing that the student's name, address, and telephone number not be released without prior written consent.



Parents' choice to withhold directory information should be indicated on the Pupil Release of Information Card (Green Card) included in annual registration materials and returned to your child's school at the start of each school year. (No Child Left Behind, 20 U.S.C. § 1232g; 20 U.S.C. 7908; 34 C.F.R. § 99.37(a)(3).)

3. To be made aware of the following Homeless Students / Release of Directory Information: Written consent of the parent or that of the student, if accorded parental rights, must be obtained before directory information pertaining to a homeless student may be released. (Ed. Code § 49073(c); 20 USC § 1232g.)
4. To consent to disclosure of personally identifiable information contained in your child's records, except to the extent disclosure without consent is permitted by law (e.g., subpoena, or court order). (Ed. Code § 49076 et seq.)
5. To file a complaint with the United States Department of Health, Education, and Welfare concerning alleged failure by the District to comply with the requirements of the General Education Provisions Act (20 U.S.C. § 1232(e).) To file a complaint with the United States Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. (34 C.F.R. Part 99.7.) The name and address of the office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-4605. (Ed. Code § 49063 (j).)
6. School officials may be authorized to inspect student records if a legitimate educational interest exists and if the official needs to review an educational record in order to fulfill his or her professional responsibilities. A school official is a person employed by the District as an administrator, supervisor, instructor, support staff member (including health or medical staff and law enforcement unit personnel), a person serving on the governing board, a person or company with whom the District has contracted to perform a special task (such as attorney, auditor, consultant, or therapist), or a parent or student serving on an official committee (such as a disciplinary or grievance committee), or assisting another school official in performing his or her tasks. (FERPA, 34 C.F.R. Part 99.7(a)(3)(iii) and 99.31(a)(1); Ed. Code §§ 49063 (d), 49064 and 49076.)
7. The District will forward student records, including suspension and/or expulsion disciplinary records to other schools that have requested the records and in which the student seeks or intends to enroll. (FERPA, 34 C.F.R. Part 99.7 and 99.34(a)(ii).)

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

1. To substantiate your child's moral objection to dissecting, destroying or otherwise harming animals as part of an education project. Teachers of courses utilizing dead animals or animal parts will inform students of their right to object to participate in a particular project involving the harmful or destructive use of animals. Your written note attesting to your child's objection may, at the teacher's option, entitle your child to participation in an alternative education project or to be excused from the project altogether. (Ed. Code § 32255–32255.6.)
2. To have your child with a temporary disability receive individual instruction if attendance at school is impossible or inadvisable and to be informed of your obligation to notify the District of your child's presence in a qualifying hospital. Individual instruction may be provided at your child's home, in a hospital or other residential health facility. (Ed. Code § 48206.3 et seq. and 48208.)
3. To be informed of District programs for students with exceptional needs, including your right to have your child placed in an "appropriate" program, and to be consulted about the assessment and placement of your child. Students with exceptional needs have a right to a free appropriate public education. (Ed. Code § 56000 et seq.)
4. To be informed, in writing, of comprehensive sexual health education and HIV/AIDS prevention education and research on student health behaviors planned for the coming year. To inspect the written and audiovisual education materials used for this instruction and to request a copy of Education Code sections 51930-51939. To be informed whether this instruction will be taught by school District personnel or by outside consultants. To request in writing that your child be excused from all or part of any comprehensive sexual health education/HIV prevention education. This notice does not apply to human reproductive organs that may appear in text books, adopted pursuant to law, if the textbook does not include other elements of comprehensive sexual health education or HIV prevention education. (Ed. Code §§ 51937, 51938, 51939 and 48980.) Additional information, policies or notices will be provided when such activity takes place or before the particular subject is taught.
5. To request in writing that your student be excused from any part of a school's instruction in health which conflicts with your religious training and beliefs. (Ed. Code § 51240.)
6. To be notified and have a conference scheduled when a teacher has determined that your child is in danger of failing a course. (Ed. Code §§ 49063 and 49067.)
7. To have no test, questionnaire, survey or examination which has questions about your or your child's: beliefs and practices in sex, family life, morality, religion, political affiliations or beliefs, illegal, anti-social, self-incriminating, or demeaning behavior, mental or psychological problems, legally recognized privileged relationships (such as lawyer, physician, or minister), critical appraisals of individuals with whom you have close family relationships, or income (except as required by law to determine eligibility for participation in a program or for receiving financial assistance under such program) be administered without prior notification and written permission of the parent or guardian. Parents may inspect all instructional materials, including teacher's manuals, films, tapes or other supplementary material to be used in connection with any survey, analysis or evaluation. (Ed. Code §§ 51513 and 60614; 20 U.S.C.

1232h(a) and (b).)

8. To request a meeting to review instructional materials and discuss the curriculum of your student's course. (Ed. Code §§ 49063(k) and 49091.14 and No Child Left Behind Act, 20 U.S.C.1232h (c) and (d).)
9. To be notified, at least once, in advance of career counseling and course selection commencing with course selection for grade 7 so that you may participate in the counseling sessions and decisions. (Ed. Code § 221.5(d).)
10. To be notified of minimum days or staff development days. There will be two staff development days in the 2017-18 school year – Monday, October 30, 2017, and Monday, January 8, 2018. Students will not attend classes these days. One minimum day, June 8, 2018, has been scheduled for the 2017-18 school year. (Ed. Code § 48980 (c).) Elementary school conference day will be held Friday, October 27, 2017; elementary students will not attend school on this day to allow for parent/teacher conferences while secondary schools will remain in session. Wednesdays have also been designated Elementary Early Release Days for staff development purposes and will continue in the 2017-18 school year. Elementary schools in Clovis Unified School District end 90 minutes early on Elementary Early Release Days. A complete school calendar reflecting all school holidays is available online at [www.cusd.com/parents/calendars.htm](http://www.cusd.com/parents/calendars.htm).
11. Technology/Internet Use – Before anyone may access the Internet through the District, the appropriate orientation and instruction will be required. All users shall sign the District's Technology User Agreement and the Technology User Contract indicating that the user understands and agrees to abide by specified user obligations and responsibilities. Users are to understand that any violations may result in disciplinary action, the revocation of their use privilege and appropriate legal action.
12. To be made aware of the District's Parent Involvement program or policy. (Ed. Code 11500 et seq., 20 USC § 6318(b),(c).)
13. For schools receiving Title I funding, to request information regarding the professional qualifications of your child's teacher or any paraprofessional serving your child. (20 U.S.C. § 6311(h) (6).)
14. To be informed of the availability of state funds to cover the costs of Advanced Placement and International Baccalaureate examination fees. (Ed. Code § 48980 (k).)

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

Information for parents/guardians of students in grades nine through 12 regarding Clovis Unified School District-offered courses that meet the California State University (CSU) and University of California (UC) admission requirements; a list of CSU and UC websites to view high school courses that have been certified by the UC as satisfying admission requirements to CSU and UC; a brief description of Career Technical Education (CTE), a CTE website; and information as to how students may meet with their counselors to get assistance in choosing courses that will meet college admission requirements, enrollment in CTE, or both.

For information regarding college admission requirements, please refer to pages 8 and 9 of the 2017-18 CUSD Course Description Catalog, which is available on the district's website at [www.cusd.com/parent/school-info/course-catalogs/](http://www.cusd.com/parent/school-info/course-catalogs/).

For a list of CUSD-offered courses that meet the CSU and UC admission requirements please refer to pages 17 and 18 of the 2017-18 CUSD Course Description Catalog, which is also available [www.cusd.com/parent/school-info/course-catalogs/](http://www.cusd.com/parent/school-info/course-catalogs/).

In addition, these websites provide valuable information regarding college admission requirements and high school courses that have been certified by the University of California as satisfying California State University and University of California admissions requirements: [www.csumentor.edu](http://www.csumentor.edu) and [www.universityofcalifornia.edu/admissions/](http://www.universityofcalifornia.edu/admissions/)

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

Career Technical Education (CTE) engages all students in a dynamic and seamless learning experience resulting in their mastery of the career and academic knowledge and skills necessary to become productive, contributing members of society. For a list of CUSD Career Pathway courses, please refer to pages 10 to 14 of the 2017-18 CUSD Course Description Catalog. Parents and guardians are encouraged to visit the California Department of Education website for information on Career Technical Education at [www.cde.ca.gov/ci/ct](http://www.cde.ca.gov/ci/ct) and/or call the Secondary, Career and Adult Learning Division of the California Department of Education at 916-327-5055 with questions regarding Career Technical Education. For information regarding the selection of courses that will meet college admission requirements, enrollment in CTE, or both, contact your child's high school counselor. Parents and guardians are also encouraged to contact the Counseling, Student Support and Service-Learning Office of the California Department of Education at 916-323-2183. Annually, CUSD counselors will schedule a meeting with every student in grades 9-12 to review chosen courses of study. Additionally, a student in grades 9-12 may at any time request a meeting with his/her counselor through the high school counseling center.

**F. Miscellaneous.**

1. Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 prohibit discrimination on the basis of race, color, national origin, or sex in federally financed education programs or activities. The District

does not discriminate in admission or access to its programs or activities. Any questions or concerns concerning noncompliance can be directed to your school principal. (20 U.S.C. §§ 1681 (sex and blindness) and 1684, 42 U.S.C. § 2000d (race, color, national origin); 34 C.F.R. §§ 100.3, 100.6, 106.9 (sex).)

2. Discrimination is prohibited in any program which receives state financial assistance on the basis of gender (includes gender identity and expression), age, race (includes ancestry, color, ethnic group identification and ethnic background), national origin, religion (includes all aspects of religious belief, observance and practice), mental or physical disability, genetic information, sexual orientation, or because a person is perceived to have one or more of the above characteristics or because a person associates with a person or group with one or more of these actual or perceived characteristics. Intimidation or bullying based on these actual or perceived characteristics are also prohibited. Complaints may be filed with the Superintendent under the District's Uniform Complaint Procedures (please see page 43). (Ed. Code §§ 200 and 220, Penal Code § 422.55, Government Code § 11135, 5 C.C.R. § 4610(c) and 5 C.C.R. § 4622.)
3. Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibits discrimination against qualified handicapped persons in federally financed education programs or activities. The District does not discriminate in admission or access to its programs or activities. (34 C.F.R. § 104.8; 28 C.F.R. § 35.106.) Please contact CUSD's Section 504 Program Coordinator at 559-327-9379 with any questions.
4. Title 5 of the California Code of Regulations (C.C.R.) requires districts to adopt and provide Uniform Complaint Procedures to assist you with questions regarding your rights. (5 C.C.R. §§ 4622 and 4632.) Please see page 43.
5. Uniform Complaint Procedures – The District maintains a Uniform Complaint Procedure for investigating complaints of: (1) discrimination on the basis of actual or perceived sex, gender, age, ethnic group identification, color, race, national origin, ancestry, religion, mental or physical disability, sexual orientation, or because a person is perceived to have one or more of the above characteristics or because a person associates with a person or group with one or more of these actual or perceived characteristics; and (2) complaints of violations of the laws and regulations governing consolidated categorical aid programs, Adult Education, Migrant Education, Career/Technical Education, Child Care and Development, Special Education, Nutrition services, Federal School Safety Plan requirements, Student Fees, Local Control Accountability Plan compliance, educational rights of homeless and foster youth, assignment of a course without educational content or a course previously satisfactorily completed, reasonable accommodation for lactating pupils, required elementary instructional physical education minutes, graduation requirements for former juvenile court school students, After School Education and Safety, Agriculture Vocational Education, American Indian Centers and Early Childhood Program Assessments, bilingual education, California Peer Assistance and Review Programs for Teachers, compensatory education, Economic Impact Aid, English learner programs, Every Student Succeeds Act/No Child Left Behind (Titles I-VII), Regional Occupational Centers and Programs, State preschool, and Tobacco-Use Prevention Education. CUSD has designated the Associate Superintendent for Human Resources as the Compliance Officer to receive and investigate uniform complaints that fall within these categories and ensure District compliance with law. Any individual, public agency or organization may file a written complaint of noncompliance. Complaints alleging unlawful discrimination shall be initiated not later than six months from the date the alleged discrimination occurred, or the date the complainant first obtained knowledge of the facts of the alleged discrimination. Copies of the complaint form are available from the school or District Office. After filling out the complaint form, it should be directed to the Compliance officer listed above. The Compliance Officer will investigate the complaint and provide a written report of the investigation and decision within sixty (60) calendar days. If dissatisfied with the District's decision, the complainant may also appeal in writing to the California Department of Education (CDE) within 15 days of receiving the District's decision. A complainant may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a state or federal court include, but are not limited to injunctions and restraining orders. In a complaint of unlawful discrimination, complainant may seek civil law remedies no sooner than sixty (60) days from the filing of an appeal with CDE, except that such time limitation does not apply to injunctive relief. Additionally, any individual, public agency or organization may file complaints about specified situations pertaining to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancies or misassignments. Such complaints are subject to a different complaint procedure. A complaint may be filed anonymously, but if complainant wants to receive a written response, complainant will need to provide his or her name and contact information. The complaint shall be filed with the Principal of the school or his or her designee. The Principal or appropriate District official will remedy valid complaints within thirty (30) working days from the date the complaint was received and shall complete a written report within forty-five (45) working days of the initial filing. A complainant not satisfied with the resolution of the Principal or appropriate District official has the right to describe the complaint to the Board during a regularly scheduled hearing. If the complaint involves a condition of a facility that poses an emergency or urgent threat, a complainant who is not satisfied with the resolution proffered by the principal or appropriate District official has the right to file an appeal to the Superintendent of Public Instruction within fifteen (15) days of receiving the District's decision.

Local Control Accountability Plan (LCAP) Noncompliance - school districts, charter schools and county offices of education are required to adopt and annually update their LCAPs. LCAP non-compliance complaints may be filed under the District's Uniform Complaint Procedures and may be filed anonymously. If a complainant is not satisfied with the District's decision, the complainant may appeal to the CDE and receive a written decision within 60 days. (Ed. Code § 52075.)

School Safety Plan Complaints - complaints regarding failing to comply with federal school safety planning requirements may be filed under the District's Uniform Complaint Procedures and may also be filed directly with the CDE. (Ed. Code §§ 32286, 32289; 20 USC § 7114(d)(7).)

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

6. You may request a copy of the School Accountability Report Card which is issued annually for each school of the District. (Ed. Code § 35256.) A copy may also be found on the school's website at [www.cusd.com](http://www.cusd.com).
7. You may request to review the complete updated management plan for asbestos containing material in school buildings. (40 C.F.R. § 763.93.)
8. According to Education Code section 51210(a)(7), the District is required to provide, in the elementary setting, not less than 200 minutes each 10 schooldays, exclusive of recesses and the lunch period, physical education. Any complaints related to the failure of the District to adhere to this requirement may be filed under the District Uniform Complaint Procedures, BP/AR 9208, which is included in this handbook.
9. Rights of Homeless and Foster Youth/Uniform Complaint Procedures. (a) The District's uniform complaint procedures (BP/AR 9208) cover complaints pertaining to the education of homeless students and students in foster care, including, but not limited to, the District's failure to: (1) Allow a foster child to remain in his/her school of origin while resolution of a school placement dispute is pending; (2) Place a foster child in the least restrictive educational programs and provide access to academic resources and services, and extracurricular and enrichment activities available to all students and make educational and school placement decisions based on the best interests of the child; (3) Provide educational services for foster children living in emergency shelters; (4) Designate a staff person as the educational liaison for foster children. The educational liaison must ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of foster children, and assist foster children when transferring from one school or district to another by ensuring the proper transfer of credits, records and grades; (5) Compile and transfer the complete educational record, including full or partial credits earned and the current classes and grades, of a transferring foster child to the next educational placement; (6) Ensure the proper and timely transfer between schools of students in foster care; (7) Within two business days of receipt of a transfer request or notification of enrollment from the new local educational agency, transfer the student and deliver the student's complete educational information and records to the next educational placement; (8) Ensure that no lowering of grades will occur as a result of a foster student's absence due to a change in placement by a court or placing agency, or due to a verified court appearance or related court activity; (9) Within 30 days of a foster and homeless student's transfer, after the completion of the second year of high school, the student must be notified that they may be exempt from local graduation requirements and that this exemption continues after the court's jurisdiction over a foster child ends or when a homeless student is no longer homeless; (10) Accept coursework satisfactorily completed by a homeless student or student in foster care while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency, even if the student did not complete the entire course; and for failing to issue full or partial credit for the coursework completed; (11) School districts may not require that a homeless student or a student in foster care retake a course if the student has satisfactorily completed the entire course in a public school, a juvenile court school, or a nonpublic, nonsectarian school or agency. If the student did not complete the entire course, the school district may not require that the student retake the portion already completed, unless the school district, in consultation with the holder of the student's educational rights, finds that the student is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the student must be enrolled in the same or equivalent course in order to continue and complete the entire course; (12) A student in foster care or a homeless student may not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California; (13) Exempt a homeless student or student in foster care transferring between schools at any time after the completion of his/her second year of high school from all coursework and other requirements adopted by the district's governing board that are in addition to the statewide coursework requirements for graduation found in Education Code section 51225.3, unless the district makes a finding that the student is reasonably able to complete the district's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school; (14) If the school district determines that a student in foster care or a homeless student is reasonably able to complete the district's graduation requirements within the student's fifth

year of high school, the district must do all of the following: (i) inform the student of his/her option to remain in school for a fifth year to complete the school district's graduation requirements; (ii) inform the student, and the person holding the right to make educational decisions for the student, about how remaining in school for a fifth year to complete the school district's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution; (iii) provide information to the student about transfer opportunities available through the California Community Colleges; (iv) upon agreement with an adult student or upon agreement with the person holding the right to make educational decisions for a student under 18 years of age, permit the student to stay in school for a fifth year to complete the school district's graduation requirements; (15) Within 30 calendar days of the school transfer, the school district must notify a student in foster care or a homeless student who may qualify for the exemption from local graduation requirements, the person holding the right to make educational decisions for the student, the foster student's social worker or probation officer, and, in the case of homeless students, the school district's liaison for homeless students, of the availability of the exemption from local graduation requirements and whether the student qualifies for the exemption; (16) If a student in foster care or a homeless student is exempted from local graduation requirements and completes the statewide graduation coursework requirements in Education Code section 51225.3 before the end of his/her fourth year of high school and that student would otherwise be entitled to remain in attendance at the school, the school district may not require or request that the student graduate before the end of his/her fourth year of high school; (17) If a student in foster care or a homeless student is exempted from local graduation requirements, the school district must notify the student and the person holding the right to make educational decisions for the student of how any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and must provide information about transfer opportunities available through the California Community Colleges; (18) A student in foster care or a homeless student who is eligible for the exemption from local graduation requirements and who would otherwise be entitled to remain at the school, shall not be required to accept the exemption or be denied enrollment in, or the ability to complete, courses necessary to attend an institution of higher education, regardless of whether those courses are required for statewide graduation requirements; (19) If a student in foster care or a homeless student is not exempted from local graduation requirements or has previously declined the exemption, the school district must exempt the student at any time if he/she requests and qualifies for the exemption; (20) Once a student in foster care or a homeless student is exempted from local graduation requirements, the school district shall not revoke the exemption; (21) If a student in foster care is exempted from local graduation requirements, the exemption must continue to apply after the termination of the court's jurisdiction over the student while he/she is enrolled in school or if the student transfers to another school or school district; (22) If a homeless student is exempted from local graduation requirements, the exemption must continue to apply after the student is no longer homeless while he/she is enrolled in school or if the student transfers to another school or school district; and (23) A school district may not require or request that a student in foster care or a homeless student transfer schools in order to be exempted from local graduation requirements. (Ed. Code §§48853, 49069.5, 51225.1, 51225.2.)

(b) Complaints alleging violations these certain educational rights of students in foster care and homeless students are now subject to the Uniform Complaint Procedures, BP/AR 9208. A complainant not satisfied with the District's decision may appeal to the CDE and receive a written decision from the CDE within 60 days.

(c) Former Juvenile Court School Student Graduation Requirements. School districts must exempt former juvenile court school students, who have transferred into a school district from a juvenile court school after completion of their second year of high school, from local graduation requirements that exceed state requirements and accept coursework satisfactorily completed while attending the juvenile court school, even if the student did not complete the entire course, and grant full or partial credit for courses earned while in juvenile court school. Former juvenile court school students may file complaints of non-compliance with these requirements under the District's Uniform Complaint Procedures. (Ed. Code § 51225.2)

(d) Homeless Students / Release of Directory Information. Written consent of the parent or that of the student, if accorded parental rights, must be obtained before directory information pertaining to a homeless student may be released. (Ed. Code §49073(c) and 20 USC §1232g.)”

## B. ATTENDANCE & PROGRAMS

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

### Board Policy/Administrative Regulation No. 2208, Exhibit No. 2208 (3)

#### Board Policy

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

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

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

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

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

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

Authorization or approval by the District of an open enrollment transfer of students entering grades 7-12 does not result in the student obtaining open enrollment or intradistrict transfer eligibility for District interscholastic athletics. Following a student's open enrollment intradistrict transfer into a new District school, the determination of the student's open enrollment intradistrict transfer eligibility for interscholastic athletics will be based upon the requirements, standards and guidelines set forth in Board Policy No. 2505 and Administrative Regulation No. 2505.

Any parent/guardian wishing to obtain a transfer under the sibling rule (Board Policy No. 5106) must follow the open enrollment requirements. Students who are granted and accept an open enrollment transfer under the sibling rule may be granted athletic eligibility as a hardship based on California Interscholastic Federation (CIF) Central Section Bylaw 208 – Hardship Waivers, District Board Policy No. 2505, and Administrative Regulation No. 2505.

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

Such regulations shall include:

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

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

(Revised: 1/14/15)

#### Administrative Regulation

**PURPOSE:** Open Enrollment Transfer Applications are available at all comprehensive (non-alternative education) schools, the Office of Student Services and School Attendance (SSSA) and at [www.cusd.com](http://www.cusd.com) for those parents/guardians who desire to transfer their child(ren) to a school other than the school of residence. Open enrollment transfers are available only to students whose home dwelling is located within the District's boundaries. As required by the California Education Code, parents/guardians cannot use the open enrollment transfer process for a transitional kindergartner or kindergarten child but must use the intradistrict transfer process for their child's kindergarten year. An open enrollment transfer may be requested for students enrolled in first through 12th grade.

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

Authorization or approval by the District of a student's open enrollment transfer does not result in the student obtaining eligibility for District interscholastic athletics. Following a student's open enrollment transfer into a new District school, the determination of the student's eligibility for interscholastic athletics will be based upon the requirements, standards and guidelines set forth in Board Policy No. 2505 and Administrative Regulation No. 2505.

##### A. Applications

Parents/guardians must submit the Open Enrollment Transfer Application to a comprehensive school site or SSSA, between the first day of school and November 1 of the school year preceding the school year of desired attendance.

##### B. Review Process

1. School sites keep copies and will forward all original Open Enrollment applications to SSSA on a regular basis during the Open Enrollment window.
2. SSSA will enter all open enrollment applications into a web-based management program. School sites will have to view applications on the web-based management program.

3. SSSA will be responsible for evaluating whether approval of the Open Enrollment will (a) create a negative impact on the requested school due to a documented school safety issue; and/or (b) not be possible due to a specific program limitation. Applications that meet these criteria will be denied.
4. Remaining applications will be reviewed by SSSA, and applications will be approved or denied according to the following criteria and procedures:
  - a. Capacity for the school site. The Superintendent or designee shall determine annually the capacity of each district school. This determination of school site capacity shall be based on nonarbitrary data-driven factors relating to pupil enrollment and available school site space, including permanent and portable classrooms at each school site that can be supported by the on-site infrastructure (restrooms, multi-purpose rooms, library media center, etc.) as defined in Board Policy No. 5105 – School Capacity Parameters.
  - b. The total number of requests to enter and exit each site by grade level.
  - c. Placement of students at the new sites:
    - 1) Place students until capacity is reached. (The Facilities Department will submit approved enrollment projections.) Students who are residents and currently attend the school of request will not be displaced for an open enrollment student.
    - 2) If requests exceed capacity at a given grade level, the requests will be placed in a randomized lottery.
    - 3) Lottery students are placed as openings occur by SSSA.
    - 4) The lottery process will not evaluate the academics or athletic performance of the applicant.
  - d. Intradistrict and interdistrict transfer students are not placed ahead of open enrollment students, unless placement is mandated by the Education Code.

C. Notification of Approval or Denial of Open Enrollment Transfer Application

1. Open Enrollment Transfer Application Approved

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

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

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

Once a student is approved for open enrollment, the student becomes a resident of that school and the date of approval will be treated as the enrollment date of that student. Students will follow the enrollment track (elementary, intermediate school, high school) of the school for which they received approval through the 12th grade.

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

Open enrollment students are subject to capping and busing. For capping and busing purposes, the approval date of the Open Enrollment Transfer Application is considered the enrollment date or the date of the student's initial enrollment at the school, whichever came first.

2. Open Enrollment Transfer Application Denied/Waitlisted

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

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

D. School Capacity - For purposes of this regulation for each school in the District is as listed on Exhibit No. 2208 (5). Area Assistant Superintendents will review school capacity numbers to determine if and/or when the capacity numbers need to be broken down by grade level for processing purposes.

E. Specialized Programs and Classes

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

When an applicant requires a specialized program or class not available at the requested school of attendance or does not qualify for admission to such school, program or class, the request shall be denied. If a specialized program or class is at capacity as defined by the program director, applicants will be placed on a randomized waitlist.

F. Once approved, Open Enrollment Transfers remain in effect until:

1. The end of the child's twelfth grade year;
2. The student's home residence changes/moves out of the high school attendance area they resided in when the Open Enrollment was approved;
3. Another Open Enrollment or Intradistrict transfer is approved;
4. The student disenrolls/drops, either involuntarily or voluntarily, from Clovis Unified School District, and/or the approved school;
5. The student's educational program requires a specialized program that is not offered or available at their requested site;
6. The specialized program required for the student becomes impacted or is moved to another site;
7. The student was approved while eligible for a specialized program and no longer requires that program;
8. If the initially approved enrollment track changes due to secondary school boundary shifts, a student must apply for a new transfer if they wish to continue on the originally designated secondary enrollment track. The enrollment track is defined by the approved boundaries in place at the time of transition to an intermediate or high school.

9. In the case of elementary boundary changes, approved open enrollment students attending or living in an affected area may need to reapply at the district's discretion.

(Revised: 1/14/15)

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

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

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

No, there must be capacity available at the requested school. Selection procedures for any school that receives applications for admission in excess of the capacity of the school will guarantee that the selection of students approved to enroll in the school is made through a random, unbiased process that prohibits an evaluation of whether any student should be enrolled based upon the student's academic or athletic performance, and to insure that no student who currently resides in the attendance area of a school who has siblings attending that school or is currently attending the school on the basis of an approved open enrollment transfer shall be displaced by students transferring from outside that school's attendance area.

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

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

A student whose legal residence is within Board established attendance boundaries of a school has an entitlement and shall have the opportunity to attend that school and shall not be displaced by the attendance of a student not residing within that school's attendance boundary.

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

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

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

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

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

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

**5. *Are Special Education students eligible to apply for an open enrollment transfer?***

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

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

Barring approval of a new transfer, changes in school boundaries, student enrollment, residency changes, or specialized program needs, open enrollments are valid through the 12<sup>th</sup> grade.

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

Open Enrollment Transfer Applications will be available at school sites and in the Office of Student Services and School Attendance (SSSA) or at [cusd.com](http://cusd.com) on the first day of school of the preceding school year. Applications must be completed and returned to SSSA or any comprehensive (non-alternative education) school site by November 1 prior to the year of requested attendance.

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

Parents/guardians will be notified on or about March 1, preceding the start of the school year for which the transfer is to be effective, if the application has been approved, waitlisted, or denied. If denied, the reason for denial will be given.

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

Authorization or approval by the District of a student's open enrollment transfer does not result in the student obtaining eligibility for District interscholastic athletics. Following a student's open enrollment transfer into a new District school, the determination of the student's eligibility for interscholastic athletics will be based upon the requirements, standards and guidelines set forth in Board Policy No. 2505 and Administrative Regulation No. 2505.

(Revised: 1/14/15)



**Board Policy**

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

Notwithstanding Board Policy Nos. 2202 and 2208, the Board recognizes that students and families have unique needs deserving special consideration and authorizes the Superintendent, or the Director of Student Services and School Attendance, to establish procedures and regulations providing for the attendance of students who reside within the Clovis Unified School District in schools other than in the school determined by the residence of the student.

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

The Superintendent or designee shall determine annually the capacity of each district school. This determination of school site capacity shall be based on nonarbitrary data-driven factors relating to pupil enrollment and available school site space, including permanent and portable classrooms at each school site that can be supported by the on-site infrastructure (restrooms, multi-purpose rooms, library media center, etc.) as defined in Board Policy 5105 – School Capacity Parameters.

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

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

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

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

All requests for transfers must be submitted in writing and signed by the parent/guardian. Transfers may be approved only until the next open enrollment period opens and the preceding school year begins. Attendance the following school year is subject to Board Policy Nos. 2202 and 2208.

Authorization or approval by the District of a student's intradistrict transfer does not result in the student obtaining eligibility for District interscholastic athletics. Following a student's intradistrict transfer into a new District school, the determination of the student's eligibility for interscholastic athletics will be based upon the requirements, standards and guidelines set forth in Board Policy No. 2505 and Administrative Regulation No. 2505.

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

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

*(Revised: 11/16/11)*

**Administrative Regulation**

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

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

1. All intradistrict transfers will be issued pursuant to provisions of the California Education Code.

Intradistrict Transfer Applications shall be submitted in writing and signed by the parent or guardian.

A student shall be deemed a current resident of the attendance area of the receiving school for one school year when the intradistrict transfer is approved by the Office of SSSA. Once an intradistrict transfer is approved, the student no longer has residential rights to their home school and may not return to that school without approval by the Office of SSSA.

Approval for all Intradistrict Transfer Applications is subject to space availability at the receiving school. A student not a resident in the attendance area of the receiving school shall not attend said school at the expense of a student who currently resides within that school's attendance area or has established residency through employment or has been approved for an open enrollment transfer.

(See Board Policy Nos. 2202 and 2208.)

For the purpose of capping and busing, the approval date of the transfer will be used as the student's enrollment date.

Intradistrict transfers are deemed justifiable when the request is based upon:

Provisions for childcare during non-school hours

Physiological or psychological reasons verified by a physician

Previous attendance

Moving within the attendance area of the requested school, when verified by third party documentation or affidavits

Family continuity

Other reasons pertaining to unique student or family welfare, or curriculum needs

Intradistrict transfers shall be denied, when:

a. The requested grade and site does not have capacity

- c. There is a documented safety concern
- d. Approval would require the addition of a special program, service, or class
- e. Approval would displace a student who is a current resident of the attendance area, or who is currently attending the school of requested attendance
- f. Approval would result in a foreseeable displacement of a current resident student
- g. Reason for the transfer request does not meet Governing Board criteria

Authorization or approval by the District of a student's intradistrict transfer does not result in the student obtaining eligibility for District interscholastic athletics. Following a student's intradistrict transfer into a new District school, the determination of the student's eligibility for interscholastic athletics will be based upon the requirements, standards and guidelines set forth in Board Policy No. 2505 and Administrative Regulation No. 2505.

Any appeals regarding the denial of an Intradistrict Transfer Application must be submitted to the Office of SSSA for final determination. A change of residence by a student, other than the moving of the parents or legal guardian, requires an affidavit of transfer of custody or a court order, or public agency placement to constitute a change of residence.

Where a transfer is requested due to a change of residence out of the requested school's attendance area, the student may be permitted to remain in the requested school for the balance of the year in which the change of residence occurs. Requests for the student to continue are subject to annual review.

All transfers are subject to the student maintaining proper attendance, deportment, and academic achievement and are subject to termination at any time conditions may warrant as determined by SSSA.

Intradistrict transfers are valid for the remainder of the current year and may not be renewed. To obtain long term attendance or school residency at the school of choice, parents must use the Open Enrollment Transfer Application process. (See Board Policy No. 2208.) In the event of an attendance boundary change, the District may authorize a Priority Intradistrict Transfer window in order to support the needs of the community. Consideration will be given to students requesting an intradistrict transfer in order to allow them to continue attending their current school site or to remain within their current attendance area. The District may define qualifying conditions regarding transportation, space availability, specific groups of students, and/or other parameters as needed.

*(Amended: 11/17/15)*

<b>INTERDISTRICT TRANSFERS DURING THE SCHOOL YEAR</b>	<b>Board Policy/Administrative Regulation No. 2210</b>
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**Board Policy**

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

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

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

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

Approval of an Interdistrict Transfer Attendance Permit shall be subject to capacity as defined in Board Policy 5105 – School Capacity at the receiving school. A student, not a resident of the District, shall not attend a school in the District at the expense of a student who resides within the District.

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

The parent/guardian is responsible for providing transportation for the student to and from the requested school of attendance. All requests for transfers must be submitted in writing and signed by the parent/guardian. Transfers are to be approved for one school year, and must be renewed annually unless otherwise provided.

Authorization or approval by the District of a student's interdistrict transfer does not result in the student obtaining interdistrict transfer eligibility for District interscholastic athletics. Following a student's interdistrict transfer into a District school, the determination of the student's interdistrict transfer eligibility for interscholastic athletics will be based upon the requirements, standards and guidelines set forth in Board Policy No. 2505 and Administrative Regulation No. 2505.

Parents/guardians wishing a review and/or an appeal of an interdistrict transfer decision will present such request to the Fresno County Board of Education within 30 calendar days of the failure or refusal to issue a permit for final determination.

*(Revised 6/13/12)*

**Administrative Regulation**

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

- A. All interdistrict transfers will be issued pursuant to provisions of the California Education Code.
- B. Student and family welfare will be the basic criteria for interdistrict transfers, when such attendance does not adversely affect the attendance of resident students.
- C. Interdistrict Transfer Attendance Permits will be initiated through the district of residence of the parents/guardians.
- D. Families may request a particular school site but SSSA will make the final determination as to which school site the student may enroll based on the following criteria:

1. Interdistrict transfers are deemed justifiable when the request is based upon:
    - a) Provisions for childcare during non-school hours (K-12)
    - b) Physiological or psychological reasons verified by a physician
    - c) Previous attendance
    - d) Moving to the District, when verified by third party documentation or affidavits
    - e) Family continuity
    - f) Other reasons pertaining to unique student or family welfare, or curriculum needs
  2. Interdistrict transfers are deemed unjustifiable and shall be denied, when approval would:
    - a) Displace a student who is a resident of the District, or a student who is currently attending the requested school
    - b) Require the addition of a special program, service, or class
    - c) Result in a foreseeable student safety concern
- E. All requests for interdistrict transfers must be submitted in writing and signed by the parent/guardian
- F. Students who have been determined by personnel of either the district of residence or the district of proposed enrollment to have been the victim of an act of bullying as defined in Education Code section 48900, subd. (r), at the request of a parent/guardian, shall be given priority by the Director of SSSA for interdistrict transfer under any existing interdistrict agreement. In the absence of an agreement, a student determined to have been the victim of an act of bullying as defined in Education Code section 48900, subd. (r), shall be given additional consideration for the creation of an interdistrict attendance agreement.
- G. The Director of SSSA, at the request of a parent/guardian, shall give priority for interdistrict transfer under any existing interdistrict agreement to students who have been determined by personnel of either the district of residence or the district of proposed enrollment to have been the victim of an act of bullying, as defined in Education Code §48900, subd.(r). In the absence of an agreement, the student shall be given additional consideration for the creation of an interdistrict attendance agreement.
- H. Transfers may be approved only for the balance of the school year. Attendance the following school year is subject to Board Policy No. 2202, or a renewal under this policy. However, existing interdistrict transfer permits shall not be rescinded for students entering grade 11 or 12 in the subsequent school year.
- I. The parent/guardian is responsible for providing transportation for the student to and from the requested school of attendance.
- J. Interdistrict transfer students are eligible for capping and busing. For capping and busing purposes, the transfer approval date will be considered the date of enrollment.
- K. Authorization or approval by the District of a student's interdistrict transfer does not result in the student obtaining interdistrict transfer eligibility for District interscholastic athletics. Following a student's interdistrict transfer into a District school, the determination of the student's interdistrict transfer eligibility for interscholastic athletics will be based upon the requirements, standards and guidelines set forth in Board Policy No. 2505 and Administrative Regulation No. 2505.
- L. Any appeals regarding the denial of an Interdistrict Attendance Permit must be submitted to the Fresno County Board of Education within 30 calendar days of the failure or refusal to issue a permit.

*(Revised: 6/13/12)*

<b>NOTICE OF ALTERNATIVE SCHOOLS</b>	<b>ED. CODE § 58501</b>
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California state law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

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

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

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

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

<b>CLOVIS COMMUNITY DAY SCHOOLS</b>	<b>ED. CODE § 48660-48667</b>
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Clovis Community Day Elementary (Grades 4-6) and Clovis Community Day Secondary (7-12) schools will serve special "at-risk" students that have not been successful in a comprehensive school setting and are unable to benefit from on-site intervention programs. Many of these students exhibit an array of behavior problems and need intensive assistance in their psychological, social, and academic development. Some of these students may have learning disabilities, either diagnosed or undiagnosed, that require specific learning strategies. Comprehensive Elementary or Intermediate schools that refer students to this program must first demonstrate that they have exhausted on-site and other District resources and programs to successfully improve the student's behavior. Clovis Community Day Schools' responsibility is to provide emotional support, academic instruction, and behavioral skill-building for every student.

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

more of the following conditions:

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

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

- a. low student-teacher ratio;
- b. individualized instruction and assessment;
- c. maximum collaboration with school District support service providers, including, but not limited to, Healthy Start, vocational, academic and pupil discipline counselors, psychologists, nursing, and special education; and
- d. school District cooperation from law enforcement, probation, and private sector human service agency personnel who work with at-risk youth.

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

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

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

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

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

## **SCHOOL ACCOUNTABILITY REPORT CARD**

**ED. CODE § 35256(c)**

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

*(Enacted: 1988; revised 2007)*

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

### Special Education under the Individuals with Disability Education Improvement Act (IDEA)

The Individuals with Disability Education Improvement Act is a federal law, which provides for eligibility and special education services for certain disabled students, who qualify for eligibility under the Act. Students eligible for special education services under the IDEA have a right to a free, appropriate public education (FAPE). Clovis Unified School District provides a wide range of services to meet the needs of disabled students, who are eligible for special education services under the IDEA. Many of these special education services can be provided for eligible students at local schools in collaboration with our general education programs. However, some services and programs are only available at specified schools throughout the District, therefore an eligible student may require enrollment at a designated site, in order to receive a FAPE. If you suspect that your child is disabled and needs special education under the IDEA, you should contact your child's teacher regarding your concerns and request a referral to a student study team (SST) or an assessment to determine whether your child is eligible for special education services under the IDEA. After obtaining parent consent to assessment, qualified staff will conduct an assessment in all areas of suspected disability, to determine eligibility for special education IDEA. An individualized education program (IEP) team, including parents, will meet to review the assessment information and determine special education eligibility, under the IDEA. If your child is deemed eligible for special education under IDEA, the IEP team shall develop appropriate goals and determine appropriate placement and services for your child, and will review the IEP for your child, at least annually. Should you have any questions regarding special education services under the IDEA, you may contact the Special Education and Psychological Services Department at 559-327-9400.

### Section 504

Section 504 of the Rehabilitation Act of 1973 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance. Section 504 regulations require a school district to provide a free appropriate public education (FAPE) to each qualified student with a disability. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met. If you suspect that your child has a disability (e.g. learning disability, chronic health problems, attention deficit/hyperactivity disorder) which may substantially limit a major life activity, you may request that your child be evaluated for eligibility

under Section 504. A qualified educational team will evaluate your child to determine if he/she qualifies under Section 504. The Section 504 team shall be comprised of a group knowledgeable about your child, to include but not be limited to your school site Section 504 Coordinator, your child's teacher, other knowledgeable individuals, and parent(s) of the child. If your child is deemed eligible for a Section 504 plan, a plan will be developed and will be reviewed annually. For transfer students with a current Section 504 plan: an educational team will review the plan upon transfer, and determine whether to continue the plan until the next annual review or to schedule a meeting, which will include the parent, to recommend revisions to the Section 504 plan. For more information, feel free to contact your child's teacher, the school site Section 504 Coordinator, or the District's Section 504 Coordinator at 559-327-9385.

## **CUSD CATEGORICAL FUNDED PROGRAM INFORMATION**

*"Children Are Our Most Precious Resource"*

On an annual basis, Clovis Unified School District (CUSD) submits the Application for Funding Consolidated Categorical Aid Programs commonly called the Con Ap. The application is submitted in two (2) parts: Part I, which contains program and demographic information, is submitted by June 1 each year; and Part II, which contains the budget information and additional program data, is submitted by January 31 each year. The categorical programs included in the application are Title I, Part A – Improving the Academic Achievement of the Disadvantaged; Title I, Part C – Migrant Education; Title II, Part A – Preparing, Training and Recruiting High Quality Teachers and Principals; and Title III – Language Instruction for Limited English Proficient and Immigrant Students. Essentially, these funds are designed to assist students in mastering state standards.

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

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

**School Site Council (SSC)**  
**English Language Advisory Committee (ELAC)**  
**District Advisory Committee (DAC) and School Advisory Committee (SAC)**  
**District English Learner Advisory Committee (DELAC)**  
**District Migrant Education Parent Advisory Committee (DMEPAC)**  
**District Indian Education Parent Advisory Committee (IPAC)**  
**School- and District-level School Assessment Review Team (SART)**  
**Intercultural and Diversity Advisory Council (IDAC)**  
**Local Control Accountability Plan Public Forums (LCAP)**

We encourage all parents and guardians to become involved with their child's education at the classroom level, the school-wide level and the district level. Each school's Single Plan for Student Achievement (SPSA) describes the school's basic educational program and the categorical supplementary programs/services that are designed to support student achievement of each and every student. Parental involvement is a necessary and vital part of developing the SPSA as well as our overall program. At the district level, parent committees provide input into each site's SPSA and to the District's Local Education Agency Plan (LEAP). If you would like additional information on any of the District parent councils or committees, please call your child's school – the Principal, Learning Director or Guidance Instructional Specialist (GIS) would be happy to assist you – or go to [www.cusd.com/supplementalservices](http://www.cusd.com/supplementalservices). These two school committees meet on a quarterly basis. The committees are comprised of administration, staff and parents. Students are also involved at the secondary level.

Listed below are several parent committees that assist with categorical programs and funding. For more information, please call your school or go to [www.cusd.com/supplementalservices](http://www.cusd.com/supplementalservices).

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

**District Advisory Committee (DAC) & School Advisory Committee (SAC)**: The entirety of the SSC acts as the SAC. The SAC serves as an advisory committee for the purpose of advising schools regarding supplemental education programs and acting as a liaison for their school community. They serve to share information and comments both at the district and site level. These education programs are supplemental education opportunities provided to students who are disadvantaged, English Learners, Foster Youth and/or at-risk. The SSC has approved to designate our SSC pursuant to California Education Code (EC) Section 52852 to function as the School Advisory Committee.

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

**District English Language Advisory Committee (DELAC)**: Whenever there are 51 or more EL students in the district, there shall be a functioning District English Learner Advisory Committee (DELAC). It is important that each school site ELAC elect a DELAC representative and arrange to have that representative attend every DELAC meeting. Currently the DELAC bylaws require each DELAC representative to be 1) a parent/guardian of an EL or former EL (i.e., a reclassified fluent English proficient student) currently enrolled at the site he/she represents, and 2) elected to serve as the DELAC representative by the site ELAC.

**District Indian Education Parent Advisory Committee (IPAC)**: The CUSD Native American Indian Education Parent Advisory Committee meets four times a year to discuss program issues, services provided, and other needs related to the student achievement of our students,

community agencies and outreach programs. CUSD Indian Education Program addresses the needs of American Indian and Alaskan Native students in grades Kindergarten – grade twelve. The program assists eligible students to achieve at the same challenging state performance standards expected of all students in grades pre-K -12.

**Local Control Accountability Plan (LCAP) Forums:** CUSD develops an LCAP annually that works to better align the academic plan with the district expenditure plan that is approved by our CUSD Governing Board each June. Parents and other stakeholder groups are invited to participate in the development of the LCAP through participation of school and district committee meetings and community forums. LCAP School, District Meetings and Community Forums are exciting opportunities for all stakeholders and school committees to engage with the District and share their ideas on how CUSD can provide quality opportunities and support for CUSD youth and schools. Community participation and feedback in the forums will inform the District's LCAP's funding priorities over the next several years.

These forums are designed to provide an opportunity for school communities to hear about CUSD's current efforts to support youth and families and to provide input and feedback on future plans and opportunities. Sites also have an opportunity to work together in teams to share new ideas to support identified groups and to plan for site engagement and implementation.

**The following is an overview of the categorical funding and programs in CUSD. These funds are further discussed and outlined in each school's SPSA and at the committee meetings.**

#### **Rationale**

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

#### **Philosophy**

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

#### **Categorical Program Descriptions**

1. **After School Safety and Education Funds (ASES)** – This state funded and administered program provides three year grant funding to establish or expand after school programs that provide students with academic support and intervention, enrichment opportunities and supportive services to help the students meet state and local standards in core content areas. The purpose of the ASES program is to create additional educational and recreational opportunities for students within the learning community while providing a safe environment for students. The goals of this program are to: 1) improve academic achievement, and 2) provide enrichment opportunities that reinforce and complement the academic program.
2. **Title I, Part A (Improving the Academic Achievement of the Disadvantaged)** – A federally funded program to provide high-quality opportunities for students in high-poverty schools to meet district and state content and performance standards.
3. **Title I, Part A, Title X, Part C, Education for Homeless Children and Youths:** Funds provide comparable services to homeless children that assist them to effectively take advantage of educational opportunities as provided to children in schools funded under Title I, Part A. These comparable services shall be provided to homeless children in public and private schools, shelters and other locations where children may live, institutions for neglected children and, where appropriate, local institutions such as local community day school programs. This reservation requirement is not formula driven.
4. **Title I, Part C (Migrant Education Program)** – A federally funded program focused on providing services for migratory students and their families.
5. **Title II, Part A (Preparing, Training and Recruiting High Quality Teachers and Principals)** – A federally funded program focused on teacher and principal training and recruitment programs.
6. **Title III (Language Instruction for English Learners (ELs) and Immigrants)** – A federally funded program focused on assisting school districts in teaching English to limited English proficient students (English Learners) and immigrants and helping these students meet the same challenging state standards required of all other students.
7. **Title VII (Indian Education Formula Grant)** – A federally funded program focused on helping Native American/Alaskan Native students meet the same challenging state standards required of all other students.

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

If you have any questions, please call your child's school or the CUSD Department of Supplemental Services at 327-9086. Additional information may be found at [www.cusd.com/supplementalservices](http://www.cusd.com/supplementalservices).

### **CHILD DEVELOPMENT INFORMATION**

The Clovis Unified School District's Child Development Department provides programs that offer academic enrichment and childcare. The programs include but are not limited to:

- **Campus Club:** A year-round, fee-based before- and after-school childcare and enrichment program for grades K-6 offered at most District elementary school sites. For information regarding Campus Club programs, contact 559-327-9160.
- **State-Funded and Fee-Based Preschool Enrichment Program:** An early enrichment, kindergarten-readiness program for 3- and 4-year-old children of fee-based or income-eligible families. For Preschool information, contact: 559-327-9180.
- **Youth Parent Program:** the Youth Parent childcare center is located at Gateway High School. All CUSD students who are pregnant or parenting teens may request services. For information regarding the District's Youth Parent Program, contact 559-327-9186.

Child Development programs exist for the purpose of serving the District's mission of promoting, nurturing, supporting and enhancing all areas of a child's development. Basic to this purpose is the assumption that all children are individuals of equal worth and value, who come to us at their own developmental levels and bring with them a unique mixture of family background, language, culture, personality and learning styles. The department continually seeks ways to accommodate the unique needs of our diverse populations and serves as a bridge between home and school. Activities provide a balance of educational, social and recreational opportunities that are specifically designed for the children attending. The environment and activities are conducive to children learning in a fun and meaningful way. Our programs provide a safe and structured atmosphere providing an informal environment where individual choice and program flexibility respond to each child's emerging needs and interests. The Child Development Department is located in the District Services Building at 1735 David E. Cook Way, Clovis, CA.

## C. ABSENCES

### EXCUSED ABSENCES

ED. CODE § 48205

Excused absences; average daily attendance computation.

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

1. Due to his or her illness.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
4. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
5. For the purpose of jury duty in the manner provided for by law.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
7. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the Governing Board.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with an immediate family member who is an active duty member of the uniformed services, as defined in Education Code section 49701, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the Superintendent.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.

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

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

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

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

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

Note: Compulsory Education: Except when attendance is excused for justifiable personal reasons, pupils between the ages of 6 and 18 years are required by law to attend school and parents must compel their children to do so. (Ed. Code § 48200)

(Amended by the state in 2007)

### CLEARING ABSENCES

Administrative Regulation No. 2207, Section D

In order for the District to clear a student's absence, the parent/guardian or student, if age 18 or older, must provide the site with a reason for the absence. The parent/guardian or student, if age 18 or older, should contact the school site's attendance office on the day(s) of the student's absence(s) or upon the day of the student's return but no later than five days of the student's return from an absence.

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

*(Amended: 2/25/09)*

## **D. DISCIPLINE RULES**

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

### **STUDENT CELL PHONE USAGE**

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

### **BULLYING**

### **Board Policy/Administrative Regulation No. 2116**

#### **Board Policy**

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

The Board declares that it is the District's policy to prohibit discrimination, harassment, intimidation and bullying based on actual or perceived characteristics described in Penal Code section 422.55, Education Code section 220, or association with a person or group with one or more of these actual or perceived characteristics. This policy applies to all acts related to school activity or school attendance occurring within a school under the jurisdiction of the District Superintendent. The Board hereby authorizes the Superintendent to establish procedures in keeping with this policy that will ensure that students are free from discrimination, harassment, intimidation and bullying.

The Board further authorizes the Superintendent to provide a mechanism for receiving and investigating complaints of discrimination, harassment, intimidation and bullying based on actual or perceived characteristics described in Penal Code section 422.55, Education Code section 220, or association with a person or group with one or more of these actual or perceived characteristics. Said complaint process must:

1. Require all school personnel who witness an act of discrimination, harassment, intimidation, or bullying, to take immediate steps to intervene when safe to do so.
2. Set forth a timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by all schools under the jurisdiction of the District.
3. Include an appeal process afforded to the complainant should he or she disagree with the resolution of a complaint filed pursuant to this policy.

All forms developed pursuant to the complaint process shall be translated in keeping with Education Code section 48985. All individuals making a complaint alleging discrimination, harassment, intimidation, or bullying pursuant to this policy shall be protected from retaliation and have their identity remain confidential, as appropriate.

The Board directs the Superintendent to publicize the District's bullying policy, including a description of how to file a complaint, and to ensure that the policy is posted in school offices, schools, staff lounges and student government meeting rooms.

The Board identifies the Associate Superintendent, School Leadership as the responsible District employee for ensuring compliance with this policy.

This policy shall not be construed to limit pupil rights to free speech as protected by the United State Constitution, the California Constitution, or other applicable law.

The Board has also adopted Board Policy No. 2108, regarding nondiscrimination, and Board Policy No. 2111, regarding sexual harassment.

*(Adopted: 6/13/12)*

#### **Administrative Regulation**

**PURPOSE:** In accordance with Board Policy No. 2116 prohibiting bullying, the purpose of this administrative regulation is to provide procedures to process complaints of bullying, to investigate such complaints, to prohibit retaliation against victims of bullying, and to work toward the prevention of bullying.

#### **Bullying Defined**

Bullying, as defined by Education Code section 48900, subd. (r)(1), is 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 Education Code sections 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 a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

For these purposes, an "electronic act" means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

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

#### Discipline for Bullying

Any student who engages in bullying of another student related to a school activity or during school attendance within a school under the jurisdiction of the District Superintendent, or in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, whether on or off campus, may be subject to discipline, which may include suspension or expulsion, in accordance with District policies and regulations.

#### Retaliation Prohibited

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

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

#### Confidentiality

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

#### Notice to Students

Each site administrator or designee shall post a public notice, in the form of the Uniform Complaint Procedure Statement, in all school offices, schools, staff lounges and student government meeting rooms.

#### Responsible District Officer

Subject to the authority of the Governing Board and the Superintendent, the Associate Superintendent, School Leadership shall be responsible for overall implementation of policies and regulations prohibiting bullying. The site administrator, or designee, will conduct the investigation into formal complaints of bullying. The Associate Superintendent, School Leadership shall ensure that this policy and regulation is appropriately distributed to employees and students, and, with the consent of the Superintendent, may initiate training and education programs as appropriate to enable employees and students to better understand the problems and consequences of bullying.

#### Interdistrict Transfer

As set forth more fully in Administrative Regulation No. 2210, at the request of a parent/guardian, students who have been determined by school personnel to have been the victim of an act of bullying shall be given certain priority and/or consideration with regard to an interdistrict transfer agreement.

#### Intervention and Complaint Process

All school personnel who witness an act of discrimination, harassment, intimidation, or bullying, shall take immediate steps to intervene when safe to do so.

Students who witness an act of discrimination, harassment, intimidation, or bullying, or who suspect that another student is a victim of such acts, are encouraged to notify school staff. When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify staff of the same.

When a student is reported to be engaging in bullying off campus, the site administrator of the school the student attends, or designee, investigating the complaint may document the activity and shall identify specific facts or circumstances that explain any impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

Students who feel aggrieved because of conduct that may constitute bullying are encouraged, but not required, to directly inform the person engaging in such conduct that such conduct is unwelcome or offensive and should stop. However, if a direct discussion is

uncomfortable or otherwise deemed inappropriate or dangerous by the individual aggrieved because of alleged bullying, then the individual aggrieved should file a complaint as described below, and the following steps shall be taken:

## A. COMPLAINT PROCESS

### 1. Informal Complaint

The purpose of the informal complaint process is to allow an individual, who believes he or she has been bullied, to resolve the issue through a consultation process rather than the formal complaint process provided by this Regulation. This is an optional step. Pursuant to the Complaint Process Flow Chart (Section D), and if acceptable to the complainant, an informal complaint is initiated within five (5) business days of the alleged occurrence by discussing the incident or matter with the site administrator, or designee. The site administrator, or designee, will use his or her best efforts to resolve an informal complaint within seven (7) business days.

2. If the complaint cannot be resolved at the informal level, or if the complainant rejects the informal complaint process or resolution, the complainant may file a formal complaint which shall be investigated and resolved in accordance with law and the District's Uniform Complaint Procedures specified in Board Policy and Administrative Regulation 9208.

### Relationship to other Enforcement Mechanisms

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

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

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

(Revised: 7/22/15)

**Please note:** All board policies, administrative regulations and exhibits referenced above can be found at [boardpolicies.cusd.com](http://boardpolicies.cusd.com).

## **STUDENT SEARCHES**

## **Board Policy/Administrative Regulation No. 2104**

### **Board Policy**

**PURPOSE:** To authorize the search of students and the personal property of students based upon a reasonable suspicion that there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board Policy, administrative regulation, or other rules of the District or the school.

The Governing Board is committed to providing the students of the Clovis Unified School District with a safe school environment conducive to learning. The Governing Board authorizes school officials to conduct searches of any individual student, his/her property, or District property under his/her control when there is a reasonable suspicion that the search will uncover evidence that he/she is violating the law, Board Policy, administrative regulation, or other rules of the District or the school. The types of student property that may be searched by school officials include, but are not limited to, lockers, desks, purses, backpacks, student vehicles, cellular phones, or other electronic devices.

The Board expects school officials to exercise discretion and good judgment while conducting searches of students or the personal property of students. It is the responsibility of the school official to articulate the circumstances which support the reasonable suspicion which warrants a search.

The Governing Board desires student searches to be as non-intrusive as the circumstances dictate. Strip searches, body cavity searches, manually or with an instrument, or searches that require the removing or rearranging of any or all of a student's clothing to permit a visual inspection of the underclothing, breast or genitalia of a student shall not be conducted by school officials.

The Governing Board directs the Superintendent to prepare administrative guidelines controlling the searches of students, student lockers, and the personal property of students, including student automobiles.

The Governing Board directs the Superintendent to give students and their parents notice of this policy in the Parent and Student and Rights and Responsibilities Handbook at the beginning of each school year or at the time of enrollment, including the following information:

- All lockers are the property of the District and the Board authorizes school officials to search all student lockers, or conduct random searches of student lockers, from time to time for disciplinary, health or safety reasons. Students do not have a reasonable expectation of privacy with respect to the contents of the lockers.
- Metal detectors may be used by school officials and CUSD police officers to conduct searches for weapons of students and members of the public who are attending district sponsored activities. Metal detectors may be used when reasonable suspicion exists or on a predetermined random basis.
- School officials may search a student's vehicle when the official has reasonable suspicion the vehicle contains evidence of violation of law, or District or school rule. If a vehicle, including a student vehicle, is on school property and the vehicle is parked in a lot providing notice of Vehicle Code section 21113, it may be searched without suspicion or subject to other conditions.
- School officials may search a student's cell phone or other electronic device, including, but not limited to, reviewing messages or viewing pictures, if there is reasonable suspicion he/she is violating the law, Board Policy, administrative regulation, or other rules of the District or the school.
- Video cameras may be used by school officials in public areas on District property or at school related activities. Video cameras

shall not be used in areas in which persons have a reasonable expectation of privacy, including locker rooms or restrooms. Cameras shall not be placed in classrooms without consent of the teacher and principal. Cameras shall not have audio recordings. The resulting videotapes may be used to establish the misconduct of students at school or school sponsored activities.

- Non-aggressive trained canines may be used to sniff the air around lockers, desks, bags, vehicles, and other personal property of a student. Canines may not sniff students directly or items while in possession of student. Sniffing by trained canines may be done without reasonable suspicion and is deemed non-intrusive and reasonable.
- The notification of a school official by the handler of a trained non-aggressive canine that the canine has alerted on identified personal property, constitutes reasonable suspicion which is sufficient to support a search of the student's personal property.

*(Amended 07/08/09)*

## **Administrative Regulation**

The decision to conduct a search must be based on the facts in each individual case. School officials must avoid searches of students for arbitrary or punitive reasons. The decision to search must be based on surrounding circumstances, articulated facts and background information. School officials have a duty to insure safe school environments for students. This prime duty would mandate an official to conduct a search based upon the belief that failure to search would result in an injury to one or more students.

Any seized object(s) will be returned to the parent of the student when there has been no statutory violation requiring police notification. If confiscated items are not turned over to police officers, as evidence of a crime, or are not claimed by the parent of the student, they may be disposed of after June 30 of the school year during which they were confiscated.

### **A. Search Criterion**

The ruling of the United States Supreme Court in *New Jersey v. T. L. O.*, (1985) 469 U. S. 339, established "reasonable suspicion" as the criterion for a school official to conduct a search of a student or the student's personal property. The standards established the following criterion:

1. Searches must be based on reasonable suspicion that the student is or has violated the law, Board Policy, administrative regulation, or other rules of the District or the school.
2. The school official responsible for initiating and conducting the search must be able to clearly articulate the circumstances which cause him or her to believe the student violated the law, Board Policy, administrative regulation, or other rules of the District or the school.
3. The information used as a basis for the search must be recent, credible and must connect the student to the suspected violation.
4. Searches must be reasonable in scope, considering the age and sex of the student and the nature of the infraction.

### **B. Prohibited Searches**

California statutes and Governing Board policy forbid, under any circumstances, strip searches, body cavity searches, manually or with an instrument, or searches that require the removing or rearranging of any or all of a student's clothing to permit a visual inspection of the underclothing, breast, buttocks, or genitalia of a student.

### **C. Reasonable Suspicion**

Among other lawful bases, establishing reasonable suspicion for a search may originate from:

1. Referral by a teacher or other staff member who has observed suspicious student conduct.
2. Students who report observing other students committing violations of state statutes, District policies or school regulations.
3. Suspects who have identified other students as their partners in a criminal activity.
4. Parents or community members who report information causing the school official to reasonably believe a student violated the law, or District or school law.
5. Notification to a school official by the handler of a trained non-aggressive canine, that the canine has alerted on identified personal property.
6. Video tapes of student activities. Student activities recorded by video cameras or other electronic devices may constitute reasonable suspicion that the student violated the law, District policy or school rules, warranting a search of the student and/or the student's personal property.

### **D. Metal Detectors**

Metal detectors may be used by school officials and CUSD police officers to conduct searches for weapons on students and members of the public who are attending District sponsored activities. Metal detectors are to be used when reasonable suspicion exists, or on a predetermined random basis, which excludes individual prerogative as to who shall be searched.

### **E. Student Vehicles**

School officials may search a student's vehicle when the official has reasonable suspicion the vehicle is improperly used for the storage of illegal drugs, weapons contraband or any material which poses a hazard to the safety and good order of the schools. If a vehicle, including a student vehicle, is on school property and the vehicle is parked in a lot providing notice of Vehicle Code section 21113, it may be searched without suspicion or subject to other conditions. Indiscriminate searches of student vehicles not allowed by this Regulation are not authorized.

### **F. Student Cell Phones or Other Electronic Devices**

School officials may search a student's cell phone or other electronic device, including, but not limited to, reviewing messages or viewing pictures, if there is reasonable suspicion he/she or another student is violating the law, Board Policy, administrative regulation, or other rules of the District or the school, and the search of the student's cell phone or other electronic device is intended to uncover evidence of the suspected violation. If necessary, the student's cell phone or other electronic device may be confiscated and returned at a time determined by a school official.

G. District Video Cameras

Video cameras, including audio recordings, may be used by school officials in public and common areas on District property, on buses, and at school related activities subject to the limitations set forth in Board Policy No. 2104. Videotaping public areas on the school campus does not constitute a search; however, the resulting videotapes may be used to establish the misconduct of students at school or school-sponsored activities. Videotaping may include digital recording and use of other electronic devices.

H. Canine Drug Detection

Court rulings have affirmed the appropriateness of the sniffing of the air around lockers, desks, bags, vehicles, and other personal property of a student by trained non-aggressive canines. Canines may not sniff students directly or items while in possession of student. This sniffing by trained canines may be done without reasonable suspicion, and is not classified as a search.

The Governing Board has determined that when a trained non-aggressive canine alerts on the personal property of a student, such an alert constitutes reasonable suspicion that the student is in possession of any item or substance that violates the law, Board Policy, administrative regulation, or other rules of the District or the school, and supports a search of the student's property and perhaps the student.

I. Student Travel

School officials may search a student's suitcase, back pack, sports bag or other personal property when related to a student's travel or participation in extra-curricular or off-campus activities. If alcohol, drugs or other prohibited items are found, the student may be subject to discipline, removal from the team / club, loss of privileges, or other consequences.

(Revised: 3/2/11)

**ZERO TOLERANCE**

**Board Policy/Administrative Regulation No. 2110**

**Board Policy**

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

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

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

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

Hereafter, any student who:

- commits or attempts to commit a sexual assault or a sexual battery;
- commits a battery;
- is found in possession of, sells or furnishes a firearm;
- is found in possession of a knife;
- is found in possession of a dangerous object;
- is found in possession of explosive or explosive device;
- sells, furnishes or is in possession of a controlled substance and/or alcohol and/or any other form of intoxicant;
- is found under the influence of a controlled substance and/or alcohol and/or any other form of intoxicant;
- commits an act of vandalism with property damage in excess of \$100;
- participates repeatedly in mutual combat;
- participates in robbery or extortion;
- participates in gang motivated intimidation;
- participates in hate motivated behavior constituting a statutory violation;
- commits an assault on or threatens school staff; or
- makes a terroristic threat,

shall be immediately suspended by the principal and recommended for consideration for expulsion from the Clovis Unified School District and/or for involuntary transfer.

Hereafter, violations of the Zero Tolerance Policy will be recorded for each student on their Mandatory Interim Record, as provided by law, including information on suspensions and expulsions. Such records could be removed upon graduation or by petition.

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

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

(Revised 01/15/14)

**Administrative Regulation**

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

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

Hereafter, violations of the Zero Tolerance Policy will be recorded for each student on their Mandatory Interim Record, as provided by law, including information on suspensions and expulsions. Such records could be removed upon graduation or by petition.

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

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

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

*(Revised 01/15/14)*

## **DRESS AND GROOMING**

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

### **Board Policy**

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

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

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

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

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

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

### School Uniforms

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

*(Reviewed: 5/26/10)*

### **Administrative Regulations**

These regulations specify standards of dress and grooming promoting a safe school setting conducive to a positive learning environment consistent with the Board's policy governing acceptable and appropriate apparel and appearance for students.

#### **A. Apparel**

All clothing shall be neat, clean and acceptable in repair and appearance and shall be worn within the bounds of decency and good taste as appropriate for school.

1. Articles of clothing which display gang symbols, profanity or products or slogans which promote tobacco, alcohol, drugs or sex; materially interfere with school work; create disorder or disrupt the educational process are not allowed.
2. Any clothing or apparel that a student or group of students wear to identify themselves for the purpose of harassing, threatening, or intimidating others will not be allowed. Military paramilitary, or camouflage (military style) clothing will not be permitted.
3. Extreme fashion that draws undue attention to the student will not be allowed. This includes distracting clothing, and distracting make-up, etc.
4. Jackets and other apparel depicting professional sports teams shall not be worn. Jackets or other apparel depicting college or university teams are acceptable unless such team designations are associated with gangs or otherwise conflict with the standards for acceptable apparel.
5. Underwear-type sleeveless shirts, athletic tank tops, beach wear, swim wear, halter-tops, tube tops, spaghetti straps, bare midribs or chests, see-through or fishnet outfits, or off the shoulder and low-cut tops are not appropriate or acceptable. Dresses and skirts are to be worn no shorter than five inches (5") above the top of the kneecap, but no shorter than mid-thigh. Clothing that exposes bare midribs or cleavages is prohibited. Shoulder straps on tops and other clothing must be a minimum of two inches (2") wide.
6. Shorts are to be worn no shorter than five inches (5") above the top of the kneecap, but no shorter than mid-thigh. Shorts are to be hemmed and not form fitting. Bike shorts (spandex) gym shorts, frayed shorts, or shorts with holes are unacceptable. Athletic shorts with pockets are permissible. Shorts worn during Physical Education may not be worn during regular class time at secondary sites.
7. Straps on shoes and clothing must be fastened at all times.

8. Leggings will be allowed if over-garment is no shorter than five inches (5") above the top of the kneecap, but no shorter than mid-thigh.
9. Shoes must be worn by all students. No hard-toed or steel-toed shoes/boots will be allowed. No high top, laced up, combat, or military style boots will be allowed. Shoes, or sandals without heel straps that do not present a safety concern may be worn by students in grades 7 through 12, except during physical education classes, recess, while participating in school-related athletic competitions, events or activities, or while participating in other activities where safety is a concern. Backless shoes commonly known as "flip-flops," "beach shoes," "soccer sandals," "zories" and/or thongs are inappropriate and will not be allowed. See Exhibit No. 2105 (2).
10. For safety reasons, students in grades pre-school through 6 are not allowed to wear flipflops, shoes or sandals without a heel strap. See Exhibit No. 2105 (2).
11. No slippers will be allowed.
12. Excessively baggy pants, including sweatpants, are not allowed. Pants cannot exceed five inches (5") when measured at the kneecap of the straightened leg. Pants must fit and be worn at the natural waist. The bottom of the pant leg may not be frayed or drag on the ground. Pants must be hemmed and not stapled, pinned, or taped.
13. Sleepwear is not permissible.
14. Oversized shirts that present a safety concern or reflect gang style are not acceptable.
15. Hats and/or caps and/or sunglasses must be removed in the classrooms or offices. Specific clothing and hats determined by the school district or school site to be gang-related or inappropriate apparel are not acceptable. Rules relative to college, university, and professional team apparel apply to hats, caps and other types of head coverings. Articles of sun-protective clothing, including, but not limited to, hats and sunglasses, may be used outdoors. Subject to these provisions, sun-protective clothing, headwear, other than caps or hats, will not be allowed at school. School sites may add other restrictions on the type of hats to be worn.
16. No frayed or torn clothing is acceptable (manufactured or otherwise).
17. Clothing, jewelry and personal items shall be free of writing, pictures, or any other insignia which are crude, vulgar, profane, or sexually suggestive; shall not bear drug, alcohol or tobacco company advertising, promotions or likenesses; shall not promote violence, illegal activity, or relate to gang affiliation or activity; and shall not advocate racial, religious, or sexual orientation prejudice.
18. Clothes shall be worn as intended and be sufficient to conceal undergarments, which shall be worn and covered at all times.
19. Pro logos on school materials of any kind are not acceptable (binders, folders, backpacks, pens, pencils, etc.)

#### B. Grooming

1. Hair shall be clean and neatly groomed.
2. Hair or mustache styles which cause undue attention are not acceptable; e.g., unusual designs, colors, symbols, messages, mohawks, Faux-Hawks, or unusual razor cuts. Complete razor shaving of the head is allowed.
3. Beards are not allowed. Sideburns are allowed, but may not extend past the base of the earlobe or be wider than one inch (1").
4. Bangs or other hairstyles must not obstruct nor interfere with vision.
5. For those courses where long hair may pose a safety risk, such as where mechanical equipment with moving parts are used or where there is an open flame, long hair must be in a protective head covering, such as a hair net or cap, or hair must be securely bound behind the head, consistent with rules established by the instructor.
6. Tattoos, permanent or temporary, must be covered at all times.

#### C. Jewelry

1. Piercing jewelry is acceptable in the ears only. Piercing jewelry that is intended to alter the natural shape of the ear is prohibited. Other body piercing jewelry (e.g., that for piercings in the eyebrows, nose, lips, tongue) is not acceptable. Distracting jewelry, including piercing jewelry that draw undue attention, is not allowed.

#### D. Exemptions

1. Religious beliefs, bona fide medical reasons, or other good cause based on legal requirements, when verified, may be grounds for an exemption to a specific portion of the Dress and Grooming Policy.
2. A petition for an exemption from enforcement of a specified portion of Dress Code Policy may be submitted to the Student Services and School Attendance office. An appeal of a denial of any exemption shall be submitted in writing to the Associate Superintendent, School Leadership, within 30 calendar days of the denial.
  - a. In the event that it does not, then, within 30 calendar days of receipt of the appeal, the Associate Superintendent or designee shall gather facts and make a written determination, which shall be provided to the complainant. Gathering of facts shall include but may not be limited to meeting with the complainant, if deemed appropriate to do so. Any decision of the Associate Superintendent, School Leadership shall be final.
  - b. In the event that the allegations raised in the appeal are determined to fall within the District's Uniform Complaint Procedures ("UCP") included in Board Policy No. 9208, then the District would use the District UCP process rather than the above appeal process.

#### E. School Uniform Policy

1. The decision to pursue a school uniform policy must be initiated by parents and approved by the school S.A.R.T. committee and the site principal.
2. A school uniform committee will develop a survey to be sent to all parents regarding their position on a school uniform policy by January 15 of the school year prior to the implementation of a school uniform policy. Prior to the distribution of the survey, the committee must sponsor at least one parent forum or meeting open to all parents for the purpose of information and input.
3. In order for a school site to further consider a school uniform, at least a majority of the surveys distributed must be returned and a majority of the surveys returned must support a uniform policy. These majorities are considered minimums and school sites have the discretion to establish more stringent standards of returns and support.
4. The Governing Board must be notified by February 1 of the school year prior to the implementation of a school uniform policy.

5. The school site shall notify all parents or guardians no less than six (6) months prior to the time the uniform policy is implemented.
6. Should a school adopt a uniform policy, resources shall be available to assist economically disadvantaged students, and a procedure for parents/guardians to opt out of the policy shall be in place.

*(Revised 4/06/16)*

<b>ALCOHOL, TOBACCO &amp; OTHER DRUG PREVENTION / INTERVENTION</b>	<b>Board Policy/Administrative Regulation No. 2106</b>
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**Board Policy**

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

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

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

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

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

**A. INSTRUCTION**

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

**B. INTERVENTION**

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

**C. RECOVERING STUDENT SUPPORT**

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

**D. ENFORCEMENT/DISCIPLINE**

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

**E. VOLUNTARY DRUG TESTING**

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

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

## Administrative Regulation

### A. INSTRUCTION

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

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

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

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

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

### B. INTERVENTION

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

### C. RECOVERING STUDENT SUPPORT

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

### D. ENFORCEMENT/DISCIPLINE

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

(Reviewed: 7/8/09)

## SEXUAL HARASSMENT

## Board Policy/Administrative Regulation No. 2111

### Board Policy

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

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

(Reviewed 7/15/09)

### Administrative Regulation

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

#### Sexual Harassment Defined

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct



of a sexual nature when:

1. Submission to the conduct is explicitly or implicitly made a term or condition of an individual's academic status, or progress.
2. Submission to, or rejection of the conduct by the individual is used as the basis of academic decisions affecting the individual.
3. The conduct has the purpose or effect of negatively impacting the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment based on sexual harassment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the District.

#### Examples of Sexual Harassment

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

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

#### Retaliation Prohibited

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

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

#### Allegations of Child Abuse

Allegations of child abuse, including violations of Penal Code 11165, 1165.1, and 11165.6, are not sexual harassment as defined by this Regulation. However, based on the facts and circumstances of a particular case and to the extent required by law, the District may, but is not required to, process such a complaint under this Regulation.

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

#### Confidentiality

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

#### Notice to Students

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

#### Responsible District Officer

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

#### Complaint Process

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

##### 1. Informal Resolution (Optional)

The purpose of the informal complain process is to allow an individual who believes he/she has been sexually harassed or discriminated against to resolve the issue through a consultation process rather than the formal complaint process provided by this Regulation. When a student feels that he or she has been sexually harassed, he or she should contact a site administrator (*principal, deputy principal, learning director or counselor*). If the alleged victim contacts an employee other than a site administrator, it is the responsibility of that District employee to notify a site administrator that a complaint has been received. The site administrator shall contact the Responsible District Officer. However, if the Responsible District Officer is implicated in the complaint, the complainant should contact the Superintendent who will then serve as the Responsible District Officer or designate another appropriate person. If the Superintendent is implicated in the complaint, the complainant should contact a member of the Board. The Board will then designate a District employee or other appropriate person as the Responsible District Officer to resolve the complaint. The District

representative shall complete Student Sexual Harassment Informal Complaint form (*Complaint handling incident report*) which is listed as Exhibit No. 2111 (1).

The Responsible District Officer shall counsel the complainant and the alleged offender and outline possible options for informal resolution of the complaint. If an informal resolution is achieved, the complainant's decision not to proceed with the filing of a formal complaint shall be obtained in writing, after the complainant receives and reviews the formal complaint procedures. If informal resolution of the complaint cannot be achieved within thirty (30) calendar days of the District's receipt of the complaint, the Responsible District Officer or designee shall provide the complainant with a copy of this policy, and shall inform the complainant of the right to file a formal written sexual harassment complaint under this procedure.

2. Formal Complaints

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

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

3. Notice to Parties

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

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

4. Investigation

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

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

5. Investigation Report and Decision

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

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

6. Appeal Procedures

If a complainant or an alleged offender is not satisfied with the results of the District's final administrative decision, the complainant or alleged offender may, within fifteen (15) calendar days of receipt of the District's decision, submit a written appeal to the State

Department of Education. The party appealing the decision shall specify the reasons for the appeal and include with the appeal a copy of the complaint and the District's final administrative decision. Copies of all appeals shall be given to all other complainants and alleged offenders.

7. Remedial Actions

If the investigation reveals that there is reasonable cause to believe that sexual harassment has occurred, the District shall take appropriate action to ensure that the harassment ceases, and will not recur. The Responsible District Officer or designee will proceed in the same manner as any other suspension or a suspension with recommendation for consideration of expulsion.

The Responsible District Officer or designee must be prepared to judiciously review the information supporting the finding with the parents of the complainant and the accused.

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

Relationship to other Enforcement Mechanisms

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

California Department of Education  
1430 N Street  
Sacramento, California 95814  
916-319-0800

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

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

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

## E. SAFETY ISSUES

### CIVIL DEFENSE PLAN: EMERGENCY PROCEDURES

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

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

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

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

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

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

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

### MEGAN'S LAW NOTIFICATION

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

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

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

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

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

## NOTIFICATION OF PLANNED PESTICIDE USE

Assembly Bill 2260 (Healthy Schools Act of 2000), which became effective on January 1, 2001, reduces children's exposure to toxic pesticides through information and integrated pest management. For the 2017-18 school year, Clovis Unified School District may apply the following pest management products as necessity dictates.

### PEST CONTROL

Product	Active Ingredient	Manufacturer	EPA	Purpose
EcoVia EC	Thyme/Rosemary/Cinnamon Oil 42%	Rockwell Labs	None	Ants/Fleas/Spiders/ Cockroaches/Beetles
Mother Earth Scatter Bait	Boric Acid 5%	BASF	499-515	Ants/Crickets/Snails
Cykick CS	Cyfluthrin 6%	Whitmire	499-304	Ants/Flies/Beetles Cockroaches/Moths
Avert Dry Flowable Cockroach Bait	Abamectin B1 .050%	Whitmire	499-294	Cockroaches
Gentrol IGR	Hydroprene 9%	Zoecon	2724-351	Cockroaches/Fleas
Maxforce Ant Gel Bait	Fipronil .001%	Maxforce	64248-21	Ants
Maxforce Cockroach Gel Bait	Fipronil .01%	Maxforce	432-1259	Cockroaches

### GROUNDS PEST CONTROL

Product	Active Ingredient	Manufacturer	EPA	Purpose
Advance Ant Bait	Abameltin 0.011%	Whitmire	499-370	Ants
Certainty	Sulfosulfuron 75%	Monsanto	524-534	Weeds
Daniels Liquid Fertilizer	Nitrogen 10%	Willbur-Ellis	none	Fertilizer
Dimension 2EW	Dithiopyr 24%	Dow AgroSciences	62719-542	Pre-emergent
Ferromec AC	Nitrogen 6% Iron	PBI Gordon Corp.	None	Fertilizer
Fusilade II	Butyl phenoxypropanoate	Syngenta	100-1084	Weeds
Gallery 75	Isoxaben 75%	Dow	62719-145	Pre-emergent
NO FOAM A	Isopropanol and Fatty acids	CMR	1050775-50015	Chemical activator: wetting agent
Pendulum Aqua Cap	Pendimethalin 38.7%	B.A.S.F	241-416	Pre-emergent
Revolver	Foramsulfuron	Bayer	432-1266	Weeds
Reward	Diquat Dibromide 75%	Syngenta	100-1091	Weeds
Round Up Pro	Glyphosate 50.2%	Monsanto	524-529	Weeds
Round-up quick pro	Glyphosate 73.3%	Monsanto	524-535	Weeds
Sedgehammer	Halosulfuron-methyl 75%	Gowan	81880-1-10163	Weeds
Sluggo	Iron phosphate 1%	Brandt	67702-3-54705	Snails
Speed-Zone Southern	2,4-d,2-ethylhexyl ester 10.49%	PBI Gordon	2217-835	Weeds
Tengard	Permethrin 36.8%	UPI	70506-6	Insects
Wilco Gopher Bait Type 2	Diphacinone 0.005%	Wilco	36029-50007-AA	Gophers
Wilco Squirrel Bait	P-chlorophenyl phenylacetyl 0.05%	Wilco	36029-50006-AA	Squirrels
Zenith 75 wsp	Imidacloprid 75%	Prokoz	432-1318	Insects

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

# CURRICULUM

## ACCEPTABLE USE OF ELECTRONIC INFORMATION RESOURCES

## Board Policy/Administrative Regulation No. 7205

### Board Policy

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

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

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

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

#### A. Online Services/Internet Access

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

#### B. Development and Maintenance of Regulations

The District administration will develop and maintain regulations

1. to protect against the unauthorized disclosure, use or dissemination of personal or confidential information of students;
2. to limit access to inappropriate materials on the Internet and world wide web;
3. to protect against illegal activities, including computer security violations, actions taken to disrupt the performance of a computer system and the use of the Internet to engage in other criminal acts;
4. to prohibit use of inappropriate language;
5. to prohibit plagiarism;
6. to protect against actions or use that may disrupt or jeopardize the security or effective performance of the District's computer network or the Internet, and preventing unauthorized access;
7. for employees pertaining to the transmission of student confidential information via direct electronic communications to ensure that such transmissions are in compliance with the federal and state student privacy laws;
8. for employees and students to ensure the protection of student personal information when accounts are established or information is provided by or about students on third party websites;
9. addressing the disclosure of student information, posting student-created material, and posting pictures of students on the District website;
10. to promote the effective educational use of the Internet, protect the privacy rights and other rights of students and employees, limit potential liability of the District for the inappropriate placement of material on the District website, and present a District website with an image that will reflect well on the District, schools, employees, and students;
11. that will protect the rights of copyright holders, including students and employees, related to material that is accessed through or placed in the Internet;
12. to specify acceptable and unacceptable uses of the computer network and of external electronic resources; and
13. to specify acceptable and unacceptable uses of electronic mail.
14. to provide age-appropriate instruction regarding safe and appropriate behavior and cyberbullying prevention on social networking sites, chat rooms and other Internet services. This instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

#### C. Contracts with Third Party Providers

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

#### D. Annual Notice

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

## E. Administrative Responsibilities

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

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

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

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

*(Revised 5/9/12)*

## Administrative Regulation

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

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

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

### A. Educational Purpose

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

### B. Internet Safety Instruction

1. The District will identify and provide age-appropriate instruction on safe and appropriate behavior on social networking sites, chat rooms and other Internet services for students that includes, but is not limited to:
  - a. The dangers of posting personal information online;
  - b. The dangers of misrepresentation by online predators;
  - c. How to report inappropriate or offensive content or threats; and
  - d. Behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

### C. External Electronic Information Resources

1. Acceptable Use of External Electronic Information Resources includes but is not limited to:
  - e. legitimate purposes related to the District's educational mission by providing access to unique resources and an opportunity for collaborative work.
  - f. assignments that may require students to utilize external electronic information resources. As with any student activity, it is the responsibility of staff members to exercise care in monitoring and supervising, to the best of their ability, such student access to insure that students use such resources in accordance with District policy.
  - g. training students in the skills needed to access external electronic resources, the provisions of this Technology Use Policy, and the rules and procedures of the technological resource to which they are gaining access.
  - h. expecting students to use good judgment at all times to insure that their activities while online fall within the provisions of the District's technology use policy.
2. Unacceptable Use of External Electronic Information Resources includes, but is not limited to the following:
  - a. Any use of the District's technological resources for illegal, inappropriate, obscene or unauthorized purposes, or in support of such activities, is prohibited. Illegal activities shall be defined as a violation of local, state, and/or federal laws. Inappropriate use shall be defined as a violation of the intended use of the network, and/or purpose and goal. Obscene activities shall be defined as a violation of generally accepted social standards for use of a publicly owned and operated communication vehicle. Restrictions against inappropriate language apply to all speech communicated through the District data network, including but not limited to public messages, private messages, and material posted on web pages.

- b. Attempting to gain unauthorized access to the District data network or to any other computer system through the District data network or go beyond authorized access. This includes attempting to log in through another person's account or access another person's files.
  - c. Attempting to circumvent District security measures and systems including the use of proxies to access blocked sites and or anonymous resources (email or otherwise).
  - d. Causing a disruption of the District's data network due to activities such as peer-to-peer file sharing.
  - e. Using the District data network to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of a person, etc.
  - f. Using obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
  - g. Posting information that could cause damage or a danger of disruption.
  - h. Engaging in personal attacks, including prejudicial or discriminatory attacks such as "cyberbullying."
  - i. Harassing another person. Harassment is persistently acting in a manner that distresses or annoys another person. When a student is told by a person to stop sending him or her messages, they must stop.
  - j. Creating, accessing, storing, posting, submitting, publishing or displaying harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion or political beliefs. Harmful matter includes matter, taken as a whole, which to the average person applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes in a patently offensive way sexual conduct and which lacks serious literary, artistic, political or scientific value for minors.
  - k. Knowingly or recklessly posting false or defamatory information about a person or organization.
  - l. Violating the rules of another organization's networks or computing resources.
  - m. Using the District's technological resources to engage in commercial activities, product advertisement, soliciting votes, or political lobbying.
  - n. Copying or transferring unauthorized copyrighted materials, violating license.
  - o. Creating and/or placing a computer virus on any network or device. Deliberate attempts to degrade or disrupt system performance of the network or any other computer system or network on the Internet by spreading computer viruses is considered criminal activity under state and federal law.
  - p. Using an impersonation. Real names must be used; pseudonyms are not allowed.
  - q. Using the network to send or receive a message that is inconsistent with the school's code of conduct.
  - r. Using the network to request home phone numbers and, later, making obscene, threatening, or annoying phone calls to the numbers.
  - s. Disclosing, using or disseminating personal identification information about themselves or others when using electronic mail, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals located through the Internet without permission of their parents/guardians. Personal information includes the student's name, address, telephone number, social security number, or other individually identifiable information.
  - t. Violating any state or federal law, or any provision of the Education Code.
  - u. Using the system to encourage the use of drugs, alcohol or tobacco, nor shall they promote unethical practices or any activity prohibited by law or Board policy.
  - v. Tampering with computer hardware or software, unauthorized entry into computers, or knowledgeable vandalism or destruction of computer files is prohibited. Such activity is considered a crime under state and federal law.
  - w. "Attacking" or arguing with correspondents; persuade them with facts and be polite.
  - x. Posting messages to groups that the student does not know. The wider a student's network ID is sent out, the more opportunity provided for unwanted messages.
  - y. Sending, or encouraging others to send, abusive messages.
  - z. Installing software tools that could be used for accessing another system or account.
  - aa. Using a teacher's computer for any purpose.
  - bb. Deleting, copying or modifying another user's files or data.
  - cc. Using the network for bandwidth intensive activities such as network games or transmission of large audio/video files or serving as a host for such activities.
- C. District Email
1. Acceptable use of District email includes, but is not limited to the following:
    - a. Sending messages without interrupting a class or meeting.
    - b. Sending out information to a wide range of people in a nearly instantaneous manner.
    - c. Transmitting documents to a work group.
  2. Unacceptable use of District email includes, but is not limited to the following:
    - a. Personal business, commercial activity, product advertisement, or political lobbying.
    - b. Transmitting messages that are racist, sexist, inflammatory, threatening, or obscene.
    - c. Using another individual's account without written permission from that person. All use of the system must be under the user's own account.
    - d. Reading other users' electronic mail or files.
    - e. Attempting to interfere with other users' ability to send or receive electronic mail.
    - f. Attempting to delete, copy, modify or forge other users' mail.

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

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

The District reserves the right to monitor any online communications for improper use. Electronic communications and



downloaded material, including files deleted from a user's account, may be monitored or read by District officials to ensure proper use of the system.

#### D. Student Cellular Phones and Other Electronic Devices

Students shall not use a cellular phone or other electronic device without permission during the school day, while riding on a school bus, or at any time while students are under the supervision of District employees, unless essential to the health of the student. If a disruption occurs or a student uses any cellular phone or other electronic device for improper activities, a school employee may confiscate the device.

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

#### E. Access to Materials

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

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

#### F. Privacy and Communication Safety Requirements

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

#### G. Plagiarism and Copyright Infringement

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

#### H. System Security and Resource Limits

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

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

- a. Students will not download large files unless absolutely necessary. If necessary, the file should be downloaded at a time when the system is not being heavily used and immediately removed from the system computer to a personal computer.

- b. Students will not misuse District, school, or personal distribution lists or discussion groups for sending irrelevant messages.
- c. Students will check their email frequently, delete unwanted messages promptly, and stay within email quotas.
- d. Students will subscribe only to approve high quality discussion groups that are relevant to school related tasks or career development.
- e. Excessive use of the District data network may raise a reasonable suspicion that a student is using the system in violation of District policy and regulations.

I. Student Rights and Expectations

1. Free Speech

A student's right to free speech and access to information applies to his or her use of the Internet. The District may restrict access to materials for valid educational reasons. The District will not restrict access to information and ideas based on viewpoint discrimination. The District data network is considered a limited public forum. The District may restrict student speech for valid educational reasons. The District will not restrict speech on the basis of a disagreement with the opinions expressed by a student.

2. Copyright

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

3. Privacy

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

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

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

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

4. Due Process

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

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

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

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

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

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

5. Privileges

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

6. Vandalism

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

J. Limitation of Liability

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

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

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

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

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

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social

networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.

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

*(Revised 5/9/12)*

<b>INSTRUCTIONAL MATERIALS AND EQUIPMENT LITERATURE/SUPPLEMENTAL MATERIALS</b>
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**Exhibit No. 3305 (3)**

**Exhibit**

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

Dear: Parent:

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

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

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

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

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

*(Amended 4/29/09)*

## G. STUDENT RECORDS

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

Board Policy/Administrative  
Regulation No. 7101

#### Board Policy

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

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

#### A. Student Records

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

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

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

#### B. Challenging Student Records

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

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

#### C. Directory Information

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

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

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

(Amended 7/8/09)

#### Administrative Regulation

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

#### INTRODUCTION

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

#### A. GENERAL

##### 1. Definitions

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

"Student records" do not include informal notes related to a student compiled by a school officer or employee which remain in the sole possession of the maker and are not accessible or revealed to any other person except a substitute (for purposes of this subdivision, "substitute" means a person who performs the duties of the individual who made the notes on

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

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

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

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

d. Rights of Eligible Students

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

B. ACCESS TO STUDENT RECORDS WITH WRITTEN PARENTAL CONSENT

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

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

1. Access to those particular records relevant to the legitimate educational interests of the requester shall be permitted to the following:
  - a. School officials (as defined in this regulation) and employees of the District, members of a school attendance review board appointed pursuant to Section 48321, and any volunteer aide, 18 years of age or older, who has been investigated, selected, and trained by a school attendance review board for the purpose of providing follow up services to students referred to the school attendance review board, provided that that person has a legitimate educational interest to inspect a record.
  - b. Officials and employees of other public schools or school systems, including local, county or State correctional facilities where educational programs leading to high school graduation, are provided where the student is directed to enroll, postsecondary institutions where the student seeks to enroll, intends to enroll, or where the student is already enrolled. Records will be forwarded upon a school's request so long as the disclosure is for purposes related to the student's enrollment or transfer.
  - c. Authorized representatives of the Comptroller General of the United States, the Secretary of Education, and administrative head of an education agency, State education officials, or their respective designees, or the United States Office of Civil Rights, where the information is necessary to audit or evaluate a state or federally supported education program or pursuant to a federal or state law, provided that except when collection of personally identifiable information is specifically authorized by federal law, any data collected by those officials shall be protected in a manner which will not permit the personal identification of students or their parents by other than those officials, and any personally identifiable data shall be destroyed when no longer needed for the audit, evaluation, and enforcement of federal legal requirements.
  - d. Other state and local officials to the extent that information is specifically required to be reported pursuant to state law adopted prior to November 19, 1974.
  - e. Parents of an 18 year old who is a dependent as defined in Section 152 of the Internal Revenue Code.
  - f. A student 16 years of age or older or having completed the 10th grade who requests such access.
  - g. Any district attorney who is participating in or conducting a truancy mediation program pursuant to Section 48263.5 of the Education Code or Section 601.3 of the Welfare and Institutions Code or participating in the presentation of evidence in a truancy petition pursuant to Section 681 of the Welfare and Institutions Code.
  - h. A prosecuting agency for consideration against a parent or guardian for failure to comply with the Compulsory Education Law (Chapter 2, commencing with Section 48200 of Part 27 of Division 4 of Title 2) or with Compulsory Continuation Education (Chapter 3, commencing with Section 48400 of Part 27 of Division 4 of Title 2 of the Education Code). (*Note: Compulsory Education: Except when attendance is excused for justifiable personal reasons, pupils between the ages of 6 and 18 years are required by law to attend school and parents must compel their children to do so. Ed. Code § 48200*)
  - i. Any probation officer, district attorney, or counsel of record for a minor for the purposes of conducting a criminal investigation or an investigation in regards to declaring a person a ward of the court or involving a violation of a condition of probation. These local officials must certify in writing that they will not disclose this information to another party without parental consent.
  - j. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student, or for purposes of presenting evidence in a truancy petition pursuant to Section 681 of the Welfare and Institutions Code. The judge or probation officer shall certify in writing to the school district that the information will be used only for truancy purposes. A school district releasing student information to a judge or probation officer pursuant to this paragraph shall inform, or provide written notification to, the parent or guardian of the student within 24 hours of the release of the information.
2. The school district may release information from student records to the following:
  - a. Appropriate persons in connection with an emergency if the knowledge of the information is necessary to protect the health or safety of a student or other persons.
  - b. Agencies or organizations in connection with a student's application for, or receipt of, financial aid. However, information permitting the personal identification of students or their parents may be disclosed only as may be necessary for purposes as to determine the eligibility of the student for financial aid to determine the amount of the financial aid, to determine the conditions which will be imposed regarding the financial aid, or to enforce the terms or conditions of the financial aid.

- c. The county elections official, for the purpose of identifying students eligible to register to vote, and for conducting programs to offer students an opportunity to register to vote. The information, however, shall not be used for any other purpose or given or transferred to any other person or agency.
- d. Accrediting associations in order to carry out their accrediting functions.
- e. Organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if the studies are conducted in such a manner as will not permit the personal identification of students or their parents by persons other than representatives of the organizations and the information will be destroyed when no longer needed for the purpose for which it is obtained.
- f. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents as provided in Section 49068. This information shall be in addition to the student's permanent record transferred pursuant to Section 49068.

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

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

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

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

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

Information concerning a student shall be furnished in compliance with a court order or a lawfully issued subpoena. Unless otherwise instructed by the court, the District shall, prior to disclosing a record pursuant to a court order or subpoena, attempt to give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order or subpoena. (*34 CFR 99.31; 5 CCR 435, and Education Code 49077*) The service of a lawfully issued subpoena or a court order solely for the purpose of causing an employee to produce a school record pertaining to any student may be complied with by that employee, in lieu of the personal appearance as a witness in the proceeding, by submitting to the court, or other agency, or person designated in the subpoena, at the time and place required by the subpoena or court order, a copy of that record, accompanied by an affidavit certifying that the copy is a true copy of the original record on file in the school or school office. The copy of the record shall be in the form of a photostat, microfilm, microcard, or miniature photograph or other photograph.

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

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



- 1) The numbers of graduating seniors whose names and addresses appear on lists distributed to such representatives shall be determined by the Superintendent in light of the apparent employment needs of each such representative. In addition to names and addresses, such lists may also include descriptions of the certificates and/or diplomas relative to the occupational competencies awarded or expected to be awarded by the Clovis Unified School District to such students.
- 2) Representatives of private and public employers who request such lists must agree as a condition precedent to receiving such lists that they will keep such lists confidential, use them only for their own employment purposes and not make them available to companies which are engaged in the business of producing mailing lists.

**F. RELEASE OF DIRECTORY INFORMATION**

1. The following is information in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed: *(34 CFR 99.3; Education Code 49061)*
  - a. Name
  - b. Address
  - c. Email address
  - d. Telephone number
  - e. Date of birth
  - f. Major field of study
  - g. Participation record in officially recognized activities and sports
  - h. Weight and height of athletic team members
  - i. Dates of attendance
  - j. Degrees and awards received
  - k. Most recent previous school attended

**2. Notification to Parents/Guardians**

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

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

**3. Parent/Guardian Consent**

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

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

*(Revised 7/3/12)*

## H. COMPLAINTS

### UNIFORM COMPLAINT PROCEDURES — PROGRAMS

**Board Policy/A.R. No. 9208**

**Board Policy**

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

The Board recognizes that the District has primary responsibility for insuring that it complies with state and federal laws and regulations governing educational programs. The District shall investigate and seek to resolve complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws related to all programs and activities implemented by the District that are subject to the Uniform Complaint Procedure, which include the following:

1. Adult Basic Education
2. Consolidated Categorical Aid Programs
3. Migrant Education
4. Career Technical and Technical Education and Career Technical Training Programs
5. Child Care and Development Programs
6. Child Nutrition Programs
7. Special Education Programs
8. Federal School Safety Plan Requirements
9. Student Fees
10. Local Control and Accountability Plans (LCAP)
11. Foster Youth
12. Homeless Youth
13. Reasonable Accommodations to lactating pupils.

14. Assignment to Course without Educational Content or to Course Previously Satisfactorily Completed (without meeting certain requirements)
15. Elementary Physical Education Instructional Minutes
16. Graduation Requirements for Former Juvenile Court School Students
17. After School Education and Safety
18. Agriculture Vocational Education
19. American Indian Education Centers and Early Childhood Program Assessments
20. Bilingual Education
21. California Peer Assistance and Review Programs for Teachers
22. Compensatory Education
23. Economic Impact Aid
24. English Learner Programs
25. Every Student Succeeds Act/No Child Left Behind (Titles I-VII)
26. Regional Occupational Centers and Programs
27. State Preschool
28. Tobacco-Use Prevention Education

The District shall also follow the Uniform Complaint Procedure when addressing complaints of unlawful discrimination, harassment, intimidation and bullying for protected groups identified in Education Code sections 200 and 220, and Government Code section 11135, including any actual or perceived characteristics as set forth in Penal Code section 422.55, or any other basis provided by law, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by the District, which is funded directly by, or that receives or benefits from any state financial assistance. The District shall investigate and seek to resolve complaints at the local level.

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

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

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

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

Complaints concerning student fees or LCAPs may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the applicable legal requirements governing student fees or LCAPs.

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, harassment, intimidation and bullying, or for participation in complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant. For allegations of retaliation based on the filing of a complaint, the District also shall follow the Uniform Complaint Procedures.

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

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

#### Responsibilities of Complainant

The Complainant:

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

#### Responsibilities of the District

The District:

1. Shall designate a staff member to be responsible for complaint resolution.
2. Shall develop complaint procedures consistent with *California Code of Regulations, Title 5, sections 4600-4670*.
3. Shall inform pupils, employees, parents/guardians, the District advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties at least annually of approved Uniform Complaint

Procedures, including the opportunity to appeal the District's decision or to seek civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainant. The District will make this information available by publication in its informational materials, including the Student and Parent Rights and Responsibilities Handbook given to each pupil upon registration in the District and at the beginning of each school year. This information shall also be available on the District's website at [www.cusd.com](http://www.cusd.com). Notification to appropriate private school officials or representatives shall be given at the annual consultation meeting between CUSD and private school officials.

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

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

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

*(Revised 9/27/17)*

### **Administrative Regulation**

**PURPOSE:** In accordance with Board Policy and law, uniform complaint procedures shall be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, child nutrition programs, federal school safety plan requirements, non-compliance with laws relating to pupil fees, special education programs, Local Control Accountability Plans (LCAP), educational rights of foster and homeless youth, assignment to a course without educational content or to a course previously satisfactorily completed, reasonable accommodation for lactating pupils, required elementary instructional physical education minutes, and graduation requirements for former juvenile court school students, After School Education and Safety, Agriculture Vocational Education, American Indian Centers and Early Childhood Program Assessments, bilingual education, California Peer Assistance and Review Programs for Teachers, compensatory education, Economic Impact Aid, English learner programs, Every Student Succeeds Act/No Child Left Behind (Titles I-VII), Regional Occupational Centers and Programs, State preschool, and Tobacco-Use Prevention Education.

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

If the District finds merit in a pupil fees, required elementary instructional physical education minutes, or LCAP complaint, the District shall provide a remedy to all affected pupils, and parents/guardians that where applicable which includes reasonable efforts by the District to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

If the District finds merit in a complaint regarding pupil fees, LCAP, Education of pupils in foster care who are homeless, former juvenile court pupils now enrolled in a school district, reasonable accommodation for lactating pupils, course periods without educational content (grades nine through twelve), and physical education instructional minutes (grades one through eight), the District shall provide a remedy. In the case of complaints regarding course periods without educational content, reasonable accommodations to lactating pupils, education of pupils in foster care, pupils who are homeless, and former juvenile court pupils now enrolled in the District, the remedy shall go to the affected pupil. In the case of complaints regarding pupil fees, physical education instructional minutes and LCAP, the remedy shall go all affected pupils and parents/guardians. The District will attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all pupils, parents and guardians who paid pupil fees within one year prior to the filing of the complaint.

The Board acknowledges and respects every individual's right to privacy. The District ensures that the complainants are protected from retaliation and discrimination, harassment, intimidation and bullying complaints shall be investigated in a manner that protects the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee, on a case-by-case basis. Complaints alleging retaliation based on filing a complaint under the uniform complaint procedures shall also be addressed through these procedures.

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

Associate Superintendent, School Leadership  
Clovis Unified School District  
1450 Herndon Avenue  
Clovis, CA 93611-0599  
559-327-9000

The Governing Board ensures that the Responsible District Officer is knowledgeable about the law and/or programs that he/she is assigned to investigate.

#### A. NOTIFICATIONS

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

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

#### B. DEFINITIONS

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

#### C. COMPLAINT PROCEDURES

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

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

##### 1. Informal Resolution

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

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

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

##### 2. Formal Complaint

- a. Any individual, public agency or organization may file a written complaint of alleged noncompliance with the Associate Superintendent, School Leadership.
- b. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other handicaps, District staff shall help the complainant to file the complaint.
- c. The formal written complaint should state the name of the complainant, the date of the complaint, the names(s) of any witnesses, a detailed statement of the circumstances constituting the alleged violation or discrimination, and the requested remedy.
- d. A pupil fees and LCAP complaints may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with laws relating to pupil fees.
- e. Pupil fees complaint may be filed with the principal of a school or the District Superintendent or designee. Such complaints shall be filed no later than one year from the date the alleged violation occurred.

##### 3. Notice to Parties

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

- a. meet with the complainant if necessary to obtain clarification of the individual's written complaint;
- b. inform the alleged offender of the nature of the complaint;

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

#### 4. Investigation

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

The investigator(s) shall consult with all individuals reasonably believed to have relevant information, including the complainant and any witnesses to the conduct, and victims of similar conduct, if any, that the investigator(s) reasonably believes may exist. All complainants and/or representatives will be provided an opportunity to present evidence or information.

The refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

The refusal by the District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complaint.

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

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

#### 5. Investigation Report and Decision

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

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

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

#### 6. Appeal Procedures

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

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

#### 7. Remedial Actions

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

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

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

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

### D. RELATIONSHIP TO OTHER ENFORCEMENT MECHANISMS

The District's discrimination policies and procedures are intended to supplement, and not replace, any applicable state and federal laws and regulations. For example, a complainant who believes he or she has been discriminated or retaliated against for complaining

about discrimination may file a complaint with the agencies referenced below. A complainant may request that other state and federal governmental agencies investigate complaints of discrimination by filing a complaint with the State Department of Education and the Office of Civil Rights. Employees may also file complaints with the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission.

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

Fair Employment and Housing  
Fresno District Office  
1320 E. Shaw Ave., Suite 150  
Fresno, CA 93710  
559-445-5373

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

Equal Employment Opportunity Commission  
2300 Tulare St., Suite 215  
Fresno, CA 93721  
559-487-5793

*Education Code 200-262.3 Prohibition of discrimination*  
*Education Code section 32289 complaint of non-compliance with*  
*school safety planning*  
*Education Code 49060-49079 Student Records*  
*Education Code 49010-49013 Student Fees*  
*Education Code 48853, 48853.5, 49069.5, 51225.1 and 51225.2*  
*Homeless and Foster Youth*  
*Education Code 51228.1, 51228.2 and 51228.3 Repeat of*  
*Previously Taken Course and Assignment to Course without*  
*Educational Content*  
*Education code 51210 and 51223 Elementary Physical Education*  
*Minutes*  
*Education Code 51225.2 Former Juvenile Court School Student*  
*Graduation Requirements*  
*Education Code 222 Lactating Pupil*  
*Code of Reg Title 5 3080 Application of section 4600-4671*  
*Code of Reg Title 5 4600-4671 Uniform Complaint Procedures*  
*Government Code 950-950.8 Actions against public employees*  
*Government Code 54957-54957.8 Closed Sessions*  
*Title VI, Civil Rights Act of 1964*  
*Title IX, Education Amendments of 1972*  
*Section 504, Rehabilitation Act of 1973*  
*34 Code of Federal Regulations 200.74 and Part 300*  
*General Education Provisions Act, 20 U.S.C. 1221 et seq.,*  
*especially:*  
*Family Education and Privacy Rights Act, 20 U.S.C. 1232g*

(Revised 9/27/17)

**CLOVIS UNIFIED SCHOOL DISTRICT  
NON-DISCRIMINATION, HIRING PRACTICE AND PROCEDURES, SEXUAL HARASSMENT,  
TITLE IX AND COMPLAINT PROCEDURES**

**NOTIFICATION STATEMENT**

**GENDER EQUITY**

It is the policy of the Clovis Unified School District not to discriminate on the basis of gender in its educational program activities or employment policies and practices as required by Title IX of the 1972 Education Amendments. (CUSD Board Policy No. 2108 and No. 6204 and 6205 and Administrative Regulation No. 6205)

**NON-DISCRIMINATION**

No student or staff member shall, on the basis of age, race, color, ethnicity, religion, ancestry, national origin, political affiliation, disability, gender, gender expression, gender identity, sex or sexual orientation, parental or marital status, ethnic group identification, nationality, medical condition (including genetic characteristics), military or veteran status, a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state, or local law, ordinance, or regulation, be excluded from participation in and be denied the benefits of or be subjected to discrimination under any education program or activity administered by the District. (CUSD Board Policy No. 2108 and No. 6204)

**HIRING PRACTICE AND PROCEDURES**

It is the policy of the Clovis Unified School District to guarantee to all persons equal access to all categories of employment in the District, regardless of actual or perceived race, religion, color, national origin, ancestry, physical or mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, military and veteran status, or pregnancy.. (CUSD Board Policy No. 6205; Cal. Gov. Code section 12940)

**HATE MOTIVATED BEHAVIOR**

A safe school environment is free of hate motivated behavior. Acts of hate motivated behavior constitute a disruptive influence in the community and on a school campus. Hate motivated acts may be sufficiently severe or pervasive to create an intimidating, hostile, or offensive education environment and to have a negative impact upon the victim's academic performance. It is the policy of the Clovis Unified School District that students who engage in hate motivated acts shall be referred for consideration for suspension or expulsion. (CUSD Board Policy No. 2102 and No. 2110)

**SEXUAL HARASSMENT**

It is the policy of the Clovis Unified School District to act promptly, visibly, and vigorously to eliminate all forms of sexual harassment from the campuses and work place. (CUSD Board Policy No. 2111 and No. 6301)

**PUPIL FEE**

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. (Cal. Ed. Code section 49011) A "pupil fee" means a fee, deposit, or other charge imposed on a pupil, or the pupil's parents or guardian, in violation of the Section 5 of Article IX of the California Constitution, which requires educational activities to be provided free of charge. (Cal. Ed. Code section 49010) Any complaint regarding a pupil fee shall be filed using the District's Uniform Complaint Procedures, which is contained in CUSD Board Policy and Administrative Regulation 9208, and described below. (Cal. Ed. Code section 49013) A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred. (5 CCR section 4630(c)(1).)

**BULLYING**

It is the policy of the Clovis Unified School District to prohibit discrimination, harassment, intimidation and bullying based on actual or perceived characteristics described in Penal Code section 422.55, Education Code section 220, or association with a person or group with one or more of these actual or perceived characteristics. All school personnel who witness an act of discrimination, harassment, intimidation or bullying, shall take immediate steps to intervene when safe to do so. Students who witness such an act or who suspect that another student is a victim of such acts are encouraged to notify school staff. A student who believes he or she is a victim of bullying may submit a Complaint Form under the District's Uniform Complaint Procedures, CUSD Board Policy and Administrative Regulation 9208, within six (6) months of the alleged bullying occurrence. This period may be extended by the District's Superintendent or Designee for good cause for a period not to exceed 90 days. (CUSD Board Policy No. 2116; 5 CCR 4630(b))

**FORMAL COMPLAINT PROCEDURES**

It is the policy of the Clovis Unified School District to develop and publish complaint procedures for the prompt and equitable resolution of complaints of students, employees, parents/guardians, and the public regarding District personnel, practices, and policies. (CUSD Board Policy No. 9207)

**UNIFORM COMPLAINT PROCEDURES**

Clovis Unified School District is primarily responsible for compliance with applicable state and federal laws and regulations in the District. CUSD Board Policy and Administrative Regulation 9208 provide a process to file a complaint related to certain claims alleging a violation of law, such as discrimination, harassment, intimidation, bullying, as well as other claims alleging a failure to comply with certain laws such as non-compliance with LCAP and required elementary physical education minutes, compliance with laws related to foster and homeless youth, or charging of a pupil fees. The Associate Superintendent, School Leadership is the responsible District employee designated to receive complaints. Complaints regarding discrimination, harassment, intimidation, or bullying must be filed within six (6) months from the date of the alleged discrimination, harassment, intimidation, or bullying. Within 60 days from the date of the receipt of the complaint, an investigation shall be completed and written decision prepared, except upon written agreement of the complainant to extend the 60 day timeline. The complainant has a right to appeal the District's decision to the California Department of Education by filing a written appeal within 15 days of receiving the District's written decision. Civil law remedies, including but not limited to injunctions, restraining orders, or other remedies or orders may also be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable, and an appeal may be available pursuant to Education Code section 262.3. A pupil fee or LCAP complaint can be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint. Copies of the District's complaint procedures are available free of charge and can be accessed at [www.clovisusd.k12.ca.us](http://www.clovisusd.k12.ca.us). (CUSD Board Policy No. 9208; 5 CCR sections 4620-4633)

*Assistance in dealing with any concerns regarding these policies can be obtained from the site administration.*

- **Si necesita ayuda para leer esta carta o necesita más información llame por favor a la escuela.**
- **Yogkojxakompēpbkjoxtogdaimntawv no thovhutuajraupeb.**

**Reviewed April 2017**

**Board Policy**

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

The Board recognizes that the District has primary responsibility for insuring that it complies with state and federal laws and regulations governing educational programs. Persons responsible for conducting investigations shall be knowledgeable about the matters that they are assigned to investigate. The District shall follow this complaint procedure to identify and resolve deficiencies in three primary areas: textbooks and instructional materials, the condition of a facility that poses an emergency or urgent threat to the health and safety of students or staff, and teacher vacancy and misassignment.

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

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

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

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

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

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

Responsibilities of Complainant

The Complainant:

1. Shall receive a copy of the Uniform Complaint Procedures without charge.
2. Shall file the complaint in writing with the principal of the school or his or her designee and follow the steps in the Uniform Complaint Procedures Administrative Regulation 9211.
3. If dissatisfied with the resolution of the school Principal or Superintendent's designee, may describe the complaint to the Governing Board during public comment at a regularly scheduled meeting of the Board.
4. If dissatisfied with the resolution proffered by the school Principal or Superintendent's designee, and if the complaint involves a condition of a facility that poses an emergency or urgent threat as defined in Education Code section 17592.72(c)(1), has the right to file an appeal to the Superintendent of Public Instruction within fifteen calendar days of receiving the report, who shall provide a written report to the State Board of Education describing the basis for the complaint and, as appropriate, a proposed remedy for the issue described in the complaint.

Responsibilities of the District

The District:

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

(Revised: 06/28/17)

**Administrative Regulation**

**PURPOSE:** The procedures outlined in this administrative regulation provide a process for filing a complaint regarding alleged deficiencies related to instructional materials, the condition of a facility that is not maintained in a clean or safe manner or in good repair, and teacher vacancies or misassignments.



### Compliance Officers

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

Associate Superintendent, Administrative Services  
Clovis Unified School District  
1450 Herndon Avenue  
Clovis, CA 93611-0599  
559-327-9000

### Notifications

The Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of Uniform Complaint Procedures and information about available appeals, civil law remedies, including, but not limited to, injunctions, restraining orders, or other court orders which may be available to complainants and conditions under which a complainant may appeal to the Superintendent of Public Instruction. Such notification shall be in the District's informational materials, including the Student and Parent Rights and Responsibilities Handbook given to each student upon registration in the District or at the beginning of each school year. This information is also available at [www.cusd.com](http://www.cusd.com).

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

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials each student, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home to complete required homework assignments.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies and misassignments. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present.

### Complaint Procedures

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

#### 1. Filing the Complaint

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

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

#### 2. Investigation of the Complaint

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

#### 3. Response and Written Report

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

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

#### 4. Appeal

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

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

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

- 1 If the complaint is beyond the principal's authority, he/she shall forward it to the District Office with ten working days from the date the complaint was received.
- 2 If the complaint is regarding the condition of a facility that poses an emergency or urgent threat and the complainant is not satisfied with the resolution offered by the District, he/she may file an appeal within fifteen calendar days to the Superintendent of Public Instruction.

(Revised: 06/28/17)

# I. BUS TRANSPORTATION

## BUS TRANSPORTATION INFORMATION

1. The established radius zone\* distance for students shall be as follows:
  - a. For grades K-6, the radius zone will be drawn at a distance of one (1) mile from the school site.
  - b. For grades 7-12, the radius zone will be drawn at a distance of two and one half (2.5) miles from the school site.Students who live within the radius zones as defined above will not be provided transportation regardless of the distance to the school.
2. Modifications to the radius zone distance may be for special pockets\*\* as outlined below. Students who live inside special pockets as defined will not be eligible for home-to-school transportation regardless of the distance to school.
3. All regular education routes are available on the Clovis Unified School District website using the following:  
<http://www.cusd.com/transportation/schedules/>.

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

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

## REQUIREMENTS FOR RIDING A SCHOOL BUS

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

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

## POSTED BUS RULES OF CONDUCT

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

1. Fighting (physical contact) \*\*\* fighting (verbal altercation)\*\* is prohibited.
2. Threatening behavior and/or harassment of any kind is prohibited. \*\*\*
3. Weapons, smoking, laser pens, drugs, or alcohol is forbidden on or near a school bus. \*\*\*
4. Cross the street in front of the bus and only under the supervision of your bus driver. \*\*\*
5. Follow the instructions of your bus driver at all times. \*\*

6. Students are to remain seated and facing the front while the bus is in motion. **If the bus is so equipped, students SHALL appropriately utilize seat belts at all times.** \*\*
7. Keep your arms and head inside the bus at all times. \*\*
8. Profanity, indecent language, or obscene gestures is prohibited. \*\*
9. Any property defaced or destroyed on the school bus will be paid for by the student and/or their parent/guardian. \*
10. Eating, drinking, and chewing gum are prohibited. \*
11. Spitting or throwing objects on the bus or out the window is prohibited. \*
12. Loud or boisterous noises, singing or whistling will not be permitted. \*
13. Glass objects, inflated balloons, cleats, radios, tape recorders, roller blades, skateboards will not be permitted. \*
14. Animals or insects (dead or alive) are not allowed on the bus. \*

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

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

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

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

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

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

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

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

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

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

**BUS DISCIPLINE PROCEDURES**

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

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

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

- e. Out of town activity trips will be reviewed and, if needed, delayed until such time as conditions improve. Out of town or late activity trips may be canceled due to these conditions. Students who walk or provide their own transportation to school should arrive at the normal time. Unless an additional announcement is made, afternoon bus runs and athletic runs will operate on a regular schedule.

### WALKING TO AND FROM SCHOOL BUS STOPS

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

### RED LIGHT ESCORT CROSSING INFORMATION

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

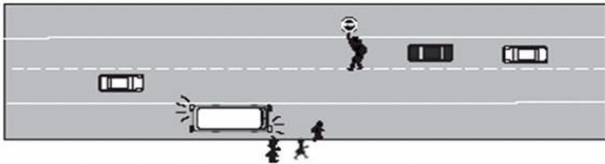
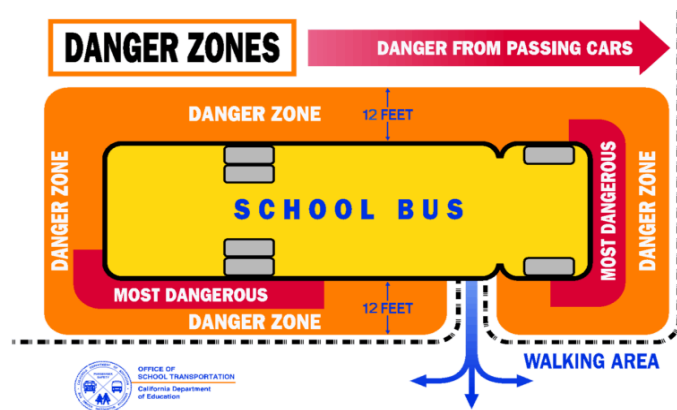


Figure Unit VII-12. Passenger Unloading-Escorted Crossover

### SCHOOL BUS DANGER ZONES

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

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



### SAFE RIDING PRACTICES AND EMERGENCY PROCEDURES

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

The training must include the following:

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

**Board Policy**

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

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

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

*(Adopted 3/24/10)*

**J. EXHIBITS**

**Exhibit**

**No. 2105 (1)**



**PETITION FOR WAIVER OF  
DRESS AND GROOMING COMPLIANCE  
EXHIBIT 2105-1**

Religious beliefs, bona fide medical reasons, or other good cause based on legal requirements, when verified, may be grounds for a waiver to a specific portion of the Dress and Grooming Policy. A petition for a waiver from enforcement of a specified portion of Dress Code Policy shall be submitted to the Student Services and School Attendance office:

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

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

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

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

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

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

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

\_\_\_\_\_

Reason (Check the Applicable Request Below and Provide an Explanation of the Request):

- Religious
  - Medical
  - Other
- Explanation of Waiver Request: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Please provide the applicable documentation as directed below in A, B or C. The documentation you provide will depend upon the particular waiver requested.

A. If you are submitting a waiver based on religious grounds, please submit information to support your request for a waiver of complying with Governing Board Policy No. 2105 - Dress and Grooming, due to religious beliefs:

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

2. Name of local church/temple/mosque/tabernacle/house of worship: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

3. Name and title of local religious leader or elder: \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
City: \_\_\_\_\_ Zip: \_\_\_\_\_

4. Verification of religious affiliation:  
Name and title of person verifying religious affiliation: \_\_\_\_\_  
Signature of person verifying religious affiliation: \_\_\_\_\_

B. If you are submitting a waiver based on medical grounds, please submit supporting medical documentation indicating the need for

such a waiver. You may be asked to sign a release of information so that the school nurse can discuss your particular request with your medical provider. Please attach to this waiver request any supporting documentation.

C. If you are submitting a waiver based on other grounds, please provide information that you believe is important in order for the District to decide your request and attach any supporting documentation you believe is relevant.

---

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**ACTION**

<i>FOR DISTRICT USE:</i>		
Date: _____	Waiver Approved _____	Waiver Denied _____
Reason: _____		
_____		
_____		
Signature of School Official: _____		

**Appeal of Exemption Denial:**

You may appeal any waiver denial. An appeal shall be submitted in writing to the Associate Superintendent for School Leadership within 30 calendar days of the denial. Within 30 calendar days of receipt of the appeal, the Associate Superintendent or designee shall gather facts and make a written determination, which shall be provided to the complainant. Gathering of facts shall include but may not be limited to meeting with the complainant, if deemed appropriate to do so. Any decision of the Associate Superintendent for School Leadership shall be final.

However, in the event that the allegations raised in the appeal of the waiver denial are determined by the Associate Superintendent for School Leadership to fall within the District’s Uniform Complaint Procedures (“UCP”) included in Board Policy No. 9208 (e.g. claims of discrimination), then the District will use the District UCP process, as outlined in BP/AR No. 9208, to investigate and respond to the appeal of the denied waiver request. Consistent with the law and BP/AR No. 9208, any appeal of that decision may be appealed to the California Department of Education.

**[PAGE 2 WRITTEN ACTION TO BE RETURNED TO PARENT/GUARDIAN]**

- Adopted: 2/28/96*
  - Reviewed: 6/22/02*
  - Reviewed: 8/14/03*
  - Reviewed: 8/24/05*
  - Reviewed: 6/14/06*
  - Reviewed: 5/23/07*
  - Amended: 7/17/08*
  - Reviewed: 5/27/09*
  - Amended: 5/26/10*
  - Revised: 2/23/12*
  - Revised: 6/28/17*
-



**SECONDARY ACCEPTABLE BACKLESS SHOES (EXAMPLES)**



**SECONDARY UNACCEPTABLE BACKLESS SHOES (EXAMPLES)**



*Adopted: 6/26/02  
Reviewed: 5/27/09*



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

DIGMAC # \_\_\_\_\_

OPEN ENROLLMENT TRANSFER APPLICATION

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

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

PLEASE PRINT:

Today's Date: \_\_\_\_\_

Requested School Year: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

FOR DISTRICT USE ONLY
Date: \_\_\_\_\_
WAITLISTED: There is no space available at this time. Your child has been placed on a randomized waiting list. Space availability will be monitored and you will be notified if space becomes available.
DENIED:
There is a documented safety concern (#2).
Special education Services are not available or impacted (#4).
Appeal process is on the back

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

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

FOR OFFICE USE

**CONDITIONS OF OPEN ENROLLMENT TRANSFER - PLEASE READ**

**Please initial on the lines below**

\_\_\_\_\_ Should transfer applications to attend a particular school exceed the capacity of that school; selection of students to enroll will be made through a random, unbiased process that prohibits an evaluation of whether any student should be enrolled based upon his or her academic or athletic performance. Children requiring special programs or classes will only be admitted to those schools offering such programs or classes on the basis of space availability. All students, including transfer students, are subject to capping and busing.

\_\_\_\_\_ In the case of boundary changes, approved transfers may require reapplication.

\_\_\_\_\_ Parents/guardians will be responsible for providing daily transportation to and from the school of choice.

\_\_\_\_\_ Intradistrict transfers are valid for one school year. For a transfer valid for more than one year, the parent/guardian must apply for an Open Enrollment Transfer between the first day of school and November 1 of the preceding school year. Once a transfer is accepted, the student may not return to his or her home school without applying for an additional transfer.

\_\_\_\_\_ According to Board Policy and Administrative Regulation No. 2505, students entering grades 7-12 who have accepted a transfer for the first time will be ineligible for athletic participation for one calendar year (365 days) from the date of first attendance within the District at the student’s new school. The 365 days of ineligibility may be appealed consistent with the requirements, standards and guidelines under Board Policy and Administrative Regulation No. 2505, which requires completion and submission of specific documentation. Again, authorization or approval by the District of an intradistrict transfer of students entering grades 7-12 does not result in the student obtaining eligibility for District interscholastic athletics. Please refer to Board Policy and Administrative Regulation No. 2505 regarding the limits to and requirements for obtaining athletic eligibility upon the granting of an intradistrict transfer. Athletes awaiting appeal decisions cannot participate in any athletic activity unless the parent/guardian has signed the “To Practice Release” form. If the athlete is deemed ineligible, the athlete is to stop practice and turn in his/her athletic gear.

If this transfer application is approved, student plans to file for an appeal for athletic eligibility (GRADES 7-12 ONLY): Yes No

My child requests eligibility according to the Sibling Rule (Board Policy No. 5106); I acknowledge that eligibility under the Sibling Rule is available only after a change to attendance boundaries. Yes No

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

***PARENT INFORMATION – APPEAL PROCESS***

You may appeal this decision within 30 days from the date above by submitting your appeal in writing to the Student Services and School Attendance Transfer Appeals Board. Letters are to be mailed to the address provided at the top of the form. You will be notified in writing of the results of your appeal.

Adopted: 12/12/07                      Revised 2/23/12  
Amended: 8/1/08                      Revised: 3/30/12  
Reviewed: 7/8/09                      Revised: 5/16/13  
Amended: 9/8/10  
Revised: 11/16/11



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

DIGMAC # \_\_\_\_\_

INTRADISTRICT TRANSFER APPLICATION

(Applications may be made during the school year for the remainder of that school year)

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

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

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

PLEASE PRINT: Today's Date: \_\_\_\_\_

Requested School Year: \_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

FOR DISTRICT USE ONLY Date: \_\_\_\_\_
[ ] WAITLISTED:
There is no space available at this time. Your child has been placed on a randomized waiting list. Space availability will be monitored and you will be notified if space becomes available.
[ ] DENIED:
There is a documented safety concern. (#2)
Special Education services are not available or impacted. (#4)
The reason for the transfer request does not meet Governing Board criteria. (#5)
A second choice school has been assigned. (#6) (See box on the right)
Intradistrict transfers cannot be renewed. An open enrollment transfer was required to continue enrollment. (#7)
APPEAL PROCESS- PAGE 2

FOR DISTRICT USE ONLY
APPROVAL: Your transfer has been approved for reason: \_\_\_\_\_
CC Childcare PW Parent employed within boundaries
CU Curricular reasons SR Renewed
IN Intent to relocate ME Medical or disciplinary safety concern
OT Justifiable FA Sibling Rule per Board Policy No. 5106
PE CUSD employment HL McKinney-Vento Federal Law
GR Senior
Effective Date: \_\_\_\_\_ Approval Date: \_\_\_\_\_
Expiration Date: \_\_\_\_\_

PARENT INFORMATION - ACCEPTANCE PROCESS
• This approved application and all enrollment documents must be presented to the approved school within ten (10) school days of the effective date listed above or the approval will be rescinded.
• All of the abovementioned conditions will apply once the transfer is accepted.
IN ORDER TO CONTINUE ENROLLMENT AT THE APPROVED SCHOOL FOR THE FOLLOWING SCHOOL YEAR, AN OPEN ENROLLMENT TRANSFER IS REQUIRED AS OUTLINED IN BOARD POLICY NO. 2209.

FOR OFFICE USE



CONDITIONS OF INTRADISTRICT TRANSFER - PLEASE READ

Please initial

Should transfer applications to attend a particular school exceed the capacity of that school, selection of students to enroll will be made through a random, unbiased process that prohibits an evaluation of whether any student should be enrolled based upon his or her academic or athletic performance. Children requiring special programs or classes will only be admitted to those schools offering such programs or classes on the basis of space availability. All students, including transfer students, are subject to capping and busing.

In the case of boundary changes, approved transfers may be revoked and require reapplication.

Parents/guardians will be responsible for providing daily transportation to and from the school of choice.

Open Enrollment Transfer Applications under Board Policy and Administrative Regulation No. 2208 must be submitted between the first day of school and November 1 of the school year prior to the year of desired attendance and will remain in effect through Grade 12, absent other circumstances described in Board Policy and Administrative Regulation No. 2208.

Intradistrict Transfer Applications under Board Policy and Administrative Regulation No. 2209 may be made any time and are valid for the remainder of that school year, absent other circumstances described in Board Policy and Administrative Regulation No. 2209. If a student wishes to continue attending the transfer school after that year, he/she must submit an Open Enrollment Transfer Application under Board Policy and Administrative Regulation No. 2208.

Any transfer may be revoked at the District's discretion. If the transfer is revoked, the student may return to his or her school of residence provided there is space available to justify the student's return. If there is not sufficient capacity, the student will be subject to an administrative transfer to another school at the District's discretion. Once a transfer is accepted, the student may not return to his or her school of residence without applying for an additional transfer.

According to Board Policy and Administrative Regulation No. 2505, students entering grades 7-12 who have accepted a transfer for the first time will be ineligible for athletic participation for one calendar year (365 days) from the date of first attendance within the District at the student's new school. The 365 days of ineligibility may be appealed consistent with the requirements, standards and guidelines under Board Policy and Administrative Regulation No. 2505, which requires completion and submission of specific documentation. Again, authorization or approval by the District of an intradistrict transfer of students entering grades 7-12 does not result in the student obtaining eligibility for District interscholastic athletics. Please refer to Board Policy and Administrative Regulation No. 2505 regarding the limits to and requirements for obtaining athletic eligibility upon the granting of an intradistrict transfer. Athletes awaiting appeal decisions cannot participate in any athletic activity unless the parent/guardian has signed the "To Practice Release" form. If the athlete is deemed ineligible, the athlete is to stop practice and turn in his/her athletic gear.

If this transfer application is approved, student plans to file for an appeal for athletic eligibility (GRADES 7-12 ONLY):  Yes  No

My child's transfer request is a result of a secondary boundary change which has caused different secondary attendance boundaries for each of my children. As a result, I am requesting that my youngest child be moved to the same secondary school as my older child and that athletic eligibility be granted as defined in Board Policy No. 5106 (Sibling Rule).  Yes  No

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

PARENT INFORMATION - APPEAL PROCESS

You may appeal this decision within 30 days from the date above by submitting your appeal in writing to the Student Services and School Attendance Transfer Appeals Board. Letters may be mailed to the address provided at the top of the form. You will be notified in writing of the results of your appeal.

Adopted: 12/12/07 Revised: 02/23/12
Revised: 08/01/08 Revised: 03/30/12
Revised: 09/08/10 Revised: 01/14/14
Revised: 11/16/11



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

Requested District: _____
For school year: 20____ - 20____
Date of Request: _____

## INTERDISTRICT TRANSFER AGREEMENT/PERMIT

Parent/Legal Guardian: \_\_\_\_\_

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

Email Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Explain the reason(s) for the request for interdistrict transfer (you may attach additional pages) Verification is required and must be attached (*i.e. Letter from child care provider, proof of residence, Doctors notes*)

STUDENT'S LAST NAME	FIRST NAME	DATE OF BIRTH	GRADE REQUESTED	*SPECIAL ED. YES/NO	*EXPULSION YES/NO	SCHOOL REQUESTED	RENEWAL YES/NO

\*Please describe past or current Special Ed. Services or major discipline issues:

### TERMS AND CONDITIONS

- This interdistrict transfer agreement/permit is valid only for the school year granted. The agreement/permit expires at the end of each school year and must be renewed annually.
- This agreement may be revoked at any time by the district of desired attendance for the following reasons:
  - ◆ Student is excessively tardy, absent from school, or brought to school excessively early or left excessively late.
  - ◆ Student fails to uphold appropriate behavior standards or student had poor academic performance.
  - ◆ False or misleading information was provided.
  - ◆ Student fails to follow school rules.
  - ◆ Other: \_\_\_\_\_
- Approval is subject to space availability in the district of desired attendance and may not be at the requested school site.

I declare, under penalty of perjury under the laws of California that the information provided above is true and accurate. I have read the terms and conditions set forth below and understand the interdistrict transfer regulations and policies for both my district of residence and district of desired attendance. I understand that if approved, this permit is subject to the terms and conditions below and that this permit may be denied or revoked during the school year based on any violations of the terms and conditions set forth below. My signature below indicates my understanding that the sending and receiving school district may request student records before this transfer is processed.

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

<p><b>District of Residence</b>    <input type="checkbox"/> Approved    <input type="checkbox"/> Denied</p> <p>School District: _____ Date: _____</p> <p>Reason: _____</p> <p>_____</p> <p>Signature - Authorized Representative</p>
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<p><b>District of Request</b>    <input type="checkbox"/> Approved    <input type="checkbox"/> Denied</p> <p>School District: _____ Date: _____</p> <p>Reason: _____</p> <p>_____</p> <p>Signature - Authorized Representative</p>
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\*If denied appeals may be made at Clovis Unified School District, Student Services and School Attendance Director first (559)327-9202. If no action is taken within 30 days, parent/ guardian has the right to appeal to the Fresno County Board of Education within 30 days of the denial date or failure to issue an IDT permit/ agreement – (559) 265-3003

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## CLOVIS UNIFIED SCHOOL DISTRICT

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

### NOTIFICATION - ZERO TOLERANCE

The Governing Board of the Clovis Unified School District has declared that the schools operated by the Clovis Unified School District have a Zero Tolerance Policy applicable to sexual assault or battery; battery; the sale, possession, or furnishing of a firearm; possession of a knife; possession of a dangerous object; possession of an explosive or explosive device; the sale, possession or furnishing of a controlled substance, alcohol or any other form of intoxicant; being under the influence of a controlled substance and/or alcohol and/or any other form of intoxicant; vandalism where property damage exceeds \$100; repeated mutual combat; robbery or extortion; participation in gang motivated intimidation; assault on or threats to school staff; participation in hate motivated behavior constituting a statutory violation; and terroristic threats.

Any student who is determined to be in violation of the Zero Tolerance Policy shall be immediately suspended by the principal and considered for expulsion from the Clovis Unified School District and/or involuntary transfer.

Violations of the Zero Tolerance Policy will be recorded for each student on their Mandatory Interim Record, as provided by law, including information on suspensions and expulsions. Such records could be expunged upon graduation, or by petition.

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

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

Where a student violates a provision of the Penal Code or the Health and Safety Code or commits another offense referenced by this policy, the student could be referred to law enforcement for citation, arrest or detention.

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

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

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*Date of Birth* \_\_\_\_\_ *School of Attendance* \_\_\_\_\_

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*Parent Signature* \_\_\_\_\_ *Date* \_\_\_\_\_

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*School Official Signature* \_\_\_\_\_ *Date* \_\_\_\_\_

*Adopted:* 06/08/94 *Reviewed:* 10/10/07 *Revised:* 01/15/14  
*Revised:* 07/06/94 *Revised:* 07/08/09  
*Revised:* 09/28/05 *Revised:* 11/16/11



**STUDENT SEXUAL HARASSMENT INFORMAL COMPLAINT**

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

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

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

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

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

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

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

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

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

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

*Complainant*

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

*School Representative*

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





**STUDENT SEXUAL HARASSMENT FORMAL COMPLAINT**

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

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

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

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

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

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

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

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

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

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

*(Continued detailed statement of the circumstances constituting the harassment)*

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Suggestions for an appropriate remedy or resolution of this complaint: \_\_\_\_\_

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*Attach additional pages if necessary*

Names of witnesses or other persons having knowledge of the conduct:

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

*I certify that the foregoing statements and attachments are true and correct.*

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

## CUSD SITE-BASED CATEGORICAL FUNDED PROGRAMS FOR 2017-18

SCHOOL	TITLE I Part A	TITLE III – EL	TITLE III – Immigrant
Bud Rank Elementary		X	X
Cedarwood Elementary		X	X
Century Elementary		X	X
Clovis Elementary	X	X	X
Cole Elementary	X	X	X
Community Day School – Elementary	X	X	X
Copper Hills Elementary		X	X
Cox Elementary	X	X	X
Dry Creek Elementary		X	X
Fancher Creek Elementary	X	X	X
Fort Washington Elementary		X	X
Freedom Elementary		X	X
Fugman Elementary		X	X
Garfield Elementary		X	X
Gettysburg Elementary		X	X
Jefferson Elementary	X	X	X
Liberty Elementary		X	X
Lincoln Elementary	X	X	X
Maple Creek Elementary		X	X
Miramonte Elementary	X	X	X
Mountain View Elementary	X	X	X
Nelson Elementary	X	X	X
Oraze Elementary		X	X
Pinedale Elementary	X	X	X
Reagan Elementary		X	X
Riverview Elementary		X	X
Red Bank Elementary		X	X
Sierra Vista Elementary	X	X	X
Tarpey Elementary	X	X	X
Temperance-Kutner Elementary	X	X	X
Valley Oak Elementary		X	X
Virginia R. Boris Elementary		X	X
Weldon Elementary	X	X	X
Woods Elementary		X	X
Alta Sierra Intermediate		X	X
Clark Intermediate		X	X
Granite Ridge Intermediate		X	X
Kastner Intermediate		X	X
Reyburn Intermediate		X	X
Buchanan High School		X	X
Clovis East High School		X	X
Clovis High School		X	X
Clovis North High School		X	X
Clovis West High School		X	X
Gateway High School	X	X	X
Community Day School – Secondary	X	X	X

**CLOVIS UNIFIED  
SCHOOL DISTRICT**

Technology Resources Use  
STUDENT USER AGREEMENT

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

*Please Print*

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

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

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
School Site

\_\_\_\_\_  
ID#

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

\_\_\_\_\_  
Date

*Permission for Internet Use:*

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

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

\_\_\_\_\_  
Date

*Adopted: 1/5/05  
Amended: 10/26/06  
Reviewed: 6/22/07  
Amended: 6/18/08  
Reviewed: 7/8/09  
Reviewed: 3/2/11*



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

Date Received
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**COMPLAINT FORM**

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

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

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

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

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

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

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

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

*Attach additional pages if necessary*

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

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

Suggestions for an appropriate remedy or resolution of this complaint:

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

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

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

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



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

Date Received
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### WILLIAMS UNIFORM COMPLAINT PROCEDURES FORM

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment.

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

Response Requested?  Yes  No

Contact Information:

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

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

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

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

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

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

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

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

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

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

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

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

- A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or State adopted or District adopted textbooks or other required instructional materials to use in class.
- A pupil does not have access to textbooks or instructional materials to use at home or after school. This does not require two sets of textbooks or instructional materials for each pupil.
- Textbooks or instructional materials are in poor or unusable condition, have missing

pages, or are unreadable due to damage.

- A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Teacher vacancy or misassignment: (Education Code 35186; 5 CCR 4682)
- A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
  - A teacher lacking credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners pupils in the class.
  - A teacher is assigned to teach a class for which the teacher lacks subject matter competency.
3. Facility conditions: (Education Code 35186, 35292.5; 5 CCR 4683)
- A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the District determines appropriate.
  - A school restroom has not been cleaned or maintained regularly, is not fully operational, or has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
  - The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. This does not apply when closing of the restroom is necessary for pupil safety or to make repairs.

Facts of complaint:

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Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

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

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Complaints shall be filed with the principal or his/her designee of the school in which the complaint arises as designated below.

Principal or designee of the Superintendent: \_\_\_\_\_

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

*Adopted: 12/15/04  
Reviewed: 5/23/07  
Revised: 1/23/08  
Reviewed: 12/3/08  
Reviewed: 1/14/09  
Reviewed: 10/14/09  
Revised: 01/15/14  
Revised: 07/05/17*