



2021 - 2022

**STUDENT AND PARENT
RIGHTS AND RESPONSIBILITIES
HANDBOOK**

**Annual Parent and Student
Rights Notification**

An electronic version of the handbook can be found at:
<https://www.cusd.com/StudentRightsResponsibilities.aspx>



July 1, 2021

Dear Parent or Guardian,

Welcome to the 2021-2022 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 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) 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,

A handwritten signature in black ink that reads "E Farrell".

Eimear O'Farrell, Ed.D.
Superintendent

Governing Board

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Steven G. Fogg, M.D.
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Associate Superintendent

STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES HANDBOOK

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References to Board Policies and Laws:

- CUSD’s board policies and administrative regulations may be amended from time to time. CUSD is in the process of renumbering and updating its administrative regulations. Therefore, some of the administrative regulations referenced in this handbook may not be attached. Current board policies and administrative regulations can be accessed online at <https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx> or by calling your school.
- References to the Education Code and other laws in this handbook are subject to change as state and federal law are passed or amended. If there is any conflict between any provision in this handbook and any provision set forth in applicable laws, the provision in the applicable law shall govern. The Education Code can be accessed online at www.leginfo.ca.gov/faces/codes.html or by calling the California Department of Education at 916-319-0800.

Notice of 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, family or marital status, ethnic group identification, nationality, medical condition (including genetic characteristics), immigration status, 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 CUSD. (Board Policies No. 5145.7 and 4030)

Quick contact reference guide: For questions about general student concerns, contact Associate Superintendent of School Leadership, Corrine Folmer, at 559-327-9350. For questions regarding Special Education, contact Administrator for SELPA and Psychology Services Theresa Pafford at 559-327-9400.

**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.**

**ADDITIONS AND CHANGES TO
STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES HANDBOOK**

While all enclosed information is relevant to the education of your student, of particular note are the following changes from last year's 2020-21 Student and Parent Rights and Responsibilities Handbook:

1. CUSD has renumbered and updated its board policies and administrative regulations. The most recent board policies and administrative regulations may be accessed at <https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx>.
2. Board policies and administrative regulations are listed in the Appendix – Board Policies, Administrative Regulations, and Exhibits and are included as part of the Appendix. CUSD is in the process of updating its administrative regulations. Therefore, some administrative regulations and exhibits referenced in this handbook may not be included. The most recent board policies and administrative regulations may be accessed at <https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx>.

A. 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.

A1. Student Discipline and Attendance

You have the right as a parent:

To obtain a copy of the governing board's rules and regulations on student discipline. (Educ. Code § 35291.) Board Policy and Administrative Regulation No. 5144 – Student Discipline can be accessed at:

<https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx>.

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. (Educ. Code §§ 48900.1, 48914.)

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. (Educ. Code § 48204(b).)

To apply for enrollment of your child in a school district in which you are employed and where you and your child live at your place of employment for a minimum of three days during the school week. (Educ. Code § 48204(a)(7).)

To be informed that a student complies with a school district's residency requirements for school attendance if the student's parent is transferred or is pending transfer to a military installation within the state while on active military duty pursuant to an official military order. School districts must accept applications by electronic means for enrollment, including enrollment in a specific school or program within CUSD, and for course registration. The parent must provide proof of residency in CUSD within 10 days after the published arrival date provided on official documentation. (Educ. Code § 48204.3)

To request information about enrollment in alternative schools. (Educ. Code § 58501.) Please see B4.

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. (Educ. Code § 46014.)

To excuse a 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. (Educ. Code § 48205.)

To be informed that the Governing Board, pursuant to Education Code section 44808.5, has decided to permit seniors enrolled at each high school to leave their respective school grounds during the lunch period only. Neither CUSD 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. (Educ. Code § 44808.5.)

To receive the CUSD's board policy on sexual harassment as it relates to students. (Educ. Code §§ 231.5 and 48980(g).) Please see D7, Sexual Harassment.

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 inter-district and intra-district 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. (Educ. Code § 48980 (h), (i).) Please see B1.

Temporary Disability/Individual Instruction: To be informed that a student whose temporary disability makes school attendance impossible or inadvisable, must receive individual instruction either: (1) at home provided by the school district in which the student resides; or (2) in a hospital or other residential health facility, excluding state hospitals, provided by the school district in which the hospital or residential health facility is located. "Temporary disability" means a physical, mental or emotional disability incurred while a student is enrolled in regular day classes or an alternative education program to which the student can reasonably be expected to return. "Temporary disability" does not include a disability that would qualify a student as a "student with exceptional needs" under Education Code section 56026. (Educ. Code § 48206.3(b)(2).) A student with a temporary disability who is in a hospital or other residential health 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. (Educ. Code § 48207.) 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 working days. (Educ. Code § 48208.) Individual instruction in a student's home must commence no later than five working days after a school district determines that the student shall receive this instruction. (Educ. Code § 48207.5) When a student receiving individual instruction is well enough to return to school, s/he must be allowed to return to the school that s/he attended immediately before receiving individual instruction, if the student returns during the school year in which the individual instruction was initiated. (Educ. Code § 48207.3) Students enrolled in individual instruction in a hospital or other residential health facility for a partial week are entitled to attend school in his/her school district of residence, or to receive individual instruction provided by the school district of residence in the student's home, on days in which he or she is not receiving individual instruction in a hospital or other residential health facility, if s/he is well enough to do so. Absences from the student's regular school program due to the student's temporary disability are excused until the student is able to return to the regular school program. (Educ. Code § 48240 (c).)

To be given at least six months' notice if CUSD 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. (Educ. Code § 35183.)

To be informed that CUSD 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 section 48900 or in section 48900.2, 48900.3, 48900.4, or 48900.7. CUSD will also 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 CUSD maintains or receives from the court or a law enforcement agency regarding your child. (Educ. Code §§ 48267, 49079.)

Foster Youth: 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. (Educ. Code §§ 48204(a)(2), 48853.5(e).)

Residency Retention for the Students of Detained or Deported Parents: To be informed that students retain residency in a school district, regardless of the students' current residency, when both of the following requirements are met:

- a. The student's parent or guardian has departed California against his or her will, and the student can provide official documentation evidencing the departure.
- b. The student moved outside of California as a result of his or her parent or guardian leaving the state against his or her will, and the student lived in California immediately before moving outside the state. The student must provide evidence of enrollment in a California public school immediately before moving outside the state.

Deported parents may designate another adult to attend school meetings and to serve as an emergency contact. No charges or fees of any kind, as allowed under Education Code section 48050, may be required for admission or attendance in these circumstances. This applies to parents who are: (1) in the custody of a government agency and are transferred to another state; (2) subject to a lawful removal order and who were removed or were permitted to leave California voluntarily before being removed; and (3) subject to any additional circumstances consistent with these purposes, as determined by the school district. (Educ. Code § 48204.4)

Residency Retention for Migratory Children: Migratory children, who are enrolled in a school district due to a parent's or immediate family member's temporary or seasonal employment in an agricultural or fishing activity, as defined by Education Code section 54441, must be allowed to continue in their schools of origin, regardless of any change of residence during that school year, for the duration of their status as migratory children. When a student's status as a migratory child changes during the school year, the school district must: (1) allow K-8 grade students to continue in their schools of origin for the remainder of that school year; and (2) allow 9-12 grader students to continue in their schools of origin through graduation. Migratory children and their parents/guardians must be informed of the impact that remaining in their schools of origin will have on their eligibility to receive migrant education services.

Immigration Enforcement - "Know your Rights": To be informed that all students have the right to a free public education, regardless of immigration status or religious beliefs. For more information, please see the resources developed by the California Attorney General at <https://oag.ca.gov/immigrant/resources>. (Educ. Code § 234.7)

Additional detailed information on reasons for suspension and expulsion can be found in Education Code section 48900 at <https://leginfo.legislature.ca.gov/faces/codes.xhtml>.

A2. 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. (Educ. Code § 46010.1)

To be informed that your child must be immunized against certain diseases before being admitted to school, unless exempted pursuant to applicable laws.

Religious and Personal Beliefs Exemptions: January 1, 2016 was the deadline for parents to exempt their children from required immunizations based on their religious or personal beliefs. Students who had a signed waiver based on religious or personal beliefs on file by January 1, 2016 are exempt from the immunization requirement until they complete the grade span they were in as of January 1, 2016. Grade spans are defined as: (1) birth through preschool, (2) kindergarten through 6th grade, and (3) 7th through 12th grade. Students who entered CUSD for the first time, or who advanced to 7th grade, after July 1, 2016 are no longer exempt from immunizations based on religious or personal beliefs.

Medical Exemptions: Students who have a medical exemption issued before December 31, 2020 will be allowed continued enrollment until they enroll in the next grade span. As of January 1, 2021, CUSD will only accept medical exemptions that are submitted on the California Department of Public Health's standardized, statewide medical exemption certification form. (Health and Safety Code §§ 120370(a)(2), 120372(a).)

Students who have an individualized education program (IEP) will continue to receive all necessary services identified in their IEP regardless of their vaccination status. (Educ. Code § 48216, Health and Safety Code § 120335, 120370.)

To consent to the immunization of your child whenever the immunization of children is permitted at CUSD. (Educ. Code § 49403.) Additional information, policies or notices will be provided when such activity takes place.

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 or nurse practitioner detailing the medication name, method, amount, and time schedules for taking the medication. Medication must be in the original container. (Educ. Code §§ 49423 and 48980; 5 Cal. Code Regs. §§ 600-611.)

To provide a written statement to CUSD 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 or nurse practitioner 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 CUSD 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 the beginning of each school year or more frequently if the medication, dosage, frequency of, or reason for, the administration changes. (Educ. Code §§ 48980, 49423)

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 non-episodic 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. (Educ. Code § 49480.)

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. (Educ. Code § 49414.)

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. (Educ. Code §§ 49451 and 48980.)

To purchase insurance for medical and hospital services for your child's injuries while participating in athletic activities since CUSD does not provide such medical and hospital services. (Educ. Code §§ 49471, 49472, 48980.)

To obtain information and apply for participation in the Free and Reduced Lunch Program offered by CUSD to provide nutritional meals to needy pupils. (Educ. Code § 49510 et seq.) Application located through Parent Connect at qweb.clovisusd.k12.ca.us/ParentPortal/.

Campus Catering shall conduct automated data matching using information provided by the California Longitudinal Pupil Achievement Data System (CALPADS) to attempt to directly certify pupils/families with unpaid meal charges for free and reduced-price meal benefits. If a student does not qualify for a free and reduced meal and a meal account carries a negative balance, Campus Catering, in collaboration with the site, shall notify parents of the negative balance through a letter sent to the home address, a phone call or text message, or an email to the parent or guardian as notification of unpaid meal charges. Under Board Policy No. 3551 – Food Service Operations/Cafeteria Fund, the parents/guardians of a student shall be responsible for paying to CUSD the cost of meals provided by Campus Catering. If there are unpaid meal charges on the student meal account, the parents/guardians shall be responsible for outstanding meal charges.

To be notified of all pesticides that CUSD 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, CUSD 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. (Educ. Code §§ 48980.3, 17612.) Please refer to the Notification of Planned Pesticide Use in E3.

A3. Student Records

You have the right as a parent:

1. To be notified of CUSD board policies concerning student records maintained by CUSD. (Educ. Code § 49063; 34 Code of Federal Reg. Part 99.7.) Please see G1.

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. (Educ. 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 the annual registration materials and returned to your child's school at the start of each school year. (20 U.S.C. § 1232g; 20 U.S.C. 7908; 34 C.F.R. § 99.37(a)(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. (Educ. Code § 49073(c); 20 USC § 1232g.)

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). (Educ. Code § 49076 et seq.)

To file a complaint with the United States Department of Health, Education, and Welfare concerning alleged failure by CUSD 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 CUSD to comply with the requirements of the Family Educational Rights and Privacy Act (FERPA). The name and address of the office that administers FERPA are: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5920. (Educ. Code § 49063(j).)

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 to fulfill his or her professional responsibilities. A school official is a person employed by CUSD 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 CUSD 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); Educ. Code §§ 49063(d), 49064, 49076.)

CUSD 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, 99.34(a)(ii).)

A4. 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. (Educ. Code § 32255–32255.6.)

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 CUSD of your child’s presence in a qualifying hospital. Individual instruction may be provided at your child’s home or in a hospital or other residential health facility. (Educ. Code § 48206.3 et seq., 48208.) For further information, please refer to A.1, Paragraph 12 above.

To be informed of CUSD 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. (Educ. Code § 56000 et seq.)

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. You also have the right to: (a) inspect the written and audiovisual education materials used for this instruction and to request a copy of Education Code sections 51930-51939; (b) be informed whether this instruction will be taught by CUSD personnel or by outside consultants; and (c) 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 textbooks, adopted pursuant to law, if the textbook does not include other elements of comprehensive sexual health education or HIV prevention education. (Educ. Code §§ 51937, 51938, 51939, 48980.) Additional information, policies or notices will be provided when such activity takes place or before the particular subject is taught.

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. (Educ. Code § 51240.)

To be notified and have a conference scheduled when a teacher has determined that your child is in danger of failing a course. (Educ. Code §§ 49063, 49067.)

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. (Educ. Code §§ 51513, 60614; 20 U.S.C. 1232h(a), (b).)

To request a meeting to review instructional materials and discuss the curriculum of your child’s course. (Educ. Code §§ 49063(k) and 49091.14; Every Student Succeeds Act, 114 P.L. 95, 129 Stat. 1802, 2015 Enacted S. 1177, 114 Enacted S. 1177.)

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. (Educ. Code § 221.5(d).)

To be notified of minimum days or staff development days. There will be two staff development days in the 2021-22 school year – Monday, November 12, 2021, and

Monday, January 3, 2022. Students will not attend classes these days. One minimum day, June 4, 2022, has been scheduled for the 2021-22 school year. (Educ. Code § 48980 (c).) Elementary school conference day will be held Friday, October 29, 2021; elementary students will not attend school on this day to allow for parent/teacher conferences while secondary schools will remain in session. Wednesdays are designated as elementary early release days for staff development purposes and will continue in the 2021-22 school year. Elementary schools in CUSD end 90 minutes early on elementary early release days. A complete school calendar reflecting all school holidays is available online at www.cusd.com/calendars.aspx.

Technology/Internet Use: Before any student may access the Internet through CUSD, the appropriate orientation and instruction will be required. All students and their parents/guardians shall sign the Student User Agreement (Exhibit No. 6163.4) indicating that the student understands and agrees to abide by specified user obligations and responsibilities. Students understand that any violations may result in disciplinary action, the revocation of their use privilege, and/or appropriate legal action.

To be made aware of the CUSD's parent involvement program and policy, Board Policy No. 6020. (Educ. Code 11500 et seq., 20 USC § 6318(b), (c).)

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).)

To be informed of the availability of state funds to cover the costs of Advanced Placement and International Baccalaureate examination fees. (Educ. Code § 48980(k).)

A5. College Admissions and Career Technical Education Annual Notification

1. For information regarding college admission requirements, please refer to page 6 of the 2021-22 CUSD Course Description Catalog, which is available on the district's website at <https://www.cusd.com/IntermediateHighSchoolCourseCatalog.aspx>.

For a list of CUSD-offered courses that meet the CSU and UC admission requirements please refer to pages 7 through 9 of the 2021-22 CUSD Course Description Catalog, which is also available at:

<https://www.cusd.com/IntermediateHighSchoolCourseCatalog.aspx>

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 and www.universityofcalifornia.edu/admissions.

Parents and guardians are encouraged to call the High School Innovations and Initiatives Office of the California Department of Education at (916) 319-0893 with questions regarding college admissions.

2. 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 CTE Career Pathway courses, please refer to the CUSD CTE Website at <https://www.cusd.com/CareerTechnicalEducation.aspx>, which includes the CUSD CTE Course Description Catalog along with CTE Pathway Brochures and Programs of Study. Additionally, please also refer to pages 76-90 of the 2021-22 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. 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 Educational Options 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.

A6. 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. CUSD 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).)

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, immigration status, 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 CUSD's Uniform Complaint Procedures. (Educ. Code §§ 200, 220; Penal Code § 422.55; Govt. Code § 11135; 5 CCR § 4610(c). 5 CCR § 4622.)

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against qualified handicapped persons in federally financed education programs or activities. CUSD 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) 327-9385 with any questions.

Uniform Complaint Procedures Annual Notice

California law requires school districts to adopt and provide uniform complaint procedures to investigate and resolve certain complaints. (Educ. Code § 33315, CCR § 4600 et seq.) This annual notice is being provided to comply with Section 4622 of Title 5 of the California Code of Regulations.

CUSD maintains uniform complaint procedures as set forth in Board Policy and Administrative Regulation No. 1312.3 for investigating and resolving complaints that are required by law to be submitted pursuant to CUSD's uniform complaint procedures. Board Policy No. 1312.3 sets forth the types of complaints that are subject to investigation and resolution under the CUSD's uniform complaint procedures. A copy of Board Policy No. 1312.3 as well as the accompanying administrative regulation and exhibits are attached to the Appendix and may also be found on the CUSD's website at:

<https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx>.

A pupil enrolled in a public school shall not be required to pay a pupil fee for participation in an educational activity. (Educ. Code § 49011) Complaints regarding unlawful pupil fees may be filed under CUSD's uniform complaint procedures. (Educ. Code § 49013)

CUSD has designated the Associate Superintendent of School Leadership, Corrine Folmer, as the Compliance Officer to receive and investigate complaints that fall within the CUSD's uniform complaint procedures and ensure CUSD's compliance with law.

Any complainant may file and appeal a written complaint in accordance with the procedures in Administrative Regulation No. 1312.3. Copies of the complaint forms are available free of charge from the school or District Office, or from the CUSD website at <https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx>.

The investigation of the complaint shall be conducted in accordance with CUSD's procedures in Administrative Regulation No. 1312.3. (5 CCR §4631.) A complainant may appeal in writing to the CDE within 30 days of the date of CUSD's investigation report. (5 CCR § 4632.) A complainant may seek assistance from mediation centers or his/her attorneys. Civil law remedies that may be imposed by a state or federal court include, but are not limited to, injunctions, restraining orders, or other remedies or orders. (Educ. Code § 262.3) A person who alleges that he/she is a victim of discrimination may not seek civil law remedies until at least 60 days have elapsed from the filing of an appeal with CDE, except that such time limitation does not apply to injunctive relief. (Educ. Code § 262.3.)

Additionally, any individual, public agency or organization may file complaints about the insufficiency of textbooks and instructional materials, teacher vacancy or misassignment, facilities conditions. Such complaints are subject to the procedures set forth in Administrative Regulation No. 1312.4 – Williams Uniform Complaint Procedures.

School Accountability Report Card: You may request a copy of the School Accountability Report Card which is issued annually for each CUSD school. (Educ. Code § 35256.) A copy may also be found on the school's website at www.cusd.com.

Asbestos Management Plan: You may request to review the complete updated management plan for asbestos containing material in school buildings. (40 C.F.R. § 763.93.)

Physical Education: According to Education Code section 51210(a)(7), CUSD 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 CUSD's failure to adhere to this requirement may be filed under CUSD's Uniform Complaint Procedures, BP/AR 1312.3, which is included in this handbook.

Rights of Homeless and Foster Youth/Uniform Complaint Procedures: (a) CUSD's uniform complaint procedures (BP/AR 1312.3) cover complaints pertaining to the education of homeless students and students in foster care, including, but not limited to, CUSD'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; and (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. (Educ. Code §§ 48853, 49069.5, 51225.1, 51225.2)(b)) Complaints alleging violations of these certain educational rights of students in foster care and homeless students are subject to CUSD's Uniform Complaint Procedures, BP/AR 1312.3. A complainant who is not satisfied with CUSD's decision may appeal to the CDE and receive a written decision from the CDE within 60 days.

Graduation and Coursework Requirements for Foster Youth, Homeless Students, Former Juvenile Court Students, Migratory and Newly Arrived Immigrant Students Participating in a newcomer program, and Students Living in Active Duty Military Households/Uniform Complaint Procedures. A newcomer program is a program designed to meet the academic and transitional needs of newly arrived immigrant students, with the development of English language proficiency as the primary objective. (Educ. Code § 51225.2(a)(6).)

- a) The following rights apply to foster youth, homeless students, former juvenile court students, migratory and newly arrived immigrant students participating in a newcomer program, and students living in the households of parents/guardians who are active duty members of the military:
- (1) Within 30 days of transferring, after the completion of the second year of high school, students must be notified that s/he may be exempt from local graduation requirements and that this exemption continues after the court's jurisdiction over a foster child ends when a homeless student: (i) is no longer homeless, (2) is no longer under the jurisdiction of a juvenile court, (iii) no longer lives in the household of an active duty service member, or (iv) no longer meets the definition of migratory child and/or a student participating in a newcomer program.
 - (2) Accept coursework satisfactorily completed 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 must issue full or partial credit for the coursework completed. For students living in active duty military households, public schools include schools operated by the United States Department of Defense.
 - (3) Students may not be required to retake a course satisfactorily completed elsewhere. If the student did not complete the entire course, CUSD may not require that the student retake the portion already completed, unless CUSD, 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 course, the student must be enrolled in the same or equivalent course in order to continue and complete the entire course.
 - (4) Students may not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or University of California.
 - (5) Exempt students 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 CUSD Governing Board that are in addition to the statewide coursework requirements for graduation found in Education Code section 51225.3, unless CUSD makes a finding that the student is reasonably able to complete CUSD's graduation requirements in time to graduate from high school by the end of

the student's fourth year of high school.

- (6) For students deemed reasonably able to complete CUSD's graduation requirements within the student's fifth year of high school, CUSD must do all of the following: (a) inform the student of his/her option to remain in school for a fifth year to complete CUSD's graduation requirements; (b) 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 CUSD's graduation requirements will affect the student's ability to gain admission to a postsecondary educational institution; (c) provide information to the student about transfer opportunities available through the California community colleges; and (d) upon agreement with an adult student or with a minor student's educational rights holder, permit the student to stay in school for a fifth year to complete CUSD's graduation requirements.
- (7) Within 30 calendar days of the school transfer, CUSD must notify a student who may qualify for the exemption from local graduation requirements, his or her parent/guardian, the person holding the right to make educational decisions for the student, the foster youth's social worker, a former juvenile court student's probation officer, and, in the case of homeless students, the CUSD liaison for homeless students, of the availability of the exemption from local graduation requirements and whether the student qualifies for the exemption. If CUSD fails to provide timely notice of these rights, the student will be eligible for the local graduation requirements exemption even after the student is no longer: (a) homeless, (b) in foster care, (c) under the juvenile court's jurisdiction, (d) a migratory child or a student participating in a newcomer program as defined, or (e) living in the household of an active duty military service member, if the student otherwise qualifies for the exemption.
- (8) Students exempted from local graduation requirements who complete statewide coursework requirements before the end of their fourth year of high school may not be required or asked to graduate before the end of their fourth year of high school, if otherwise entitled to remain in attendance.
- (9) If a student is exempted from local graduation requirements, CUSD must notify the student and the student's educational rights holder 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.
- (10) Students 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.
- (11) If a student is not exempted from local graduation requirements or has previously declined the exemption, CUSD must exempt the student at any time if he/she requests and qualifies for the exemption.
- (12) Once exempted from local graduation requirements, CUSD shall not revoke the exemption.
- (13) 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.

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- (14) If a homeless student is exempt 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.
 - (15) If a former juvenile court school student is exempt 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.
 - (16) For students living in active duty military households, the exemption will continue to apply after: (a) a student transfers to another school or school district, or (b) a student no longer meets the child of military family definition.
 - (17) For a student who is a migratory child and/or is participating in a newcomer program, the exemption will continue after the student no longer meets the definition of migratory child and/or a student participating in a newcomer program, respectively.
 - (18) CUSD may not require or request that students transfer schools to be exempt from local graduation requirements.
 - (19) Transfer requests may not be made on a student's behalf solely to qualify the student for an exemption under this section.

b) **Non-Compliance Complaints:** Complaints of non-compliance may be filed with CUSD under its Uniform Complaint Procedures. A complainant who is not satisfied with CUSD's decision may appeal to CDE and receive a written decision regarding the appeal within 60 days of CDE's receipt of the appeal. (Educ. Code §§ 51225.1, 51225.2.)

Juvenile Court Students Who Have Qualified for a Diploma - Graduation Requirements and Continuing Education Options. Juvenile court students who have qualified for a diploma have additional rights related to deferring or declining the issuance of a diploma to take additional coursework, continuing their education upon release from the juvenile detention facility, and community college transfer opportunities. (Educ. Code § 48645.7.)

Parent Involvement. Board Policy and Administration Regulation No. 6020 outlines parent involvement regarding categorical programs and can be found in H4.

Accident Insurance. CUSD does not provide medical or accident insurance for student for school related injuries. Families without insurance may purchase school-time insurance from a third party by visiting www.myers-stevens.com or by contacting their school for a brochure.

Co-Curricular or Extra-Curricular Activities. Students participating in CUSD co-curricular or extra-curricular activities must provide verification of insurance in accordance with Board Policy No. 5143 - Insurance.

Field Trips. Students participating in school field trips must obtain written parental permission and a waiver of liability. All persons participating in any field trips shall be deemed to have waived all claims against CUSD or the State of California for injury, accident, illness, or death occurring during or by reason of the field trip. All adults taking out-of-state field trips and all parents or guardians of pupils taking out-of-state field trips shall sign a statement waiving all claims. (Educ. Code § 35330(d))

CUSD maintains, at Exhibits 3, 4, and 5 to Board Policy No. 4115, a commitment to how staff should interact with students. As articulated in that exhibit and as required by Education Code section 44050, CUSD provides that commitment to parents. CUSD measures success by the progress of each student toward achievement of his maximum potential. CUSD, therefore,

works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals. CUSD recognizes the importance of cooperative relationships with other community institutions, especially the home. In fulfilling CUSD's obligations to students, CUSD:

- a. Deal justly and considerately with each student.
- b. Encourage each student to study varying points of view and respect the student's right to form his/her own judgment.
- c. Withhold confidential information about a student or his/her home unless CUSD deems that its release serves professional purposes, benefits the student, or is required by law.
- d. Make discreet use of available information about a student.
- e. Conduct conferences with or concerning a student in an appropriate place and manner.
- f. Refrain from commenting unprofessionally about a student or his/her home.
- g. Avoid exploiting CUSD's professional relationship with any student.
- h. Tutor only in accordance with officially approved policies.
- i. Inform appropriate individuals and agencies of a student's educational needs and assist in providing an understanding of his educational experiences.
- j. Seek constantly to improve learning facilities and opportunities.

B. ATTENDANCE AND PROGRAMS

B1. Admissions Residency and Attendance/Open Enrollment Within the District – BP/AR/EXH 5116.1: Please see the Appendix for a copy of Board Policy, Administrative Regulation, and Exhibit No. 5116.1 – Intra-District Transfers/Open Enrollment Annual.

B2. Intra-District Transfers During the School Year – BP/AR 5116.1: Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5116.1 – Intra-District Transfers/Open Enrollment Annual.

B3. Inter-District Transfers During the School Year – BP/AR 5117: Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5117 – Inter-District Attendance/Transfers.

B4. Notice of Alternative Schools - Education Code Section 58501: California law authorizes all school districts to provide for alternative schools. Education Code section 58500 defines an alternative school as a school or separate class group within a school, which is operated in a manner designed to:

- a. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- b. Recognize that the best learning takes place when the student learns because of his desire to learn.

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- 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 CUSD administrative office, and the principal's office in each attendance unit have copies of the law available for your information. (Educ. Code § 58501.) This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. (Educ. Code § 58501.)

A copy of the above notice 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.

B5. Clovis Community Day Schools - Education Code Sections 48660-48667

Clovis Community Day Elementary (grades 4-6) and Clovis Community Day Secondary (grades 7-12) schools serve special at-risk students who 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/or 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 CUSD 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:

- a. The pupil is expelled for any reason.
- b. The pupil is probation referred pursuant to Welfare and Institutions Code sections 300 and 602.
- c. The pupil is referred to a community day school by a school attendance review board or other District level referral process.
- d. First priority for assignment to a community day school shall be given to a pupil expelled pursuant to Education Code section 48915(d), 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 Education Code section 48662, 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 structured environment that meets their individual educational needs for a 360-minute instructional day provided by a CUSD

certificated employee. 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 CUSD school support service providers, including, but not limited to, Healthy Start, vocational, academic and pupil discipline counselors, psychologists, nursing, and special education.
- d. CUSD 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 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 stay in school, successfully complete their rehabilitation plan, and 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, CUSD may stay in extend his/her the program.

B6. School Accountability Report Card - Education Code Section 35256(c)

Education Code section 35256(c) requires that 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. Section 35356 further requires that 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.

CUSD's SARC is available in accordance with Education Code section 35256 and may also be found on the District's website at: www.cusd.com.

B7. Special Education Information/Section 504

1. Special Education under the Individuals with Disability Education Improvement Act (IDEA): The IDEA is a federal law that provides for eligibility and special education services for certain students with disabilities who qualify for eligibility under the IDEA. Students eligible for special education services under the IDEA have a right to a free, appropriate public education (FAPE). CUSD provides a wide range of services to meet the needs of students with disabilities who are eligible for special education under the IDEA. Many 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 CUSD; therefore, an eligible student may require enrollment at a designated site in order to receive a FAPE. If you suspect that your child has disability 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 CUSD staff will conduct an assessment in areas of suspected disability to determine eligibility for special education IDEA. An individualized education plan (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 will develop appropriate goals and determine appropriate placement and services for your child, and will review your child's IEP, 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.

2. Section 504: Section 504 of the Rehabilitation Act of 1973 (Section 504) 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 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 students without disabilities are met. If you suspect that your child has a disability (e.g. learning disability, chronic health problems, attention deficit/hyperactivity disorder) that 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 CUSD's Section 504 Coordinator at (559) 327-9385.

B8. CUSD Categorical Funded Program Information

1. Children Are Our Most Precious Resource

On an annual basis, CUSD submits the Application for Funding Consolidated Categorical Aid Programs commonly called the Con Ap. The application is submitted in two parts: (a) Part I, which contains program and demographic information, is submitted by June 1 each year; and (b) 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 Improving; 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.

CUSD is committed to establishing a true partnership with all facets of the Clovis learning community. CUSD values feedback and input. Parents continue to make positive differences

in the lives of the children we all support. CUSD knows from research that participation in your child's education will not only bring success to your child but other children in the school. Parents truly make a difference in the lives of Clovis kids!

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

- a. School Site Council (SSC)
- b. English Learner Advisory Committee (ELAC)
- c. CUSD Advisory Committee (DAC) and School Advisory Committee (SAC)
- d. CUSD English Learner Advisory Committee (DELAC)
- e. CUSD Migrant Education Parent Advisory Committee (DMEPAC)
- f. CUSD Indian Education Parent Advisory Committee (IPAC)
- g. School- and District-level School Assessment Review Team (SART)
- h. Intercultural and Diversity Advisory Council (IDAC)
- i. Local Control Accountability Plan Public Forums (LCAP)

CUSD encourages all parents and guardians to become involved with their children's education at the classroom level, the school-wide level as well as the District level. Each school's Single Plan for Student Achievement (SPSA) describes the school's basic educational program and the categorical supplementary programs/services that are designed to support student achievement of each 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 of the site's SPSA and to the CUSD'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. You may also access information at: www.cusd.com/supplementalservices.

Listed below are several parent committees that assist with categorical programs and funding:

- a. School Site Council (SSC): All schools receiving categorical funds are required to form a SSC. The SSC is composed of parents, students at the secondary level, and school personnel. It 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.
- b. District Advisory Committee (DAC) and School Advisory Committee (SAC): The entirety of the SSC acts as the SAC. The SAC serves as an advisory committee to advise schools regarding supplemental education programs and acts 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 that provide services to students who are disadvantaged, English learners, foster youth and/or at-risk. The SSC has designated CUSD's SSC pursuant to Education Code section 52852 to function as the School Advisory Committee.

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- c. English Learner 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. It provides input and makes recommendations to the principal, staff, and SSC regarding services for English learners and conducts an annual survey. Members serve for two years.
 - d. District English Learner 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's ELAC.
 - e. 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 K – 12. The program assists eligible students to achieve at the same challenging state performance standards expected of all students in grades pre-K -12.
 - f. Local Control Accountability Plan (LCAP) Forums: CUSD develops an LCAP annually that works to better align the academic plan with the District's expenditure plan that is approved by the 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 opportunities for all stakeholders and school committees to engage with CUSD 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 CUSD's LCAP 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.
2. Categorical Programs: 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.
 - a. Rationale: General District funds provide support for CUSD's base/core curriculum program. Some students 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 or are educationally disadvantaged or lack English language proficiency because they have a primary language other than English. Such students require supplemental services and materials not generally provided through the base/core curriculum program. The needs of students 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.
 - b. 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 and 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.

c. 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 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.

Title I, Part A - Improving the Academic Achievement of the Disadvantaged: A federal funded program to provide high-quality opportunities for students in high-poverty schools to meet District and state content and performance standards.

Title I, Part A, Title X, Part C, Education for Homeless Children and Youths: Title I, Part A fund provides 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.

Title I, Part C - Migrant Education Program: A federal funded program focused on providing services for migratory students and their families.

Title II, Part A - Preparing, Training and Recruiting High Quality Teachers and Principals): A federal funded program focused on teacher and principal training and recruitment programs.

Title III - Language Instruction for English Learners and Immigrants: A federal funded program focused on assisting school districts in teaching English to limited English proficient students and immigrants and helping these students meet the same challenging state standards required of all other students.

Title VII - Indian Education Formula Grant: A federal funded program focused on helping Native American/Alaskan Native students meet the same challenging state standards required of all other students.

The goal of 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 you 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 327-0661. Additional information may be found @ <http://www.cusd.com/supplementalservices>.

B9. Child Development Information

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

1. **Campus Club:** A year-round, fee-based before- and after-school childcare and enrichment program for grades K-6 offered at most CUSD elementary school sites. For information regarding Campus Club programs, contact (559) 327-9160.
2. **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.
3. **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 CUSD's Youth Parent Program, contact (559) 327-9186.

Child Development programs exist to serve CUSD's mission of providing resources for all students to reach their potential in mind, body, and spirit. Basic to this purpose is the assumption that all students are individuals of equal worth and value, who come to CUSD at their own developmental levels and bring with them a unique mixture of family background, language, culture, personality, and learning styles. Activities and lessons are planned to provide a balance of educational, social, and recreational opportunities that are specifically created for the students attending. CUSD strives to provide high quality, first class programs that are both purposeful and playful, instilling and promoting in our students a love of learning that will last a lifetime. The Child Development Department is located in the District Services Building at 1735 David E. Cook Way, Clovis, CA.

B10. Pregnant and Parenting Student Rights

1. Rights Under Education Code Section 221.51: Education Code section 221.51 states the following:
 - a. A local education agency (LEA) shall not apply any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.
 - b. A LEA shall not exclude nor deny any student from any educational program or activity, including class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.
 - c. A LEA may require any student to obtain the certification of a physician or nurse practitioner that the student is physically and emotionally able to continue participation in the regular education program or activity.
 - d. Pregnant or parenting students shall not be required to participate in pregnant minor programs or alternative education programs. Pregnant or parenting students who voluntarily participate in alternative education programs shall be given educational

programs, activities, and courses equal to those they would have been in if participating in the regular education program.

- e. A LEA shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disabling condition.

2. Rights Under Education Code Section 46015: Education Code section 46015 establishes the following accommodations as rights of pregnant and parenting students:

- (1) A pregnant or parenting students are entitled to eight weeks of parental leave, which the student may take before the birth of the student's infant if there is a medical necessity and after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction, in order to protect the health of the student who gives or expects to give birth and the infant, and to allow the pregnant or parenting student to care for and bond with the infant. The student, if the student is 18 years of age or older, or, if the student is under 18 years of age, the person holding the right to make educational decisions for the student, shall notify the school of the student's intent to exercise this right. Failure to notify the school shall not reduce these rights.
- (2) A pregnant or parenting student who does not wish to take all or part of the parental leave to which s/he is entitled shall not be required to do so.
- (3) A pregnant or parenting student is entitled to receive more than eight weeks of parental leave if deemed medically necessary by the student's physician.
- (4) When a student takes parental leave, the supervisor of attendance shall ensure that absences from the student's regular school program are excused until the student is able to return to the regular school program or an alternative education program.
- (5) During parental leave, a local educational agency shall not require a pregnant or parenting student to complete academic work or other school requirements.
- (6) A pregnant or parenting student may return to the school and the course of study in which he or she was enrolled before taking parental leave.
- (7) Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and reenrollment in courses.
- (8) Notwithstanding any other law, a pregnant or parenting student may remain enrolled for a fifth year of instruction in the school in which the student was previously enrolled when it is necessary in order for the student to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the student is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the student's fourth year of high school.
- (9) A student who chooses not to return to the school in which he or she was enrolled before taking parental leave is entitled to alternative education options offered by the local educational agency.
- (10) A pregnant or parenting student who participates in an alternative education program shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.

(11) A student shall not incur an academic penalty as a result of his or her use of these accommodations.

3. **Uniform Complaints:** A complaint of CUSD's noncompliance with these requirements may be filed under CUSD's uniform complaint procedures, Board Policy and Administrative Regulation No. 1312.3.

B11. Student Mental Health Services

Student mental health is critical to overall student success. A variety of services promoting mental health and wellness are available at each school as well as through various agencies. Please visit the CUSD website (<https://www.cusd.com/EmotionalWellnessResources.aspx>) for resources to support the mental health and wellness of students or feel free to contact your school for additional resources.

B12. Students in Active Duty Military Families/Residency Retention and Matriculation

A student living in the household of an active duty military service member must be allowed to continue attending the student's school of origin for the remainder of the school year if the family moves.

A student from an active duty military family who is transitioning between school grade levels must be allowed to continue in the school district of origin and in the same attendance area of his/her school of origin. If the student is transitioning to middle school or high school, and the school designated for matriculation is in another school district, the local educational agency must allow the student to continue to the school designated for matriculation in that school district. The new school must immediately enroll the student, even if the child has outstanding fees, fines, textbooks, or other items or moneys due to the school last attended or if the student is unable to produce clothing or records normally required for enrollment.

If the parent/guardian's military service ends during the school year, then the student is allowed to stay in his/her school of origin for the remainder of the school year if s/he is in grades 1-8 or through graduation if the student is in high school.

C. ABSENCES

C1. Excused Absences - Education Code Section 48205: Education Code section 48205 states the following:

- (a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
- (1) Due to the pupil's illness.
 - (2) Due to quarantine under the direction of a county or city health officer.
 - (3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
 - (4) For the purpose of attending the funeral services of a member of the pupil's immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
 - (5) For the purpose of jury duty in the manner provided for by law.

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- (6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
 - (7) For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
 - (9) For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
 - (10) For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
 - (11) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefor. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
 - (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
 - (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
 - (e) "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

C2. Clearing Absences – Administrative Regulation No. 5113: Please see the Appendix for a copy of Administrative Regulation No. 5113 – Student Absences, Excuses, and Make Up Opportunities.

D. DISCIPLINE RULES

Additional detailed information on reasons for suspension and expulsion can be found in Education Code section 48900 at <https://leginfo.legislature.ca.gov/faces/codes.xhtml>.

D1. Student Cell Phone Usage: It is CUSD's policy to allow students to possess cell phones during the school day. However, permission from a school official must be obtained before

a student uses a cell phone or other electronic device during the school day, at school sponsored activities, while riding on a school bus, or at any time while students are under the supervision of CUSD employees, as per Board Policy and Administrative Regulation No. 5144 – Student Discipline/Corporal Punishment. This policy also puts into writing current practice permitting CUSD employees to confiscate cell phones or other electronic devices if they cause a disruption. Board Policy and Administrative Regulation No. 5144 may be accessed at: <https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx>. Education Code section 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 <https://leginfo.legislature.ca.gov/faces/codes.xhtml>.

- D2. Bullying - BP/AR 5131.2:** Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5131.2 - Bullying.
- D3. Student Searches - BP/AR 5145.12:** Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5145.12 – Student Search and Seizure.
- D4. Zero Tolerance - BP/AR 5144.10:** Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5144.10 – Student Discipline – Zero Tolerance.
- D5. Dress and Grooming - BP/AR 5132:** Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5132 – Dress and Grooming.
- D6. Alcohol, Tobacco & Other Drug Intervention - BP/AR 5131.6:** Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5131.6 – Alcohol, Tobacco, an Other Drugs Prevention/Intervention.
- D7. Sexual Harassment - BP/AR 5145.7:** Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5145.7 – Sexual Harassment.

E. SAFETY ISSUES

E1. Civil Defense Plan: Emergency Procedures

In accordance with California law, the CUSD Board must annually review CUSD's emergency procedure plans. The procedures conform 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.

The following procedures have been adopted by the Board and shall remain in effect until further notice.

1. 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, CUSD 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.
2. 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, and age of students but all regular routes will be traveled in the normal sequence.
3. 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 the age of the child,

the route from school to home, and the 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.

E2. Megan's Law Notification

CUSD places student safety as a number one priority each and every year. In an effort to keep students safe from registered sex offender, CUSD will cooperative with law enforcement to fully comply with all requirements of Megan's Law. 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 CUSD 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.

If an identified sex offender is seen on or nearby school grounds or around any student, staff shall immediately contact the CUSD liaison.

At the CUSD liaison's discretion, a staff member may also immediately inform local law enforcement about the presence of a sex offender.

A staff member who receives any information directly from law enforcement regarding registered offenders shall immediately contact the Superintendent's designee.

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.

E3. 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. CUSD may apply the following pest management products as necessity dictates.

PEST CONTROL

Name of Chemical	Active Ingredient	Manufacture	EPA Number
Advion Cockroach Gel	Indoxacarb	Syngenta	100-1484
Alpine Cockroach Gel Bait	Dinotefuran – 0.5%	Whitmire Micro-Gen	499-510
Alpine WSG	Dinotefuran	B.A.S.F.	499-561
Borid	Orthoboric Acid – 99%	Waterbury	9444-129
Cross Check Plus	Bifenthrin	Lesco, Inc.	279-3206-10404
Demand CS	Lambda-cyhalothrin ¹	Syngenta	100-1066
Essentria G (Granular)	Eugenol & Thyme Oil	Envincio	N/A
Essentria IC-3	Rosemary Oil, Geraniol, Peppermint Oil	Envinclo	N/A
JT Eaton Bait Block	Diphacinone	JT Eaton	56-42
ER-3	Geraniol/Cedarwood Oil	Orange Guard Inc.	61887-1-AA
Suspend SC	Deltamethrin – 4.75%	Bayer	432-793
Tengard	Permethrin – 39.1%	United Phosphorous	70506-6
Termidor SC	Fipronil – 9.1%	Basf Corp.	7969-210
Proverde	Geraniol 1.3% cinnamon .2%	Amvac Chemical Corp	N/A
NyGuard Plus	Pyriproxyfen	MGK	1021-2580

GROUNDS PEST CONTROL

Advance 375A	Abameltin 0.011%	Whitmire	499-370
Arena .25	Clothianidin .25%	Valent	59639-157
Certainty	Sulfosulfuron 75%	Valent	59639-226
Cheetah Pro	Glufosinate Ammonium - 24.5%	Nufarm	228-743
Dimension 270	Dithiopyr (CAS 97886-45-8) 0.27%	Simplot	7001-375
Dimension 2EW	Dithiopyr 24%	Dow Agro	62719-542
Fusilade 2	Fluazifop-P-butyl 24.5%	Syngenta	100-1084
Gallery SC	Isoxaben 45.45%	Doe Agro	62719-658
Kaput Pocket Gopher Bait	Dipachinone .005%	Scimetrics	72500-9
Kaput Squirrel Bait	Diphacinone .0025%, Imidacloprid .0250%	Scimetrics	72500-24
Maxforce Fly Spot Bait	Imidacloprid 10% cis-9-Tricosene 0.1%	Bayer	432-1455
Merit 2F	Imidacloprid 21.4%	Bayer	432-1312

Merit 75 WSP	Imidacloprid 75%	Bayer	432-1318
No Foam A	Alkyl phenol ethoxylate,	CMR	1050775-50015
One Shot	2,4-D 0.64%, Mecoprop-p 0.14% 0.06% Dithiopyr0.19%	Simplot	2217-856-7001
Pendulum Aqua Cap	Pendimethalin 38.7%	B.A.S.F	241-416
PT Wasp Freeze II	Prallethrin 0.1%	Prallethrin 0.1%	499-550
Q4	Quinclorac 8.43%, Sulfentrazone 0.69% 2, 4- D dimethylamine salt, Dicamba, dimethylamine 1.49%	PBI Gordon	2217-930
Revolver	Foramsulfuron 2.34%	Bayer	432-1266
Round Up Custom	Glyphosate, N 53.8%	Monsanto	524-343
Round Up Pro	Glyphosate 50.2%	Monsanto	524-529
Round-up quick pro	Glyphosate 73.3%	Monsanto	524-535
Sledgehammer	Halosulfuron Methyl 75%	Gowan	81880-1-10163
Sluggo Snail Bait	Iron Phosphate 1.0%	Iron Phosphate 1.0%	67702-3-34704
SPEEDZONE SOUTHERN EW	2,4-D, 2-ETHYLHEXYL ESTER 9.02%, Dichlorprop-p 5.19%	PBI Gordon	2217-1031
Speed-Zone Southern	2.4-d.2-ethylhexyl esterio .49%	PBI Gordon	2217-835
Subdue Max	Mefenoxam 22%	Syngenta	100-796
Sultan	cyflumetofen 18.7%	B.A.S.F	7969-337
Talstar S	Bifenthrin 7.9%	FMC Corp	279-3155
Tenacity	Mesotrione 40%	Syngenta	100-1267
Tengard	Permethrin 36.8%	UPI	70506-6
Terad Blox 3	Cholecalciferol 0.08%	Bell Labs	12455-106
Tourney	Metconazole 50%	Valent	59639-144
Wilco Squirrel Bait	Diphacinone 0.005%	Wilco	36029-50006-AA

Additional information on pest management products is available on the California Department of Pesticide Regulation’s website www.cdpr.ca.gov. CUSD does not use any pest management products with the signal word “danger,” and in the majority of cases, the products CUSD 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. CUSD will make every effort to apply pesticides when students are not present but reserves the right to spray within California laws anytime it deems safe, using the utmost care while students are present. To register with CUSD to receive notification of individual pest management product applications at a specific school site, contact the Plant Operations Department at (559) 327-9492 to request a registration form. Registrants will be notified of individual applications at least 72 hours in advance.

F. CURRICULUM

F1. Acceptable Use of Electronic Information Resources – BP/AR 6163.4: Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 6163.4.

F2. Instructional Materials and Equipment Literature/Supplemental Materials - EXH 6161.11 (3): Please see the Appendix for a copy of Exhibit No. 6161.11(3).

G. STUDENT RECORDS

G1. Student Records Access and Privacy Rights of Parents and Students – BP/AR 5125: Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 5125.

H. COMPLAINTS

H1. Uniform Complaint Procedures — BP/AR 1312.3: Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 1312.3.

H2. Non-Discrimination, Hiring Practice and Procedures, Sexual Harassment, Title IX Complaint Procedures – Notification Statement: Please see the Appendix for a copy of this notification.

H3. Uniform Complaint Procedures Regarding Areas Included in the Williams Settlement – BP/AR/EXH 1312.4: Please see the Appendix for a copy of Board Policy, Administrative Regulation, and Exhibits No. 1312.4.

H4. Parent Involvement Regarding Categorical Programs - BP 6020: Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 6020.

I. BUS TRANSPORTATION

I1. Bus Transportation Information

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.

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.

All regular education routes are available on the CUSD website using the following: <https://www.cusd.com/ViewSchoolBusSchedules.aspx>.

- * 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, and areas which the Superintendent or designee has defined as critical to the academic success and attendance.

I2. 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.
- 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.
 - (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. CUSD 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.

I3. Posted Bus Rules of Conduct

1. All School and CUSD Regulations Apply While On or Near a School Bus!

- a. Fighting (physical contact) *** fighting (verbal altercation)** is prohibited.
- b. Threatening behavior and/or harassment of any kind is prohibited.***
- c. Weapons, smoking, e-cigarettes (vaping) laser pens, drugs, or alcohol is forbidden on or near a school bus.***
- e. Cross the street in front of the bus and only under the supervision of your bus driver.***
- f. Follow the instructions of your bus driver at all times.**
- g. 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.**
- h. Keep your arms and head inside the bus at all times.**
- i. Profanity, indecent language, or obscene gestures is prohibited.**
- j. Any property defaced or destroyed on the school bus will be paid for by the student and/or their parent/guardian.*
- k. Eating, drinking, and chewing gum are prohibited.*
- l. Spitting or throwing objects on the bus or out the window is prohibited.*
- m. Loud or boisterous noises, singing or whistling will not be permitted.*
- n. Glass objects, inflated balloons, cleats, scooters, and skateboards will not be permitted, unless in an enclosed bag.*
- o. Animals or insects (dead or alive) are not allowed on the bus.*

2. 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

3. 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 that “the driver shall be held 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.

14. 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”

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.

15. Bus Discipline Procedures

Violation of the posted rules and regulations may result in the loss of bus riding privileges. A student who rides the bus in CUSD is disciplined in accordance with state statutes and will be subject to disciplinary actions for violation of any of the Posted Rules of Conduct for CUSD, as outlined in CUSD policies.

Disciplinarians 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.

16. Procedures for Operation Of School Buses And SPAB/Charter Operations When Atmospheric Conditions Reduce Visibility To 200 Feet Or Less

Determining Foggy Day Schedules: This process has been developed to serve the entire CUSD as best as possible.

- a. A committee of transportation employees is strategically located throughout the 199 square miles of CUSD.
- 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.

-
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- c. The information is gathered from ALL areas of CUSD. If the majority of information points to hazardous atmospheric conditions throughout CUSD, a foggy day schedule is announced.

The following procedures will be used to implement a foggy day schedule in CUSD 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 TV-18 and KMJ 580 AM radio, starting no later than 6:15 a.m. There will be continuous broadcasting on these channels.
- c. If buses within CUSD are delayed, the word “Schedule A” or “Schedule B” will appear after CUSD’s name.
- 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.

17. Walking To and From School Bus Stops

Use crosswalks and/or intersections to cross streets. Do not cross in the middle of the block.

- a. Use sidewalks where available. If no sidewalks are available, do not walk in the roadway.
- b. Arrive at the bus stop five (5) minutes prior to stop time.
- c. Wait for your bus driver to escort you across the street.
- d. Never run to or from the bus.
- e. Go directly home.

18. Red Light Escort Crossing Information

Remain seated until the bus is stopped.

- a. 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.
- b. Cross the street in the area between the driver and the front of the bus.
- c. Walk quickly across the street, do not run or play in the street.

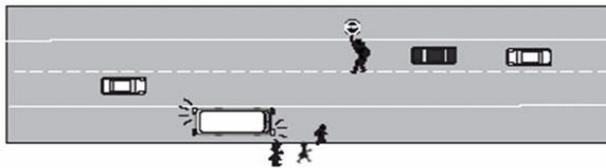
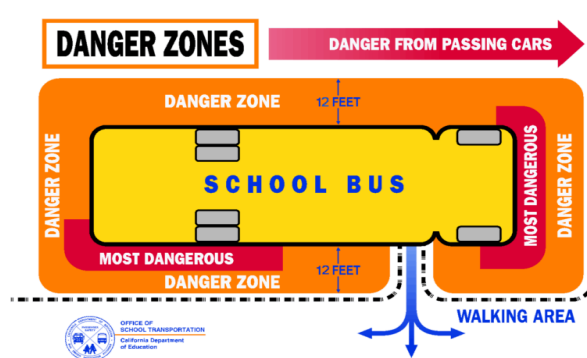


Figure Unit VII-12. Passenger Unloading-Escorted Crossover

19. 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.



110. Safe Riding Practices and Emergency Procedures

Board policy and state law require all pupils in pre-kindergarten, kindergarten, and grades 1st to 8th 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:

- a. Proper loading and unloading procedures, including escorting by the driver.
- b. How to safely cross the street, highway, or private road.
- c. Instruction in the use of passenger restraint systems.
- d. Proper passenger conduct.
- e. Location of emergency equipment.
- f. Bus evacuation procedures – pupils will evacuate the school bus through emergency exit doors.

111. Transportation of Students By Private Vehicle - BP 3541.1: Please see the Appendix for a copy of Board Policy and Administrative Regulation No. 3541.1.

J. APPENDIX – BOARD POLICIES, ADMINISTRATIVE REGULATIONS, AND EXHIBITS

CUSD may amend its board policies (BP), administrative regulations (AR), and exhibits (EXH) from time to time to reflect changes in the law or other developments. Please go to the CUSD website to access the most recent board policies, administrative regulations, and exhibits: <https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx>.

BP/AR/EXH No.	Title
NA	Non-Discrimination, Hiring Practice and Procedures, Sexual Harassment, Title IX Complaint Procedures – Notification Statement
1312.3 BP	Uniform Complaint Procedures
1312.3 AR	Uniform Complaint Procedures
1312.3(1) EXH	Uniform Complaint Form
1312.3(2) EXH	Notice to Parents/Guardians, Students, and Teachers: Preschool Complaint Rights
1312.3(3) EXH	Preschool Complaint Form: Uniform Complaint Procedures
1312.4 BP	Williams Uniform Complaint Procedures
1312.4 AR	Williams Uniform Complaint Procedures
1312.4(1) EXH	Notice to Parents/Guardians, Students, and Teachers: K-12 Complaint Rights
1312.4(2A) EXH	Williams Uniform Complaint Form (English)
1312.4(2B) EXH	Williams Uniform Complaint Form (Hmong)
1312.4(2C) EXH	Williams Uniform Complaint Form (Spanish)
3541.1 BP	Transportation For School Related Trips/Private Vehicles
3541.1 AR	Transportation For School Related Trips/Private Vehicles
5113 BP	Student Absences, Excuses, and Make Up Opportunities
5113 AR*	Student Absences, Excuses, and Make Up Opportunities
5116.1 BP	Intra-District Transfers/Open Enrollment
5116.1 AR*	Intra-District Transfers/Open Enrollment
5116.1 EXH*	Open Enrollment Transfer Application
5117 BP	Inter-District Attendance/Transfers
5117 AR*	Inter-District Attendance/Transfers
5125 BP	Student Records
5125 AR*	Student Records
5131.2 BP	Bullying
5131.2 AR*	Bullying
5131.6 BP	Alcohol, Tobacco, and Other Drugs Prevention/Intervention

BP/AR/EXH No.	Title
5131.6 AR*	Alcohol, Tobacco, and Other Drugs Prevention/Intervention
5132 BP	Dress and Grooming
5132 AR*	Dress and Grooming
5144.10 BP	Student Discipline – Zero Tolerance
5144.10 AR*	Student Discipline – Zero Tolerance
5145.12 BP	Student Search and Seizure
5145.12 AR*	Student Search and Seizure
5145.7 BP	Sexual Harassment
5145.7 AR*	Sexual Harassment
6020 BP	Parent Involvement
6020 AR*	Parent Involvement
6161.11(3) EXH*	Supplementary Instructional Materials – Letter to Parent
6163.4 BP	Student Use of Technology
6163.4 AR*	Student Use of Technology
6163.4 EXH*	Student User Agreement

* Currently being updated and is not included as part of the Appendix. Please go to the CUSD website to access the most recent board policies, administrative regulations, and exhibits: <https://boardpolicies.cusd.com/ClovisUnifiedBoardPolicies.aspx>.

Doc# 41024-5 (06/2021)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
UNIFORM COMPLAINT PROCEDURES**

PURPOSE: To establish procedures for resolving complaints that are required to be resolved through the District's uniform complaint procedures.

The Board recognizes that the District has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4694 and the accompanying administrative regulation.

A. Complaints Subject to Uniform Complaint Procedures

The District's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Accommodations for pregnant and parenting students. (Education Code 46015)
2. Adult education programs. (Education Code 8500-8538, 52234.7, 52500-52617)
3. After School Education and Safety programs. (Education Code 8482-8484.65)
4. Agricultural career technical education. (Education Code 52460-52462)
5. Career technical and technical education, career technical, and technical training programs. (Education Code 52300-52462)
6. Childcare and development programs. (Education Code 8200-8498)
7. Compensatory education. (Education Code 54400)
8. Consolidated categorical aid programs. (34 CFR 299.10-299.12, Education Code 33315)
9. Course periods without educational content, when students in grades 9-12 are assigned to such courses more than one week in any semester or in a course the student has previously satisfactorily completed, unless specified conditions are met. (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in District programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or

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mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics. (5 CCR 4610)

11. Educational and graduation requirements for students in foster care, homeless students, students from military families, students formerly in a juvenile court school, migrant students, and immigrant students participating in a newcomer program. (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
12. Every Student Succeeds Act. (20 USC 6301 et seq., Education Code 52059.20)
13. Local control and accountability plan. (Education Code 52075)
14. Migrant education. (Education Code 54440-54445)
15. Physical education instructional minutes. (Education Code 51210, 51222, 51223)
16. Student fees. (Education Code 49010-49013)
17. Reasonable accommodations to a lactating pupil. (Education Code 222)
18. Regional occupational centers and programs. (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding. (Education Code 64001)
20. School safety plans. (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding. (Education Code 65000)
22. California State Preschool Programs. (Education Code 8235.5-8239.1)
23. State preschool and safety issues in license-exempt programs. (Education Code 8235.5)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.
25. Any other state or federal education program the Superintendent of Public Instruction deems appropriate. (Education Code 33315)

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The Superintendent or designee shall ensure that employees responsible for compliance and/or investigations of complaints are knowledgeable about the laws and programs for which they are assigned to investigate. (5 CCR 4621) Such employees may have access to legal counsel as determined by the Superintendent or designee.

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR sections 4631 and 4633.

B. Non-UCP Complaints

When an allegation that is not subject to UCP is included in a UCP complaint, the District shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the District's UCP. Non-UCP complaints and/or allegations shall be investigated and resolved using the procedures set forth in the applicable policy and administrative regulation.

The following complaints shall not be subject to the District's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Allegations of child abuse shall be referred to the county department of social services, protective services division or the appropriate law enforcement agency. (5 CCR 4611(a))
2. Health and safety complaints regarding licensed facilities operating a child development program shall be referred to the county department of social services. (5 CCR 4611(b))
3. Allegations of employment discrimination or harassment may be addressed by the District in accordance with applicable District policies and administrative regulations as appropriate, including the right to file a complaint with the California Department of Fair Employment and Housing (DFEH). Employment discrimination complaints against the District shall be addressed by the District in accordance with the procedures specified in Administrative Regulation (AR) No. 4030 – Nondiscrimination in Employment. Employment discrimination complaints received under this UCP policy will be referred for processing under AR 4030, unless the person filing the complaint declines the referral in which case the complaint shall be sent to the DFEH consistent with 5 CCR 4611(c).
4. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and missing assignments shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 8235.5, 35186; 5 CCR 4610(f))
5. Complaints regarding child nutrition programs are addressed under federal provisions pursuant to Title 7 Code of Federal Regulations (CFR) §§ 210.19(a)(4), 215.1(a),

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220.13(c), 225.11(b), 226.6(n), and 250.15(d). Other provisions governing complaints regarding child nutrition programs are found in Title 5 CCR §§ 15580 through 15584. (5 CCR § 4610(c)) Any complaint alleging noncompliance of the District's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE. (5 CCR 15580-15584.) Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the District's food service program shall be filed with or referred to the U.S. Department of Agriculture. (5 CCR 15582)

6. Any complaint alleging a violation of a state or federal law or regulation related to special education, a violation of the terms of a settlement agreement related to the provision of a free appropriate public education (except an attorney fees provision), a failure or refusal to implement a due process hearing order, a failure or refusal to comply with a law or regulation by a public agency other than the District that is applicable to that public agency as it pertains or relates to the provision of a free appropriate public education to individuals with disabilities, or physical safety concerns that interfere with the provision of a free appropriate public education shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205, 4610(d)) Complaints regarding special education programs are addressed under 34 CFR §§ 300.151 through 300.153 and 5 CCR §§ 3200 through 3205. (5 CCR 4610(d))
7. Complaints involving "Title IX Sexual Harassment" as that term is defined in Title IX regulations shall be investigated and resolved as set forth in District AR 4119.11, 4219.11, 4319.11 – Sexual Harassment (Personnel) and AR 5145.7 – Sexual Harassment (Students).

C. No Retaliation

The Board prohibits retaliation in any form for the filing of a complaint, the reporting of instances of discrimination, harassment, intimidation or bullying, or for participation in complaint procedures. The District shall protect all complainants from retaliation. (5 CCR 4621) For allegations of retaliation based on the filing of a complaint, the District also shall follow the UCP.

D. Privacy/Confidentiality

In investigating complaints, the confidentiality of the parties shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discrimination, harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant and/or the subject of the complaint, if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained. (5 CCR 4621)

Adopted: 07/08/1992

Reviewed: 10/14/2009

Amended: 04/10/1996, 09/22/1999, 04/24/2002, 07/19/2006, 01/23/2008, 02/27/2013,

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03/12/2014, 09/24/2014, 05/25/2016, 06/28/2017, 09/27/2017, 08/28/2019,
09/23/2020 (BP 9208 renumbered as BP 1312.3), 04/07/2021

EDUCATION CODE

200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8482-8484.65 After school education and safety
8500-8538 Adult basic education
18100-18203 School libraries
32280-32289 School safety plan, uniform complaint procedures
33315 Uniform complaint procedures
35186 Williams uniform complaint procedures
46015 Parental leave for students
48645.7 Juvenile court schools
48853-48853.5 Foster youth
48985 Notices in language other than English
49010-49014 Student fees
49060-49079 Student records, especially:
49069.5 Records of foster youth
49701 Interstate Compact on Educational Opportunity for Military Children
51210 Courses of study grades 1-6
51222 Physical education, secondary schools
51223 Physical education, elementary schools
51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements
51226-51226.1 Career technical education
51228.1-51228.3 Course periods without educational content
52059.5 Statewide system of support
52060-52077 Local control and accountability plan, especially:
52075 Complaint for lack of compliance with local control and accountability plan requirements
52160-52178 Bilingual education programs
52300-52462 Career technical education
52500-52617 Adult schools
52059.5 Statewide system of support
54400-54425 Compensatory education programs
54440-54445 Migrant education
59000-59300 Special schools and centers
64000-64001 Consolidated application process; school plan for student achievement
65000-65001 School site councils

GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state
12900-12996 Fair Employment and Housing Act

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HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

1596.7925 California Child Day Care Act; health and safety regulations

PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 2

11023 Harassment and discrimination prevention and correction

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4680-4687 Williams uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

6301-6576 Title I Improving the Academic Achievement of the Disadvantaged

6801-7014 Title III language instruction for limited English proficient and immigrant students

7114(d)(7) School safety plans

UNITED STATES CODE, TITLE 29

794 Section 504 of Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age Discrimination Act of 1975

11431-11435 McKinney-Vento Homeless Assistance Act

12101-12213 Title II equal opportunity for individuals with disabilities

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy Act

100.3 Prohibition of discrimination on basis of race, color or national origin

104.7 Designation of responsible employee for Section 504

106.1-106.82 Nondiscrimination on the basis of sex in education programs, especially:

106.8 Designation of responsible employee for Title IX

106.9 Notification of nondiscrimination on basis of sex

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110.25 Notification of nondiscrimination on the basis of age

Doc# 40853-8 (03/2021, 12/2020)

CLOVIS UNIFIED SCHOOL DISTRICT

COMMUNITY RELATIONS UNIFORM COMPLAINT PROCEDURES

Except as the Board may otherwise specifically provide in other District policies, the uniform complaint procedures (UCP) set forth in this administrative regulation shall be used to investigate and resolve only the complaints specified in Board Policy No. 1312.3.

A. COMPLIANCE OFFICER/RESPONSIBLE DISTRICT OFFICER

The Board designates the following Responsible District Officer as the compliance officer assigned to receive and coordinate the District's response to uniform complaints and to ensure District compliance with law:

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

Complaints of health and safety deficiencies in license-exempt preschool programs shall be filed with the Director of Child Development. See Part E of this administrative regulation.

The Superintendent or designee shall ensure that the Responsible District Officer is trained and knowledgeable about the laws and/or programs that he/she is assigned to investigate. Training shall cover current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. The Responsible District Officer may have access to legal counsel as determined by the Superintendent or designee.

In no instance shall the Responsible District Officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against the Responsible District Officer or that raises a concern about the Responsible District Officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee, who shall determine how the complaint will be investigated.

The Responsible District Officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the Responsible District Officer or the administrator shall consult with the Superintendent or designee or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the Responsible District Officer determines that they are no longer necessary or until the District issues its final written decision, whichever occurs first.

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B. NOTIFICATIONS

The District shall comply with the notification requirements of Education Code section 33315 and sections 4622 and 4691 of Title 5 of the California Code of Regulations. Such notification to pupils, employees, parent/guardians of students, the District advisory committee, school advisory councils, and other interested parties shall be included in the Student and Parent Rights and Responsibilities Handbook made available to each District pupil upon registration in the District and at the beginning of each school year. The Student and Parent Rights and Responsibilities Handbook is also available on the District's web site at www.cusd.com. Notification to appropriate private school officials or representatives shall be given at the annual consultation meeting between the District and private school officials.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code section 221.61 shall be posted on the District web site and may be provided through District-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have meaningful access to the relevant information provided in the District's policy, administrative regulation, forms, and notices concerning the UCP.

If 15 percent (15%) or more of students enrolled in a particular District school speak a single primary language other than English, the District's policy, administrative regulation, forms, and notices concerning the UCP shall be translated into that language in accordance with Education Code sections 234.1 and 48985. In all other instances, even if Education Code section 48985 does not apply, the District shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

C. DEFINITIONS

1. Complaint: A complaint is a written and signed statement alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, or bullying. A signature may be handwritten, typed (including in an email), or electronically generated. (5 CCR 4600)
2. Complainant: A complainant means any person, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, or bullying in programs and activities funded directly by the State or receiving any financial assistance from the State. (5 CCR 4600)

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3. Appeal: An appeal is a written and signed request by a complainant to the California Department of Education (CDE) seeking review of an investigation report that was issued by the District in response to a properly filed complaint. A signature may be handwritten, typed (including in an email), or electronically generated. (5 CCR 4600)

D. COMPLAINT PROCEDURES

1. Filing of the Complaint

The complaint shall be filed with the District in accordance with the District's complaint procedures described in this administrative regulation. (5 CCR 4630) Complaints of health and safety deficiencies in license-exempt preschool programs have different complaint procedures and timelines; please see Part E of this administrative regulation.

All complaints shall be filed in writing and signed by the complainant. Please see Exhibit No. 1312.3(1), Uniform Complaint Procedures: Complaint Form, which may but is not required to be used. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, District staff shall assist in the filing of the complaint. (5 CCR 4600)

The written complaint should state the name of the complainant, the date of the complaint, the names of any witnesses, a detailed statement of the circumstances constituting the alleged violation or discrimination, and the requested remedy or resolution.

The complaint shall be presented to the Responsible District Officer designated above who shall maintain a log of complaints received, providing each with a code number and a date stamp. The Responsible District Officer shall maintain a record of subsequent related actions, including all information required for compliance with Title 5 of the California Code of Regulations sections 4631 and 4633.

Complaints also shall be filed in accordance with the following rules, as applicable:

- a. All complaints which allege that the District has violated federal or state laws or regulations governing the programs specified in Board Policy No. 1312.3 may be filed by any individual, public agency, or organization. (5 CCR 4630) The complaint shall be filed with the Responsible District Officer.
- b. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013, 52075; 5 CCR 4630) A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. (5 CCR 4630)

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- c. A UCP complaint shall be filed no later than one year from the date the alleged violation occurred, except that a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) shall be filed no later than six months from the date that the alleged unlawful discrimination occurred or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination.

The time for filing a complaint alleging unlawful discrimination may be extended for up to 90 days following the expiration of the six-month time period by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

For complaints related to the Local Control and Accountability Plan (LCAP), the date of the alleged violation is the date when the county superintendent of schools approves the LCAP that was adopted by the Board. (5 CCR 4630)

The one-year timeline by which complaints shall be filed shall not apply to complaints regarding the educational rights of foster youth as specified in Education Code sections 49069.5(e), 51225.1(a)-(k), and 51225.2(b)-(e). (5 CCR 4630.5)

- d. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by: (1) a person who alleges having personally suffered unlawful discrimination, (2) a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or (3) a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
- e. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the Responsible District Officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

2. Notice/Begin Investigation

The Responsible District Officer, other designated employee, or outside investigator(s) shall begin an investigation into the complaint by doing the following:

- a. If the complaint is oral, advise the complainant to put the complaint in writing, and provide the complainant with assistance in writing the complaint, if necessary.
- b. Meet with the complainant, if necessary, to obtain clarification of the complainant's written complaint.

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- a. Provide the complainant with a copy of Board Policy No. 1312.3, this administrative regulation, Exhibit No. 1312.3(1) and, if applicable, Exhibits No. 1312.3(2) and (3) and explain that the District has 60 days within which to conduct an investigation and provide the complainant with a written investigation report unless the complainant agrees in writing to an extension. If appropriate, explore the possibility of an early resolution (see 3 below).
- c. Provide the complainant and/or representative notice of the opportunity to present the Responsible District Officer with any evidence, or information leading to evidence to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.
- d. Inform the alleged offender of the nature of the complaint.
- f. 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.

3. Early Resolution

When a complaint is received, the District may attempt to resolve the complaint informally within the 60 calendar days in which the District must conduct an investigation and provide a written investigation report to the complainant. The early resolution process is as follows:

- a. The Responsible District Officer may delegate to the site administrator or other District employees the responsibility of contacting the complainant and attempting to resolve the complaint informally by exploring a range of options and coming to a resolution.
- a. If the District and complainant are able to resolve the complaint fully, the resolution shall be documented in writing and communicated to the complainant.
- b. If the District does not seek to resolve the complaint informally or if early resolution efforts are unsuccessful, the District will proceed to conduct the investigation and develop an investigation report within 60 calendar days of receipt of the complaint, unless the District and complainant agree in writing to an extension.

4. Investigation of Complaint

The Responsible District Officer shall conduct or cause to be conducted an 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. As necessary, additional District staff or legal counsel may conduct or support the investigation. An outside investigator or investigators may, subject to the Superintendent or designee authorization, be

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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.

An investigation of a discrimination, harassment, intimidation, or bullying complaint shall be conducted in a manner that protects confidentiality of the parties and maintains the integrity of the process. (5 CCR 4630) When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the Responsible District Officer shall inform the complainant or victim that the request may limit the District's ability to investigate the conduct or to take other necessary action. When honoring a request for confidentiality, the District shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

In conducting the investigation, the investigator shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The investigator shall individually interview all available witnesses with information pertinent to the complaint and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the investigator shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the investigator shall interview the alleged victim(s), any alleged offender(s), and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional District staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the District's investigator(s) with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement 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. (5 CCR 4631) Likewise, a party responding to the complaint, if any, who refuses to provide the investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant.

In accordance with law, the District shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. (5 CCR 4631) The District's refusal to provide the District's investigator(s) with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation

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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 complainant. (5 CCR 4631)

When determining whether the alleged discriminatory conduct constitutes a violation, the investigator should consider the totality of the circumstances.

5. Timeline for Investigation Report and Decision Relating to Complaint

Unless an early resolution has been reached pursuant to 3 above or there is an extension by written agreement with the complainant, the Responsible District Officer shall prepare and send to the complainant a written investigation report within 60 calendar days of the District's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the respondent to a complaint alleging unlawful discrimination shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the investigation report at the same time it is provided to the complainant.

6. Investigation Report

The District's investigation report shall include at least the following: (5 CCR 4631)

- a. The findings of fact based on the evidence gathered.
- b. For each allegation, a conclusion providing a clear determination of whether the District complies with the relevant law.
- c. Corrective action(s), if any, whenever the District finds merit in the complaint. If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the District shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. For complaints alleging noncompliance with the laws regarding student fees, the District shall attempt in good faith by engaging in reasonable efforts to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (5 CCR 4600; Education Code 49013, 51222, 51223, 52075)
- d. Notice of the complainant's right to appeal the District's investigation report to CDE, except when the District has used its UCP to address a complaint that is not specified in 5 CCR 4610.
- e. The procedures to be followed for initiating an appeal to CDE.

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The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

The District's investigation report shall be provided in English. If the complaint involves a limited English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, the District also shall provide the investigation report in the complainant's primary language as required by Education Code section 48985. In all other instances, even if Education Code section 48985 does not apply, the District shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency, which may require translation of the investigation report.

7. Corrective Actions

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person and the Responsible District Officer shall adopt any appropriate corrective action permitted by law.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the District shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the District shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

8. Procedures for Appealing District's Investigation Report

Any complainant who is dissatisfied with the District's investigation report on a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with CDE within 30 calendar days of receiving the District's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the District's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including as least one of the following: (5 CCR 4632)

- a. The District failed to follow its complaint procedures.
- b. Relative to the allegations of the complaint, the District's investigation report lacks material findings of fact necessary to reach a conclusion of law.

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- c. The material findings of fact in the District's investigation report are not supported by substantial evidence.
- d. The legal conclusion in the District's investigation report is inconsistent with the law.
- e. In a case in which the District found noncompliance, the corrective actions fail to provide a proper remedy.

CDE will not process an appeal if it is untimely, if it fails to include this information, or if it pertains to subject matter not encompassed by the UCP. If CDE determines that the appeal raises issues not contained in the complaint, CDE will refer those new issues back to the District for resolution as a new complaint. (5 CCR 4632)

Upon notification by CDE that the District's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

- b. A copy of the original complaint.
- c. A copy of the District's investigation report.
- d. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator.
- e. A report of any action taken to resolve the complaint.
- f. A copy of Board Policy No. 1312.3, this administrative regulation, Exhibit No. 1312.3(1) and, if applicable, Exhibits No. 1312.3(2) and (3).
- g. Other relevant information requested by CDE.

The District's failure to provide a timely and complete response may result in CDE ruling on the appeal without considering information from the District. (5 CCR 4633)

If notified by CDE that the District's investigation report failed to address allegation(s) raised by the complaint, the District shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report also shall inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

If CDE determines that the District's investigation report meets UCP requirements, the appeal shall be denied. (5 CCR 4633)

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CDE must issue a written decision regarding the appeal within 60 days of CDE's receipt of the appeal unless: (1) extended by written agreement, (2) CDE documents exceptional circumstances and informs the appellant, (3) CDE receives notice that the matter has been resolved at the local level, or (4) CDE receives notice that the matter has been judicially decided. (5 CCR 4633)

Within 30 days of CDE's decision, either party may request reconsideration by the State Superintendent of Public Instruction (SSPI) or designee. The request for reconsideration shall specify and explain the reason(s) for contesting the findings of fact, conclusions of law, or corrective actions in CDE's decision. (5 CCR 4635) Within 60 days of receipt of the request for reconsideration, the SSPI or designee shall respond in writing to the parties. Pending the response, the CDE appeal decision remains in effect and enforceable, unless stayed by a court. (5 CCR 4635)

9. Complaints Filed Directly With CDE

If a complaint is erroneously filed with CDE without first being filed with and investigated by the District, CDE shall immediately forward the complaint to the District for processing in accordance with the District's UCP provisions unless extraordinary circumstances exist necessitating direct state intervention. (5 CCR 4640)

CDE may, at its discretion, directly intervene without waiting for the District investigation if one or more situations set forth under 5 CCR 4650 exist.

The complaint shall identify the basis for filing the complaint directly to CDE. The complainant must present CDE with evidence that supports the basis for the direct filing. (5 CCR 4650)

When CDE accepts a complaint requesting direct state intervention, CDE will immediately notify the complainant in writing of the determination. If the complaint is not accepted, it shall be referred to the District for local investigation or referred to another agency pursuant to section 4611. (5 CCR 4651)

E. HEALTH AND SAFETY COMPLAINTS IN LICENSE - EXEMPT PRESCHOOL PROGRAMS

Any complaint regarding health or safety issues in a license - exempt California State Preschool Program (CSPP) shall be addressed through the following procedures. (5 CCR 4690-4694)

In each license-exempt CSPP classroom, a notice shall be posted notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 of the California Code of Regulations that apply to CSPP programs pursuant to Health and Safety Code section 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. (Education Code 8235.5; 5 CCR 4691) Please see Exhibit No. 1312.3(2) - Notice to

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Parents/Guardians, Students, and Teachers: Preschool Complaint Rights.

The District's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP is operating as exempt from licensing and which CSPP is operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license - exempt CSPP shall be filed with the Director of Child Development and may be filed anonymously. Please see Exhibit No. 1312.3(3) - Preschool Complaint Form: Uniform Complaint Procedures.

If it is determined that the complaint is beyond the authority of the Director of Child Development, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. (Education Code 8235.5; 5 CCR 4690)

The Director of Child Development shall make all reasonable efforts to investigate any problem within that person's authority. Investigation of a complaint regarding health or safety issues in a license - exempt CSPP shall begin within 10 calendar days of receipt of the complaint. (Education Code 8235.5; 5 CCR 4692)

The Director of Child Development shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the Director of Child Development shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant, to CDE's assigned field consultant, and to the Responsible District Officer. (Education Code 8235.5; 5 CCR 4692)

If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the District's investigation report shall be provided in English. If the complaint involves a limited English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, the District also shall provide the investigation report in the complainant's primary language as required by Education Code section 48985. In all other instances, even if Education Code section 48985 does not apply, the District shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency, which may require translation of the investigation report.

All complaints and responses are public records. (5 CCR 4690, 4693)

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled meeting and, within 30 days of the date of the written report, may file a written appeal of the District's decision to the SSPI in accordance with 5 CCR 4632. The complainant shall comply with the appeal requirements of 5 CCR 4632. (Education Code 8235.5; 5 CCR 4693, 4694) Failure to file a local appeal pursuant to 5 CCR 4693 does not preclude the filing of a state appeal pursuant to 5 CCR 4694. (Education

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Code 8235.5; 5 CCR 4693, 4694)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled board meeting and to the county superintendent of schools. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the Board. (5 CCR 4693)

F. CONFIDENTIALITY AND PROTECTION FROM RETALIATION

The District shall protect all complainants from retaliation. (5 CCR 4621) For allegations of retaliation based on the filing of a complaint, the District also shall follow the UCP. In investigating complaints, the confidentiality of the parties shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discrimination, harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant and/or the subject of the complaint, if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained. (5 CCR 4621)

G. 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 CDE and the Office for Civil Rights.

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

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

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

Equal Employment Opportunity Commission
2300 Tulare Street, Suite 215
Fresno, California 93721
(559) 487-5793

Allegations of discrimination or harassment in employment may be addressed under applicable District policies and procedures as appropriate, including the right to file a complaint with the California Department of Fair Employment and Housing (DFEH). Employment discrimination complaints against the District shall be addressed by the District in accordance with the procedures

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specified in Administrative Regulation No. 4030 – Nondiscrimination in Employment. Employment discrimination complaints received under Board Policy No. 1312.3 will be referred for processing under Administrative Regulation No. 4030 unless the person filing the complaint declines the referral in which case the complaint shall be sent to the DFEH consistent with 5 CCR 4611(c).

Adopted: 08/12/1992

Amended: 08/02/1995, 04/10/1996, 09/22/2009, 04/24/2002, 07/19/2006, 01/23/2008,
01/14/2009, 10/14/2009, 11/10/2010, 03/06/2012, 02/27/2013, 03/12/2014,
04/02/2014, 08/23/2017, 09/27/2017, 05/08/2018, 06/15/2021 (AR 9208 renumbered
as AR 1312.3)

Doc# 41628-10 (06/2021, 12/2020)

**CLOVIS UNIFIED
SCHOOL DISTRICT**

**COMMUNITY RELATIONS
UNIFORM COMPLAINT PROCEDURES**

**UNIFORM COMPLAINT PROCEDURES:
COMPLAINT FORM**

The Uniform Complaint Procedures: Complaint Form is set forth on the following page and shall be used in accordance with Board Policy and Administrative Regulation No. 1312.3.

Reviewed: 01/14/2009, 10/14/2009, 11/13/2013

Amended: 09/22/1999, 02/22/2006, 01/23/2008, 02/22/2008, 06/15/2021 (EXH 9208(1))
renumbered as EXH 1312.3(1))

Doc# 41667-4 (06/2021, None)



Date Received:

EXHIBIT NO. 1312.3(1)
UNIFORM COMPLAINT PROCEDURES:
COMPLAINT FORM

- 1. Name of Complainant: Date Filed:
2. Address: City: Zip:
3. Home Phone: Other Phone: Email:
4. I wish to complain against (person, program, or activity):

5. Location: Date of incident:

6. Please specify the nature of your complaint and list specifics of what, when, where, how and who was there (attach additional pages if necessary):

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

8. Suggestions for an appropriate remedy or resolution of this complaint:

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

Signature of Complainant: Date:

Please file this complaint form with the appropriate school principal/department head or at the District Office, 1450 Herndon Avenue, Clovis, CA 93611-0567; telephone 559-327-9000

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
UNIFORM COMPLAINT PROCEDURES****NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS:
PRESCHOOL COMPLAINT RIGHTS**

The Notice to Parents/Guardians, Students, and Teachers: Preschool Complaint Rights (Notice) is set forth on the following page. Pursuant to Education Code section 8235.5, the Notice shall be posted in each license-exempt California State Preschool Program classroom in each school in the District. (Education Code 8235-8239.1)

Adopted: 06/15/2021

Doc# 49662-5 (06/2021, 05/2020)



EXHIBIT 1312.3(2)

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: PRESCHOOL COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code section 8235.5, you are hereby notified that any California State Preschool Program that is exempt from licensure must comply with the health and safety requirements specified in Health and Safety Code section 1596.7925 by having:

1. Outdoor shade that is safe and in good repair.
2. Drinking water that is accessible and readily available throughout the day.
3. Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.
4. Restroom facilities that are available only for preschoolers and kindergartners.
5. Visual supervision of children at all times.
6. Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time.
7. Playground equipment that is safe, in good repair, and age appropriate.

Complaints concerning any of these health and safety requirements will be addressed through the District's Uniform Complaint Procedures as required by law. (Education Code 8235.5; 5 California Code of Regulations 4691) You may obtain a complaint form (Exhibit No. 1312.3(3) – Preschool Complaint Form: Uniform Complaint Procedures) at the school or District office or download it from the District web site: boardpolicies.cusd.com. Alternatively, you may file a complaint using the California Department of Education complaint form which can be downloaded from the following web site: <http://www.cde.ca.gov/re/cp/uc>. You do not have to use either the District's complaint form or the complaint form from the California Department of Education to file a complaint.

Doc# 49662-5 (06/2021, 05/2020)

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**COMMUNITY RELATIONS
UNIFORM COMPLAINT PROCEDURES**

UNIFORM COMPLAINT PROCEDURES: PRESCHOOL COMPLAINT FORM

The Preschool Complaint Form: Uniform Complaint Procedures is set forth on the following pages and may be used for complaint alleging that a license-exempt California Preschool Program does not comply with any of the health and safety requirements specified in Health and Safety Code section 1596.7925.

Adopted: 06/15/2021

Doc# 49663-5 (04/2021, 05/2020)



EXHIBIT 1312.3(3)

UNIFORM COMPLAINT PROCEDURES: PRESCHOOL COMPLAINT FORM

Education Code section 8235.5 requires that the District's Uniform Complaint Procedures be used for the filing of complaints concerning noncompliance with health and safety standards for license-exempt California State Preschool Programs. The complaint and response are public documents as provided by law. Complaints may be filed anonymous; however, if you wish to receive a response to your complaint, you must provide the contact information below.

1. Response requested? Yes No

2. Contact information: (if response is requested)

Name: _____

Address: _____

Phone number: Home _____ Cell _____

E-mail address, if any: _____

3. Date problem was observed: _____

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

School name/address: _____

Room number/name of room/location of facility: _____

5. Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or District for the appropriate District complaint procedure. Specific issue(s) of the complaint: ***(Please check all that apply. A complaint may contain more than one allegation.)***

a. The preschool does not have outdoor shade that is safe and in good repair.

b. Drinking water is not accessible and/or readily available throughout the day.

c. The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children.

d. Restroom facilities are not available only for preschoolers and kindergartners.

e. The preschool program does not provide visual supervision of children at all times.

f. Indoor or outdoor space is not properly contained or fenced and/or does not provide sufficient space for the number of children using the space at any given time.

g. Playground equipment is not safe, in good repair, or age appropriate.

6. Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation.

Please file this complaint at the following location:

(Preschool administrator or designee)

(Address)

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.

Signature: _____

Date: _____ Print Name: _____

Doc# 49663-5 (06/2021, 05/2020)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
WILLIAMS UNIFORM COMPLAINT PROCEDURES**

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

The Board recognizes that the District has primary responsibility for ensuring 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 procedures set forth in the accompanying administrative regulation only to investigate and resolve the following:

1. Complaints regarding the insufficiency of textbooks and instructional materials. (Education Code 35186, 5 CCR 4681)
2. Complaint regarding teacher vacancy or misassignment. (Education Code 35186, 5 CCR 4682)
3. Complaints regarding the condition of school facilities. (Education Code 35186, 5 CCR 4683)

Complaints regarding matters that do not fall under this policy shall be investigated and resolved using the procedures set forth in the applicable policy and administrative regulation.

The Board prohibits retaliation in any form for the filing of a complaint or for participation in complaint procedures. The District shall protect all complainants from retaliation. (5 CCR 4621) 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 as required by law. The identity of any complainant shall be kept confidential as appropriate and permitted by law.

The Superintendent or designee shall ensure that employees responsible for compliance and/or investigations of complaints are knowledgeable about the laws and programs for which they are assigned to investigate. (5 CCR 4621) Such employees may have access to legal counsel as determined by the Superintendent or designee.

Adopted: 12/15/2004

Reviewed: 10/14/2009

Amended: 05/23/2007, 01/23/2008, 01/15/2014, 06/28/2017, 09/23/2020 (BP 9211 renumbered as BP 1312.4), 04/07/2021

CLOVIS UNIFIED SCHOOL DISTRICT

EDUCATION CODE

- 234.1 Prohibition of discrimination, harassment, intimidation, and bullying
- 1240 County superintendent of schools, duties
- 17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
- 33126 School accountability report card
- 35186 Williams uniform complaint procedures
- 35292.5-35292.6 Restrooms, maintenance and cleanliness
- 48985 Notice to parents in language other than English
- 60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

- 4600-4670 Uniform complaint procedures
- 4680-4687 Williams uniform complaint procedures

UNITED STATES CODE, TITLE 20

- 6314 Title I schoolwide program

Doc# 40854-8 (03/2021, 05/2020 AR 1312.4)

CLOVIS UNIFIED SCHOOL DISTRICT

COMMUNITY RELATIONS WILLIAMS UNIFORM COMPLAINT PROCEDURES

A. Types of Complaints

The procedures outlined in this administrative regulation provide a process for filing, investigating, and resolving a complaint subject to Board Policy No. 1312.4 – Williams Uniform Complaint Procedures. (Education Code 35186, 5 CCR 4682)

B. Compliance Officers/Responsible District Officer

Complaints shall be filed in accordance with the provisions in D.1 below. 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.

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

C. Notices and Complaint Form

Exhibit No. 1312.4(2) sets forth the Williams Uniform Complaint Form and is available to be used to file complaints under this administrative regulation. A complainant is not required to use the Williams Uniform Complaint Form. (Education Code 35186, 5 CCR 4680)

The Superintendent or designee shall post in each classroom of each District school a notice that complies with Education Code section 35186 and 5 CCR section 4622. The notice is set forth in Exhibit No. 1312.4(1) - Notice to Parents/Guardians, Students, and Teachers K-12 Complaint Rights. Such notice shall be included in the District's Student and Parent Rights and Responsibilities Handbook (Handbook). The Handbook is available on the District's website at www.cusd.com.

CLOVIS UNIFIED SCHOOL DISTRICT

D. Complaint Procedures

All complaints and responses are public records. (Education Code 35186, 5 CCR 4680, 4686)

1. Filing the Complaint

- a. Any individual, public agency, or organization may file a written complaint under this administrative regulation. 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. (Education Code 35186, 5 CCR 4680)
- b. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or disabilities, 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. (Education Code 35186)
- d. The complaint shall be filed with the principal or designee of the school where the complaint arises. (Education Code 35186, 5 CCR 4680) A complaint about problems beyond the authority of the principal shall be forwarded in a timely manner, but not to exceed 10 working days, to the appropriate District official for resolution. (5 CCR 4680)

2. Investigation and Response

The principal or designee of the Superintendent, as applicable, shall make all reasonable efforts to investigate any problem within his/her authority. (Education Code 35186, 5 CCR 4685) 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.

The principal or Superintendent's designee shall remedy a valid complaint within a reasonable time period but not to exceed 30 working days from the date the complaint was received. (Education Code 35186, 5 CCR 4685) The principal, or where applicable, the Superintendent or designee, shall report to the complainant the resolution of the complaint within 45 working days of the initial filing to the mailing address provided if the complainant identifies himself/herself and requested a response. (5 CCR 4684) If the principal makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 35186, 5 CCR 4685)

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 applicable, the response, if requested by the

**CLOVIS UNIFIED
SCHOOL DISTRICT**

complainant, and report shall be written in English and the primary language in which the complaint was filed. (Education Code 35186)

3. Appeal

A complainant who is not satisfied with the resolution of the complaint by the principal or Superintendent or designee has the right to describe the complaint to the Board during public comment at a regularly scheduled meeting of the Board. (Education Code 35186, 5 CCR 4686)

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 Superintendent or designee has the right to file an appeal to the Superintendent of Public Instruction within 15 calendar days of receiving the District's response. (Education Code 35186, 5 CCR 4687) The complaint shall comply with the appeal requirements specified in 5 CCR section 4621. (5 CCR 4687)

4. Reports

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly schedule public board meeting and to the Fresno County Superintendent of Schools, a summarized data on the nature and resolution of all complaints. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. (Education Code 35186, 5 CCR 4686)

5. Flow Chart for Williams Uniform Complaint Procedures

LEVEL	PRESENTS COMPLAINT TO	TYPE OF PROCESS	NUMBER OF DAYS TO FILE	NUMBER OF DAYS TO RESPOND
FORMAL	Principal ¹	In writing	NA	45 Working days
APPEAL	Board	Verbal	At a regularly scheduled meeting	NA
APPEAL REGARDING CONDITION OF FACILITIES ²	Superintendent of Public Instruction	In writing	Within 15 calendar days of Board response	NA

1. If the complaint that is beyond the principal's authority, he/she shall forward it to the appropriate District official within 10 working days from the date the complaint was received.

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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 proffered by the principal or the Superintendent or designee, he/she may file an appeal in accordance with the provisions in D.3 above.

Adopted: 12/15/2004

Reviewed: 06/15/2010

Amended: 05/23/2007, 01/23/2008, 02/26/2008, 01/14/2009, 10/14/2009, 01/15/2014,
06/28/2017, 05/20/2021 (AR 9211 renumbered as AR 1312.4)

Doc# 41641-3 (05/2021, 05/2020)

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
WILLIAMS UNIFORM COMPLAINT PROCEDURES****NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS:
K-12 WILLIAMS COMPLAINT RIGHTS**

The Notice to Parents/Guardians, Pupils, and Teachers: K-12 Williams Complaint Rights is as set forth in this Exhibit. The Notice is available in English, Spanish, and Hmong.

Adopted: 05/20/2021 (Existing Compliance Poster – Notice to Parents, Guardians, Pupils, and Teachers Complaint Rights (English Version), last updated 07/2020)

Doc# 49666-4 (05/2021, 03/2019)



EXHIBIT NO. 1312.4(1)

NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS: K-12 WILLIAMS COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code section 35186, you are hereby notified that:

1. There should be sufficient textbooks and instructional materials. That means each pupil, including English learners, must have a textbook or instructional materials, or both, to use in class and to take home.
2. School facilities must be clean, safe, and maintained in good repair.
3. There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present. "Teacher vacancy" means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. "Misassignment" means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the District's Williams uniform complaint procedures as required by law and set forth in Board Policy and Administrative Regulation No. 1312.4. A complaint form may be obtained at the school office or District office or downloaded from the District's web site at www.cusd.com. You may also download a copy of the California Department of Education complaint form from the following web site: <http://www.cde.ca.gov/re/cp/uc/>. However, a complaint need not be filed using either the District's complaint form or the complaint form from the California Department of Education.

Doc# 49666-4 (05/2021, 03/2019)



EXHIBIT NO. 1312.4(1)

NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS: K-12 WILLIAMS COMPLAINT RIGHTS

Notificación para padres de familia, tutores legales y maestros Derecho de presentar quejas

Formulario muestra de quejas uniformes

Padres, tutores, alumnos y maestros:

Según el Código de Educación de California Artículo 35186, se le notifica que:

1. Debe haber suficientes libros y materiales de instrucción. Eso significa que cada alumno, incluyendo a los alumnos que aprenden inglés, debe tener un libro o materiales de instrucción, o ambos, para usar en clase y llevar a casa.
2. Los predios escolares deben estar limpios, seguros, y deben mantenerse en buen estado.
3. No debe haber falta de maestros ni asignaciones incorrectas de maestros. Debe haber un maestro asignado a cada clase y no una serie de suplentes u otros maestros temporales. El maestro debe tener la certificación apropiada para enseñar la clase, incluyendo la certificación requerida para enseñar a alumnos que aprenden inglés, si es que están presentes en la clase. Falta de maestros significa que existe un puesto al cual no se ha asignado un empleado con certificación al principio del año escolar y por todo un año, o si el puesto es para un curso de un semestre, un puesto al cual no se ha asignado un empleado con certificación al principio de un semestre y por un semestre completo. Una asignación incorrecta significa que un empleado con certificación es colocado en un puesto de maestro o proveedor de servicios sin tener una certificación o credencial legalmente reconocida, o colocado en un puesto de maestro o proveedor de servicios que el empleado no está legalmente autorizado a ocupar.

Si decide presentar una queja alegando que no se está cumpliendo alguna de las condiciones anteriores, su queja se abordará a través de los procedimientos uniformes de quejas Williams del Distrito según lo requiera la ley y se establece en la Política de la Junta y el Reglamento Administrativo N° 1312.4. Un formulario de queja puede obtenerse en la oficina de la escuela o en la oficina del Distrito o descargarse del sitio web del Distrito en www.cusd.com. También puede descargar una copia del formulario de queja del Departamento de Educación de California del siguiente sitio web: <http://www.cde.ca.gov/re/cp/uc/>. Sin embargo, no es necesario presentar una queja utilizando el formulario de queja del Distrito o el formulario de queja del Departamento de Educación de California.



EXHIBIT NO. 1312.4(1)

DAIM NTAWV CEEB TOOM RAU TSOOM NIAM TSOOM TXIV, COV TSOM KWM, COV MENYUAM KAWM NTAWV, THIAB TSOOM XIB FWB: DAIM NTAWV TSIAS TXAUS SIAB TXOG WILLIAMS COMPLAINT RIGHTS

Cov Niam Cov Txiv, Cov Tsom Kwm, Cov Menyuum Kawm Ntawv, thiab Cov Xib Fwb:

Raws li California txoj kev cai kawm, (Education Code section 35186), faj seeb qhia rau koj hais tias:

1. Yuav tsum muaj cov phau ntawv qhia thiab khoom qhia ntawv kom txaus tsim nyog. Txhais tau tias txhua tus menyuum kawm ntawv nrog rau cov kawm lus Askiv tib si, yuav tsum muaj ib phau ntawv kawm los yog cov khoom kawm ntawv siv los kawm los yog muaj ob yam tib si los siv rau hauv chav qhia ntawv thiab nqa mus saib tau tom tsev.
2. Cov chaw kawm ntawv yuav tsum tu huv si, ruaj ntseg thiab txhua yam ua hauj lwm kom zoo.
3. Yuav tsum muaj xib fwb kom txaus tas li los yog tsis lam muab tus xib fwb mus qhia rau chav yuam kev. Yuav tsum muaj ib tug xib fwb qhia ib chav thiab tsis yog pheej muab cov xib fwb tuaj hloov tshiab tas li los yog siv lwm cov xib fwb uas tuaj qhia ib ntus xwb. Tus xib fwb yuav tsum kawm ntaub ntawv txuj ci tsim nyog tuaj qhia ntawv, xws li muaj ntaub ntawv tso cai tuaj qhia cov tub-ntxhais xyaum kawm ntawv Askiv yog tias muaj cov neeg kawm ntawv Askiv. Xib fwb muaj tsis txaus yog txhais tau tias muaj ib txoj hauj lwm uas tsis tau txib kom ib tus xib fwb muaj ntaub ntawv qhia ntawv los tuav thaum chiv thawj pib kawm ntawv mus thawm kiag xyoo kawm ntawv, los sis yog tias txoj hauj lwm tsuas qhib rau chav kawm ntawv mus ib nrab xyoo kawm (semester) xwb, ces yog muaj ib txoj hauj lwm uas tsis tau txib kom ib tus xib fwb muaj ntaub ntawv qhia ntawv los tuav thaum pib kiag lub sij hawm ntawd mus thawm kiag rau ntu ntawd. Muab tus xib fwb qhia mus qhia rau chav yuam kev txhais tau hais tias muab tus xib fwb qhia ntawv uas muaj ntaub ntawv coj mus qhia los yog ua tej yam hauj lwm uas tus neeg ntawd tsis muaj ntawv pov thawj los sis tau kev tso cai los yog tsis muaj peev xwm los yog muab tus neeg ua hauj lwm mus qhia los yog pab txoj hauj lwm uas tus neeg tsis muaj cai qhia raws li txoj cai.

Yog hais tias koj tsis txaus siab rau cov ntsiab lus ua teev saum no koj yuav tsum xa koj tsab ntawv mus rau tom suam tsev kawm ntawv uas tswj daim ntawv tsis txaus siab no, raws li cov coj noj coj ua tau teev cia li tsab cai (Administrative Regulation) 1312.4. Koj mus nqa tau ib daim ntawv tsis txaus siab tom lub tsev kawm ntawv, los sis suam tsev kawm ntawv, los yog koj mus nrhiav tau rau hauv www.cusd.com. Koj los yeej muaj feem mus luam tau ib daim ntawv tsis txaus siab ntawm lub hauv paus kev kawm nyob hauv lub xeev California ntawm <http://www.cde.ca.gov/tre/cp/uc/>. Yog li ntawd koj yeej muaj cai siv tau daim ntawv tsis txaus siab tom suav av tsev kawm ntawv los yog lub hauv paus kawm ntawv hauv lub xeev California.

**CLOVIS UNIFIED
SCHOOL DISTRICT****COMMUNITY RELATIONS
WILLIAMS UNIFORM COMPLAINT PROCEDURES****WILLIAMS UNIFORM COMPLAINT FORM**

The Williams Uniform Complaint Form is as set forth in this Exhibit. The form is available in English, Spanish, and Hmong. However, a complaint need not be filed using this complaint form.

Adopted: 12/15/2004

Reviewed: 05/23/2007, 12/03/2008, 01/14/2009, 10/14/2009

Amended: 01/23/2008, 01/15/2014, 07/05/2017, 05/20/2021 (EXH 9211(1) renumbered as EXH 1312.4(2))

Doc# 41661-5 (05/2021, 03/2019)



Date Received:

EXHIBIT 1312.4(2)

WILLIAMS UNIFORM COMPLAINT PROCEDURES FORM
(English)

Education Code section 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.

A. Response Requested? Yes No

B. Contact Information (if response is requested):

Name: _____

Address: _____ City: _____ Zip Code: _____

Home Phone: _____ Cell Phone: _____

Email address, if any: _____

C. Date and Location of the problem that is the subject of this complaint:

School Name/Address: _____

Course Title/Grade Level and Teacher Name: _____

Room Number/Name of Room/Location of Facility: _____

Date problem was observed: _____

D. Specific Issues of the Complaint

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 .

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. 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.

b. 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.

- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- d. 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. 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.
- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learners in the class.
- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

3. Facilities conditions: (Education Code 17592.72, 35186, 35292.5, 35292.6; 5 CCR 4683)

- a. 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 line 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; structural damage creating a hazardous or uninhabitable condition; and any other conditions the District determines appropriate.
- b. 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.
- c. For a school that serves students in any of grades 6-12 with 40 percent or more of its students from low-income families, as defined, the school has not stocked or at least half of its restrooms with feminine products at all times and made those products available to pupils at no cost.
- d. 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 temporary closing of the restroom is necessary for pupil safety or to make repairs.

E. Facts of complaint: Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation. For complaints regarding facilities conditions, please describe the emergency or urgent facilities condition and how that condition poses a threat to the health and safety of students or staff.



Hnub Txais Tau:

EXHIBIT 1312.4(2)

WILLIAMS UNIFORM COMPLAINT PROCEDURES FORM
(Hmoob)

WILLIAMS DAIM NTAWV TSIIS TXAUS SIAB

Kev cai kawm ntawv tshooj (Education Code) 35186 tsim muaj ib txoj kev faj seeb tej kev txhawj xeeb txog tej ntaub ntawv qhia tsi zoo tsim nyog, tej tsev kawm ntawv uas tsi tu kom huv si los yog kom muaj kev ruaj ntseg los yog kho tej puas kom zoo thiab muaj tej hauj lwm qhia ntawv uas tsi muaj xib fwb qhia los yog muab xib fwb mus tso qhia yuav kev rau tej yam tsi yog. Cov lus tsis txaus siab thiab cov lus teb rau cov lus tsis txaus siab yog tej ncauj lus qhib rau pej xeeb muaj cai pom raws li txoj cai tau teev cia. Cov neeg faj seeb kev tsis txaus siab tsis tag yuav qhia lawv lub npe. Tiam sis yog koj xau tau cov lus teb rau koj cov lus tsis txaus siab no, koj yuav tsum qhia cov ncauj lus nram qab no.

A. Kev Xav Tau Lus Teb? ... Xav tau ... Tsis xav tau

B. Kev Sib Txuas Lus (yog koj xav kom tsev kawm ntawv teb daim ntawv no):

Npe: _____
Chaw Nyob: _____ Nroog: _____ Zip Code: _____
Xov tooj tom tsev: _____ Xov tooj ntawv tes: _____
Email chaw nyob, yog muaj: _____

C. Lub Sij Hawm Thiab Thaj Chaw uas muaj teeb meem ntawm kev tsis txaus siab:

Tsev Kawm Ntawv Npe/Chaw Nyob: _____
Lub Npe Chav Kawm/Qib Dab Tsi thiab Tus Xib fwb Npe: _____
Chav Kawm/Chav Kawm Lub Npe/Chaw Nyob: _____
Hnub Uas Cov Teeb Meem Tshwm Sim: _____

D. Teeb Meem Ntawm Kev Tsis Txaus Siab

Tsuas yog raws li cov ntsiab lus nram qab no nkaus xwb thiaj li siv tau rau daim ntawv tsis txaus siab no. Yog tias koj tsi txaus siab rau tej qhov uas tsis muaj teev nyob rau nram qab no, thov siv koj lub tsev kawm ntawv lim daim ntawv tsis txaus siab.

Thov kos rau txhua qhov uas yog. Ib qhov kev tsis txaus siab yuav muaj ntau tshaj li ib sob lus hais. Thov nug kev pab ntawm cov neeg ua hauj lwm tom tsev kawm ntawv yog thaum xav tau kev pab nyob rau daim ntawv tsis txaus siab no.

1. Cov Phau Ntawv Siv Qhia Thiab Cov Khoom Qhia: (Kev Kawm Tshooj (Education Code) 35186; 5 CCR4681)
 - a. Ib tug menyuam kawm ntawv, uas yog ib tug neeg kawm lus Askiv, tsi tau cov phau ntawv siv qhia los yog cov khoom qhia ntawv los yog cov phau ntawv siv qhia los yog lwm cov khoom siv qhia ntawv rau hauv chav qhia ntawv uas lub xeev los yog cheeb tsam tsev kawm ntawv tau coj los xyaum siv.
 - b. Ib tus menyuam kawm ntawv uas tsis muaj phau ntawv coj los siv los sis cov ntaub ntawv cob qhia coj los siv tom tsev los sis tom qab lawb ntawv lawm. Qhov no tsis tas kom muaj ob phau ntawv los sis cov ntaub ntawv cob qhia rau ib tug menyuam kamw ntawv.
 - c. Cov phau ntawv qhia los yog cov khoom qhia ntawv tsi zoo uas muaj tej nplooj ntawv ploj lawm los yog puas tag nyeem tsi tau li.
 - d. Ib tug menyuam kawm ntawv tsuas tau ib nplooj ntawv luam tawm hauv phau ntawv siv qhia los yog cov khoom qhia ntawv vim yog tsi muaj cov phau ntawv siv qhia los sis cov khoom qhia ntawv txaus rau txhua tus neeg.
2. Muaj hauj lwm qhia ntawv tsi muaj xib fwb qhia los yog tso xib fwb qhia ntawv yuam kev (Kev Kawm Tshooj (Education Code) 35186; 5 CCR 4681)
 - a. Thaum chiv thawj ib ntu sij hawm kawm ntawv (semester) yeej tsis muaj xib fwb qhia ntawv. Txoj hauj lwm tsis muaj xib fwb qhia ntawv yog ib txoj hauj lwm rau ib tug xib fwb uas muaj ntaub ntawv pov thawj tso cai qhia ntawv uas tsis muaj neeg ua txoj hauj lwm ntawd thaum chiv thawj pib kawm ntawv (semester) rau lub xyoo ntawd mus thawm nkaus, yog tias txoj hauj lwm yog rau chav kawm ib ntug xwb, txoj hauj lwm rau ib tug xib fwb uas muaj ntaub ntawv tso cai qhia ntawv uas tsis muaj neeg ua thaum chiv thawj ib lub sij hawm pib mus thawm nkaus ntu ntawd.
 - b. Muab tus xib fwb tsis tau muaj ntawv pov thawj qhia ntawv los yog tsis tau kawm txuj ci txaus los qhia ib chav uas muaj tshaj 20 feem pua cov neeg kawm ntawv yog xyaum kawm lus Askiv nyob rau chav ntawd.
 - c. Tug xib fwb uas tau muab coj los qhia ib chav ntawv tsis muaj ntawv pov thawj qhia chav ntawd.
3. Kev tu lub tsev kawm ntawv: (Kev Kawm Tshooj (Education Code) 35186, 35292.5; 5 CCR 4683)
 - a. Muaj ib qho twg tshwm sim uas yuav ua rau muaj kev phom sij los sis yuav muaj kev phom sij rau neeg lub cev los sis muaj kev tiv thaiv rau cov me nyuam kawm ntawv lossis cuab yeej xws li roj dim pa qhov cub siv tsis ua hauj lwm, qhov cua tsi dim pa zoo, kais dej tua hluas taws los yog lub tshuab cua txias tsi ua hauj lwm zoo, hluav taws xob tuag, kav dej daig, muaj kab ntsaum los yog nas tsuag coob, qhov rais los yog qhov rooj los sab nrauv los yog tej rooj vag xauv tsi tau thiab muaj taus teeb meem rau txoj kev ruaj ntseg, kev tshem tej yam khoom tsim taus kev phem yav dhau los uas yuav tsim teeb meem phem rau me nyuam kawm ntawv los yog cov neeg ua hauj lwm, kev puas phem ntawm lub tsev los yog ib lub tsev uas nyob tsi tau hauv lawm thiab lwm yam kev kub ceev uas cheeb tsam tsev kawm ntawv pom tias tsim nyog.
 - b. Ib chav tsev dej hauv lub tsev kawm ntawv tsis tswj xyuas los yog tsi tu du lug, tsis ua hauj lwm zoo los yog tsis muaj ntawv viv siv, tsi muaj tshuaj ntxuav tes thiab ntawv so tes los yog cov tshuab cua rau tes kom qhuav tsis ua hauj lwm.

- c. Lub tsev kawm ntawv uas muaj cov me nyuam kawm qib 6-12 thiab 40 feem puas yog cov me nyuam uas nyob cov kuab kuas tau txais nyiaj txiag tsawg, raws li txoj cai tau teev cia, lub tsev kawm ntawv ntawd tsi tau npaj khoom siv rau tsoom poj niam tau siv thiab tsi tau muaj cov khoom no dawb rau me nyuam kawm ntawv tau siv.
- d. Lub tsev kawm ntawv tsis qhib tag nrho cov chav tsev dej thaum lub caij kawm ntawv yav nruab hnuab thaum uas cov neeg kawm ntawv tsis nyob hauv cov chav qhia ntawv thiab tsis qhib cov chav tsev dej txaus thaum cov me nyuam kawm ntawv nyob rau hauv cov chav kawm ntawv

E. Cov Lus Tseeb Ntawm Kev Tsis Txaus Siab: Thov qhia kom txog koj kev tsis txaus siab. Yog hais tias koj xav teev ib daim ntawv ntxiv los qhia koj kev tsi txaus siab los yeej tau. Yog hais tias koj muaj kev tsis txaus siab rau kev tu lub tsev kawm ntawv, thov qhia qhov teeb meem xws li kev kub ceev los yog tej yam khoom tsim taus kev phem uas yuav muaj teeb meem rau cov me nyuam kawm ntawv los yog cov neeg ua hauj lwm.

F. Kos Lub Npe: Thov kos koj lub npe rau hauv qab no. Yog hais tias koj tsi xav kom leej twg paub koj los koj tsi tas kos npe los tau. Tiam sis, txhua txhua qhov kev tsis txaus siab yuav tsum teev lub noob nyoog.

Tus neeg tsis txaus siab kos npe: _____ Hnub tim: _____

G. Chav Uas Koj Xa Daim Ntawv Tsi Txaus Siab: Koj tsab ntawv tsis txaus siab yuav tsum xa mus rau tus thawj tswj (Principal) tom tsev kawm ntawv los yog tus sawv cev raws li nram qab no.

Tus thawj tswj kawm ntawv los sis tus sawv cev tam ntawm tus thawj tswj:

Chaw Nyob: _____



Fecha Recibido:

EXHIBIT 1312.4(2)
WILLIAMS UNIFORM COMPLAINT PROCEDURES FORM
(Spanish)

FORMA UNIFORME DE LOS PROCEDIMIENTOS DE QUEJA DE WILLIAMS

El Código de la educación seccion 35186 crea un procedimiento para el expediente de quejas con respecto a deficiencias relacionadas a materiales de instrucción, las condiciones de facilidades que no se mantienen en una manera limpia ni segura o en buena reparación, tarea no preparada o la ausencia del maestro, o la falta de oportunidad de recibir instrucción y servicios intensivos a alumnos que no pasaron uno o ambas partes del examen de salida de la secundaria para el final del grado 12.

Los denunciantes no necesitan utilizar esta forma para archivar una queja. Todas las quejas y respuestas son documentos públicos en la manera proporcionado por ley. Las quejas pueden ser archivadas anónimamente. Sin embargo, si usted desea recibir una respuesta a su queja, debe proporcionar la información de contacto abajo.

A. ¿Se Solicita Respuesta? Si No

B. Información de Contacto (si se solicita respuesta)

Nombre: _____

Domicilio: _____ Ciudad: _____ Código: _____

Teléfono: _____ Cell/Trabajo: _____

Correo electrónico: _____

C. Fecha y Localización del Problema Que es el Sujeto de esta Queja:

Escuela Nombre/Dirección: _____

Título de Curso/Nivel de Grado y Nombre de Maestro: _____

Número de sitio/nombre del sitio/Localización de Facilidad: _____

Fecha en que fue observado el problema: _____

D. Asunto/s Especifico de la Queja:

Cuestiones de queja Sólo los asuntos siguientes pueden ser el sujeto de este proceso de queja. Si usted desea quejarse de un asunto no especificado abajo, Utilice por favor el procedimiento apropiado de queja del Distrito.

Por favor compruebe todo lo que aplica. Una queja puede contener más de una alegación. Favor de solicitar ayuda del personal del Distrito en el archibajode la queja si es necesario.

1. Libros de textos y materiales de instrucción: (Código 35186 de la educación; 5 CCR 4681)
 - a. Un alumno, inclusive un estudiante inglés, no tiene libros de texto estándares-alineados ni materias ni libros de texto adoptados por el Estado o el Distrito ni otras materias de instrucción necesarias para utilizar en la clase.
 - b. Un alumno no tiene acceso a libros de texto ni materiales de instrucción para utilizar en casa ni después de escuela. Esto no requiere dos conjuntos de libros de texto ni materiales de instrucción para cada alumno.
 - c. Los libros de texto o las materias instruccionales están en condiciones pobres o inutilizable, tienen páginas perdidas, o son ilegibles debido a daño.
 - d. El alumno fue dado hojas fotocopiadas de sólo una porción de un libro de texto o materiales de instrucción por escasez de libros de texto o materiales de instrucción.

2. Ausencia del Maestro o tarea no preparada: (Código de Educación 35186; 5 CCR 4681)
 - a. Un semestre empieza y la ausencia del maestro existe. La ausencia del maestro es una posición la cual un solo empleado con certificación no ha sido asignado al principio del año escolar para un año entero o, si la posición es para un curso de un-semestre, una posición la cual un solo empleado con certificación no ha sido asignado al principio de un-semestre para un-semestre entero.
 - b. Un maestro que le falte credenciales o entrenamiento para enseñar estudiantes ingleses son asignados para enseñar una clase con más que el 20 por ciento de estudiantes de inglés en la clase.
 - c. Un maestro es asignado para enseñar una clase la cual al maestro le falta competencia de tema.

3. Condiciones de la Facilidad: (Código de Educación 35186, 35292.5; 5 CCR 4683)
 - a. Existe una condición que determina una emergencia o amenaza urgente a la salud o la seguridad de alumnos o personaje inclusive escapes de gas; la falta de función de el calentador, la ventilación, regaderas de fuego, o sistemas de acondicionador de aire; el fallo eléctrico; parada mayor de alcantarilla; la infestación mayor de parásitos; las ventanas quebradas o puertas interiores o puertas exteriores que no provee cerradura y que coloca un riesgo de la seguridad; la disminución de materias peligrosas anteriormente sin descubrir que coloca una amenaza inmediata a alumnos o personaje; o daño estructural que crea una condición peligrosa o inhabitable, Y cualquier otra condición de emergencia que el Distrito determine apropiado.
 - b. Un baño de la escuela no ha sido limpiado ni ha sido mantenido regularmente, no está en pleno funcionamiento, ni se ha almacenado con papel higiénico, con jabón, y con las secadores de papel o seca manos automáticos.
 - c. Para una escuela que atiende a estudiantes en cualquiera de los grados 6-12 con el 40 por ciento de más de sus estudiantes de familias de bajos ingresos, como se define, la escuela no ha surtido o al menos la mitad de sus baños con productos femeninos en todo momento y puso esos productos a disposición de los alumnos sin costo alguno.
 - d. La escuela no ha mantenido todos baños abiertos durante horas de clase cuando alumnos no están en clases y no han mantenido un número suficiente de baños abiertos durante horas de clase cuando alumnos están en clases. Esto no se aplica el cerrar del baño cuando es necesario para la seguridad del alumno o para hacer reparaciones.

E. Hechos de la Queja : Describa detalladamente el problema de su queja. Puede adjuntar páginas adicionales e incluir tanto texto como sea necesario para describir completamente la situación. Para quejas relacionadas con las condiciones de las instalaciones, describa el estado de las instalaciones de emergencia o urgencia y cómo esa condición representa una amenaza para la salud y la seguridad de los estudiantes o el personal.

F. Firma: Favor de proveer su firma abajo. Si usted desea quedarse anónimo, no se requiere su firma. Sin embargo, todas quejas, aún anónimas, deben tener fecha.

Firma del Denunciante: _____ Fecha: _____

G. Ubicación Para Presentar Quejas: Las quejas serán archivadas con el director o el designado de la escuela en la cual la queja se presente según el designado abajo.

Principal or designee of the Superintendent: _____

Domicilio: _____

**CLOVIS UNIFIED
SCHOOL DISTRICT****BUSINESS AND NONINSTRUCTIONAL OPERATIONS****Student Transportation Management****TRANSPORTATION FOR SCHOOL-RELATED TRIPS/PRIVATE VEHICLES**

PURPOSE: To establish requirements for transportation for school-related trips.

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 groups requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the 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. 3541.1 shall be followed.

All authorized field trips are considered an extension of the school day and therefore governed by the same rules and regulations as apply for home-to-school transportation.

Adopted: 03/24/2010

Amended: 04/22/2020 (BP 8302 renumbered as BP 3541.1)

EDUCATION CODE

35330 Excursions and field trips

35332 Transportation by air

39830 School bus

39830.1 School pupil activity bus

39860 Liability when students not on school property

HEALTH AND SAFETY CODE

118947-118949 Prohibition against smoking in motor vehicle with minor

PUBLIC UTILITIES CODE

5384.2 District not liable for charter-party carrier

VEHICLE CODE

545 School bus, definition

12814.6 Limitations of provisional driver's license

27315 Mandatory use of seat belts in private passenger vehicles

27360-27360.5 Child passenger restraint systems

27363 Child passenger restraint systems, exemptions

Doc# 37394-6 (11/2019, None)

CLOVIS UNIFIED SCHOOL DISTRICT

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

Student Transportation Management

TRANSPORTATION FOR SCHOOL-RELATED TRIPS/PRIVATE VEHICLES

A. Transportation of Students by Private Vehicle

The Superintendent or designee may authorize the transportation of students by private vehicle to a school sponsored event or activity when the vehicle is driven by an individual who is 21 or older and possesses a valid California driver's license or, if he/she is a nonresident on active military duty in California, possesses a valid license from his/her state of residence. To be approved, a driver shall have a good driving record verified by the District and possess at least the minimum insurance required by law (bodily injury liability and property damage coverage of at least \$15,000 per accident).

Any person providing transportation to District students in a private vehicle shall receive a copy of Exhibit No. 3541.1(2) - Instructions for Drivers of Private Vehicles and shall register with the District by completing Exhibit No. 3541.1(1) - Private Vehicle Driver Application. The application need only be submitted once during each school year unless there are changes in the information provided on the application (i.e., vehicle, insurance, driver's license, traffic convictions or personal information). The Private Vehicle Driver Application is not required for parents/guardians who will only transport their child or students transporting themselves.

The completed Private Vehicle Driver Application (Exhibit No. 3541.1(1)) and supporting documentation (copies of valid driver's license, proof of insurance card and valid vehicle registration) shall be submitted and remain on file at the appropriate school site/department. Upon receipt of a completed application, the site or department shall forward via email to privatedriver@cusd.com the completed DMV Authorization for Release of Driver Record Information (Exhibit No. 3541.1(4)). This form must include original signatures.

After reviewing DMV records, the Transportation Department will notify appropriate site or department personnel as to whether the application is approved. Typically, results are available within seven days. Once a driver is approved, that driver will remain in the District's system until such time as he/she is removed by the submitting site or at the request of the driver. There is no need for sites to resubmit the Authorization for Release of Driver Record Information (Exhibit No. 3541.1(4)) to the Transportation Department each school year.

To be considered a verified private driver, an applicant's current driving record must:

1. Contain a valid driver's license (no provisional licenses will be accepted).
2. Contain no conviction of driving under the influence of alcoholic beverage within the past three years. (Vehicle Code 23152, 23153, 23550.5)

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School sites are responsible for maintaining a record of completed Private Vehicle Driver Applications (Exhibit No. 3451.1(1)) received for two years.

If applicable, drivers who are volunteers shall also comply with Board Policy No. 1240 - Volunteer Assistance and Board Policy No. 6153 – School-Sponsored Trips/Field Trips by having on file a completed Volunteer Application Form (Exhibit No. 1240) and a Participation in Voluntary Field Trip - Consent, Assumption of Risk, and Emergency Medical Authorization (Exhibit No. 6153(1)).

All student passengers to be transported by private vehicle shall submit permission slips (Exhibit No. 3541.1(3) - Permission for Student to be Transported by Private Vehicle) signed by the student and his/her parent/guardian. Teachers shall ensure that each private vehicle driver has a copy of this permission slip for each student riding in his/her vehicle.

In instances where both the private drivers and the students to be transported could vary each time, a list of the possible drivers or students shall be attached to the appropriate form (Exhibit No. 3541.1(3) - Permission for Student to be Transported by Private Vehicle).

B. Passenger Safety

All drivers shall wear safety belts in accordance with law. (Vehicle Code 27315, 27360, 27360.5, 27363)

In addition, drivers shall ensure that:

1. The number of passengers, including the driver, shall not exceed the capacity for which the vehicle was designed. Motor trucks may not transport more persons than can safely sit in the passenger compartment. The driver shall ensure that the manufacturer's recommendations for his/her vehicle are followed regarding the seating of children in seats equipped with airbags.
2. The driver or any other person shall not smoke, vape, or have in his/her immediate possession a lighted pipe, cigar, or cigarette containing tobacco or any other plant when there is a minor in the motor vehicle, whether the motor vehicle is in motion or at rest. (Health and Safety Code 118948)
3. A child who is under age 8 years shall be properly secured in a rear seat in an appropriate child passenger restraint system meeting federal safety standards, except under any of the following circumstances: (Vehicle Code 27360, 27363)
 - a. The child is four feet nine inches or taller, in which case a safety belt may be used.
 - b. Use of a child passenger restraint system would be impractical by reason of physical unfitness, medical condition, or size and an appropriate special needs child passenger restraint system is not available.

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- c. There is no rear seat, the rear seats are side-facing jump seats or rear-facing sets, the child passenger restraint system cannot be installed properly in the rear seat, all rear seats are already occupied by children under age 8 years, or medical reasons necessitate that the child not ride in the rear seat.
 - d. The child is otherwise exempted by law.
- 4. All other children are properly secured in either a child passenger restraint system or safety belt.
 - 5. All other passengers wear seat belts.

C. Forms Referenced in this Administrative Regulation

- 1. Exhibit No. 3451.1(1) – Private Vehicle Driver Application.
- 2. Exhibit No. 3451.1(2) – Instructions for Drivers of Private Vehicles.
- 3. Exhibit No. 3451.1(3) – Permission for Student to be Transported by Private Vehicle.
- 4. Exhibit No. 3541.1(4) – Authorization for Release of Driver Record Information.
- 5. Exhibit No. 6153(1) – Participation in Voluntary Field Trip – Consent, Assumption of Risk, and Emergency Medical Authorization.
- 6. Exhibit No. 1240 – Volunteer Application Form .

D. Supervision on Buses During Field Trips

Field trips are an extension of the educational process and require extensive pre-planning. The principal is to be consulted for approval of field trips prior to making arrangements.

Passengers are to follow the instructions of the bus driver. All school and District policies and administrative regulations apply while students are aboard a bus. On field trips where there is an adult supervisor, the adult supervisor must work under the direction of the bus driver to assure bus safety and assist the driver in maintaining proper student behavior.

Every effort should be made to schedule field trips at times when transportation can be furnished without undue interference with normal transportation requirements for transporting students between home and school.

Where field trip schedules for more than one class are similar, classes are encouraged to share a bus. Overnight and out-of-state trips require Board approval. Saturday field trips may be permitted if they cannot be conducted on a regular school day. The principal or designee is responsible for

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confirming supervision of students at the departure and arrival points for local field trips (including Sierra Outdoor School). The principal or designee will determine if additional adult supervision is required on the bus for local trips. For out of town and/or overnight travel, adult chaperones shall be provided and shall ride the bus with students. Only authorized chaperones and participating students of the event are permitted transportation on field trips.

E. Insurance

The Superintendent or designee shall ensure that the District or contractor has sufficient liability insurance for transportation on school-related trips. (Education Code 35330)

Adopted: 03/24/2010

Reviewed: 09/24/2010

Amended: 07/02/2013, 04/23/2021 (AR 8302 renumbered as AR 3541.1)

Doc# 36452-5 (04/2021, 11/2011)

CLOVIS UNIFIED SCHOOL DISTRICT

STUDENTS

Admissions Residency and Attendance

STUDENT ABSENCES, EXCUSES, AND MAKE UP OPPORTUNITIES

PURPOSE: To recognize the importance of daily school attendance, while ensuring students the opportunity to make up work missed due to justifiable absences from school.

The Board believes that regular attendance plays an important role in student achievement. The Board recognizes its responsibility under the law to ensure that students attend school regularly. Parents/guardians of children aged 6 to 18 are obligated to send their children to school unless otherwise provided by law. The Board shall abide by all state attendance laws and may use appropriate legal means to correct the problems of excessive absence or truancy.

A. Excused Absences

The Board, while stressing the importance of regular school attendance to the learning process, recognizes that illness, other medical reasons, death in the family, and other justifiable personal reasons may necessitate a student's absence from school.

The Board directs the Superintendent or designee to develop a program which will provide a student with the opportunity to complete, within a reasonable time, course assignments and tests missed due to an approved absence, and upon completion be given full credit therefor within the limits established by existing statutes.

B. Weekend School Program

The Board desires to provide learning opportunities within the regular school structure for students who need to make up work because of absences, whether excused or unexcused, tardiness, truancy, and the like. It would also be desirable to provide such an opportunity in lieu of suspension for infractions of Education Code section 48900 or as an alternative to other disciplinary action when appropriate.

The Board directs the Superintendent or designee to develop a Weekend School Program which provides students with a classroom situation to make up work and/or fulfill the stipulations of a disciplinary action.

The Weekend School Program can be operated at any school within the District and must provide a classroom related program for a minimum of four hours.

The Weekend School Program is funded through the revenue generated by students attending the program. A minimum number of such students must be in attendance to cover the direct cost of a teacher's hourly wage, plus administrative and utility costs. The Weekend School teacher will be paid the hourly rate equivalent to a summer school teacher.

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Adopted: 07/09/1980

Reviewed: 08/12/1992, 07/19/2006, 10/10/2007

Amended: 10/26/1983, 12/12/1984, 05/13/1992, 12/15/2004, 02/25/2009, 11/18/2020 (BP 2207
renumbered as BP 5113)

EDUCATION CODE

37201 School month

37223 Weekend classes

41601 Reports of average daily attendance

42238-42250.1 Apportionments

46000 Records (attendance)

46010-46014 Absences

46100-46119 Attendance in kindergarten and elementary schools

46140-46147 Attendance in junior high and high schools

48200-48208 Children ages 6-18 (compulsory full-time attendance)

48210-48216 Exclusions from attendance

48225.5 Work permit; excused absence; entertainment or allied industries

48240-48246 Supervisors of attendance

48260-48273 Truants

48292 Filing complaint against parent

48320-48324 School attendance review boards

48340-48341 Improvement of student attendance

48913 Completion of work

48980 Parental notifications

49067 Unexcused absences as cause of failing grade

49701 Provisions of the interstate compact on educational opportunities for military children

51745-51746 Independent Study

ELECTIONS CODE

12302 Student participation on precinct boards

FAMILY CODE

6920-6929 Consent by minor

VEHICLE CODE

13202.7 Driving privileges; minors; suspension or delay for habitual truancy

WELFARE AND INSTITUTIONS CODE

601-601.4 Habitually truant minors

11253.5 Compulsory school attendance

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CODE OF REGULATIONS, TITLE 5

306 Explanation of absence

420-424 Record of verification of absence due to illness and other causes

11700 -11702 Independent Study

Doc# 43412-8 (10/2020, 03/2017)

**CLOVIS UNIFIED
SCHOOL DISTRICT****STUDENTS**

Admissions Residency and Attendance

INTRA-DISTRICT TRANSFERS/OPEN ENROLLMENT - ANNUAL

PURPOSE: Establish a process for intra-district transfers and open enrollment within the District for students who are in grades TK-12 and students who reside in the District.

A. Intradistrict Transfers (Short-Term)

Notwithstanding Board Policy No. 5111.1, the Board recognizes that students and families have unique needs deserving special consideration and authorizes the Superintendent to establish procedures and an administrative regulation to provide for students who reside within the District to attend 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 No. 7110.2 – 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 who has been granted an open enrollment transfer thus declaring them a resident of that school. Intradistrict transfer students are subject to overflow should the grade level exceed District established class capacity.

All Intradistrict Transfer Applications will be evaluated based on space availability, diverse needs of students and parents/guardians, 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 (grades TK-8) based upon provisions for childcare during non-school hours. Additional special considerations for approval of transfers will be outlined in the administrative regulation.

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

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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 No. 5111.1.

Students who are approved for an intradistrict transfer and are entering grades 7-12 are ineligible for athletics for 365 days, unless an exception applies as provided in Board Policy/Administrative Regulation No. 6145.

Authorization or approval by the District of a student's intradistrict transfer does not result in the student obtaining eligibility for District interscholastic athletics for grades 4-12. 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. 6145 - Co-Curricular and Extra-Curricular.

The intra-district 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.

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.

B. Open Enrollment (Long-Term)

The Board intends that the parent/guardian of each school-age child who resides within the 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, exceed space availability, 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 meet the diverse needs and interests of District students and parents/guardians, while also maximizing the efficient use of District facilities and resources.

The parents/guardians of any student who resides within District boundaries may apply to enroll their child in any District school, regardless of the location of their residence within the District and regardless of the student's enrollment in a private or charter school.

The Board also intends that a student whose legal residence is within the attendance boundaries of a school or a prior Open Enrollment Transfer Application shall not be displaced by a student not residing within that school's attendance boundaries.

Transportation for students shall be provided pursuant to District board policies.

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Students who are approved for an open enrollment transfer and are entering grades 7-12 are ineligible for athletics for 365 days, unless an exception applies as provided in Board Policy and Administrative Regulation No. 6145.

Authorization or approval by the District of an open enrollment transfer of students entering grades 7-12 does not result in the student obtaining eligibility for District interscholastic athletics for grades 4-12. 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 and Administrative Regulation No. 6145.

Any parent/guardian wishing to obtain a transfer under the sibling rule to remain in the original attendance area (Board Policy No. 5116) must follow the open enrollment transfer application 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 (C.I.F.) Central Section Bylaw 213 Hardship Waivers, District Board Policy and Administrative Regulation No. 6145.

The Superintendent shall prepare an administrative regulation 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 this 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 or designee.

The Board shall annually review this policy.

Adopted: 03/09/1994

Reviewed: 07/08/2009, 06/09/2021

Amended: 10/12/2005, 12/13/2006, 12/12/2007, 09/08/2010, 11/16/2011, 12/10/2014,
01/14/2015, 11/18/2020 (BP 2208 renumbered as BP 5116.1; moved all contents of

**CLOVIS UNIFIED
SCHOOL DISTRICT**

BP 2209)

EDUCATION CODE

200 Prohibition against discrimination

35160.5 District policies; rules and regulations

35291 Rules

35351 Assignment of students to particular schools

46600-46611 Interdistrict attendance agreements

48200 Compulsory attendance

48204 Residency requirements for school attendance

48207 Pupils with temporary disabilities in hospitals outside of school district

48208 Presence of pupils with temporary disabilities

48300-48316 Student attendance alternatives, school District of choice program

48980 Notice at beginning of term

56162 Residency

GOVERNMENT CODE

244 Determination of place of residence

CODE OF REGULATIONS, TITLE 5

11992-11994 Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

6311 State plans

6313 Eligibility of schools and school attendance areas; funding allocation

7912 Transfers from persistently dangerous school

DECISION

Crawford v. Huntington Beach Union High Sch. Dist. (2002) 98 Cal.App.4th 1275

CIF Central Section Bylaw 207, 213

Doc# 43413-8 (10/2020, 12/2019)

**CLOVIS UNIFIED
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Admissions Residency and School Attendance

INTER-DISTRICT ATTENDANCE/TRANSFERS

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

Notwithstanding Board Policy No. 5111.1 – District Residency/Student Residence and Enrollment, the Board recognizes that students and families have unique needs deserving special consideration and authorizes the Superintendent to establish an administrative regulation providing for the attendance of students in a district other than the student's district of residence.

The Board authorizes the Director of Student Services and Student Attendance (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 student's district of residence and the related transfers of students out of and into the District.

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 Fresno County Board of Education on appeal.

Approval of an Interdistrict Transfer Attendance Permit shall be subject to capacity as defined in Board Policy No. 7110.2 – School Capacity Parameters at the receiving school. A student who is not a resident of the District shall not attend a school in the District unless otherwise permitted by law or District board policies.

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

The parent/guardian is generally responsible for providing transportation for the student to and from the requested school of attendance. Additional information related to student transportation is set out in the administrative regulation.

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 inter-district transfer does not result in the student obtaining inter-district transfer eligibility for District interscholastic athletics. Following a student's inter-district transfer into a District school, the determination of the student's inter-district transfer eligibility for interscholastic athletics will require a separate review based upon the requirements, standards, and guidelines set forth in Board Policy and Administrative Regulation No. 6145 – Co-Curricular and Extra-Curricular.

Parents/guardians wishing a review and/or an appeal of a denied inter-district transfer decision may do so in writing to the Director of Student Services and School Attendance within 30 calendar days. On final determination of the internal appeal, parents/guardians wishing a review and/or appeal of an inter-district transfer decision will present such a request to the Fresno County Board

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of Education within 30 calendar days of the failure or refusal to issue a permit for final determination.

EDUCATION CODE

8151 Apprentices, exemption from interdistrict attendance agreement

41020 Annual District audits

46600-46610 Interdistrict attendance agreements

48200 Children between ages 6 and 18 years

48204 Residency requirements for school attendance

48300-48317 Student attendance alternatives, school District of choice program

48900 Grounds for suspension or expulsion; definition of bullying

48915 Expulsion; particular circumstances

48915.1 Expelled individuals; enrollment in another District

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

48985 Notices to parents in language other than English

52317 Regional occupational center/program, enrollment of students, interdistrict attendance

Adopted: 07/23/1975

Reviewed: 07/08/2009

Amended: 12/12/1979, 12/10/1980, 08/26/1987, 05/13/1992, 03/09/1994, 10/12/2005,
12/13/2006, 12/12/2007, 09/08/2010, 11/16/2011, 06/13/2012, 11/18/2020 (BP 2210
renumbered as BP 5117)

Doc# 43415-7 (10/2020, 12/2019)

CLOVIS UNIFIED SCHOOL DISTRICT

STUDENTS

Records

STUDENT RECORDS

PURPOSE: To assure compliance with applicable laws regarding privacy and disclosure of student records.

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 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 an administrative regulation governing the identification, description, and security of student records, as well as maintaining the confidentiality of student records. The administrative regulation shall ensure, in accordance with law, the 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 Board designates the Associate Superintendent of School Leadership as the certificated employee to serve as the custodian of records at the District level. (5 CCR 431(a)) Records of students are generally maintained at the site under the responsibility of the school principal.

B. Challenging Student Records

A parent may file a written request with the Superintendent or designee to correct or remove any information recorded in the written records regarding his or her child in accordance with the accompanying administrative regulation and applicable laws.

C. Professional Visitors and Observers, Surveys and Questions

The Board authorizes the Superintendent or designee to cooperate with outside agencies and individuals requesting information from or about the District and the students thereof.

The Superintendent or designee may, in his/her discretion, authorize and coordinate the collection and release of all information concerning the District and the student thereof in accordance with this policy, the accompanying administrative regulation, and applicable laws.

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Adopted: 09/22/1993

Reviewed: 03/06/2007

Amended: 12/15/2004, 07/08/2009, 07/17/2019, 11/18/2020 (BP 7101 renumbered as BP 5125;
moved all contents of BP 7401)

EDUCATION CODE

234.7 Student protections relating to immigration and citizenship status

17604 Contracts

48201 Student records for transfer students who have been suspended/expelled

48853.5 Foster youth; placement, immunizations

48902 Notification of law enforcement of specified violations

48904-48904.3 Withholding grades, diplomas, or transcripts

48918 Rules governing expulsion procedures

48980 Parental notifications

48985 Notices in parent/guardian's primary language

49060-49079 Student records

49091.14 Parental review of curriculum

51747 Independent study

56041.5 Rights of students with disabilities

56050 Surrogate parents

56055 Foster parents

69432.9 Cal Grant program; notification of grade point average

BUSINESS AND PROFESSIONS CODE

22580-22582 Digital privacy

22584-22585 Student Online Personal Information Protection Act

22586-22587 Early Learning Personal Information Protection Act

CODE OF CIVIL PROCEDURE

1985.3 Subpoena duces tecum

FAMILY CODE

3025 Access to records by noncustodial parents

6552 Caregiver's authorization affidavit

GOVERNMENT CODE

6252-6260 Inspection of public records

HEALTH AND SAFETY CODE

120440 Immunizations; disclosure of information

PENAL CODE

245 Assault with deadly weapon

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WELFARE AND INSTITUTIONS CODE

681 Truancy petitions

701 Juvenile court law

16010 Health and education records of a minor

CODE OF REGULATIONS, TITLE 5

430-438 Individual student records

16020-16027 Destruction of records of school Districts

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

1232h Protection of Pupil Rights Amendment

UNITED STATES CODE, TITLE 26

152 Definition of dependent child

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

CODE OF FEDERAL REGULATIONS, TITLE 16

Part 312 Children's Online Privacy Protection Rule

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

300.501 Opportunity to examine records for parents of student with disability

Doc# 44833-8 (10/2020, 05/2018)

**CLOVIS UNIFIED
SCHOOL DISTRICT****STUDENTS****Rights and Responsibilities****BULLYING**

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

The District prohibits bullying, including that which is 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, and which is more fully described in the administrative regulation. The District also prohibits retaliation for filing a complaint or for participating in the complaint resolution process. This policy applies to all acts related to school activity or school attendance occurring within a school of the District.

The Board authorizes the Superintendent to adopt an administrative regulation to implement this policy to ensure that students are free from discrimination, harassment, intimidation, and bullying. The Board further authorizes the Superintendent or designee 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 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, which includes the confidentiality of immigration status.

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

The Board directs that students be educated regarding bullying and harassment, which shall include education of students regarding the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs. The Board further

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directs that District employees be trained so they are aware of their duty to take responsible steps to eliminate a hostile environment and respond to any incident of harassment based on any protected actual or perceived characteristics. Such training should, at a minimum, provide District employees with the skills to do all of the following:

1. Discuss the varying immigration experiences among members of the student body and school community.
2. Discuss bullying-prevention strategies with students and teach students to recognize the behavior and characteristics of bullying perpetrators and victims.
3. Identify the signs of bullying or harassing behavior.
4. Take immediate corrective action when bullying is observed.
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

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

If the Superintendent or designee believes it is in the best interest of a student who has been the victim of an act of bullying, as defined in Education Code section 48900, the Superintendent or designee shall advise the student's parents/guardians that the student may transfer to another school. If the parents/guardians of a student who has been the victim of an act of bullying requests a transfer for the student pursuant to Education Code section 46600, the Superintendent or designee shall allow the transfer in accordance with law and District policy on intra-district or inter-district transfer, as applicable.

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. 5145.3 regarding nondiscrimination and Board Policy No. 5145.7 regarding sexual harassment.

Adopted: 06/13/2012

Amended: 06/13/2018, 11/18/2020 (BP 2116 renumbered as BP 5131.2)

EDUCATION CODE

200-262.4 Prohibition of discrimination

32261 Interagency School Safety Demonstration Act

32282 Comprehensive safety plan

32283 Workshops; contracts with professional law enforcement and educator trainers

32283.5 Bullying; online training

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35181 Governing board policy on responsibilities of students
35291-35291.5 Rules
46600 Student transfers
48900-48925 Suspension or expulsion
48985 Translation of notices
52060-52077 Local control and accountability plan

PENAL CODE

288.2 Harmful matter sent to minor
422.55 Definition of hate crime
647 Use of camera or other instrument to invade person's privacy; misdemeanor
647.7 Use of camera or other instrument to invade person's privacy; punishment
653.2 Electronic communication devices, threats to safety

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

UNITED STATES CODE, TITLE 42

2000d-2000e Title VI of the Civil Rights Act of 1964
2000h-2-2000h-6 Intervention by Attorney General

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints

CODE OF FEDERAL REGULATIONS, TITLE 34

104.7 Designation of responsible employee for Section 504
106.8 Designation of responsible employee for Title IX
110.25 Notification of nondiscrimination on the basis of age

Doc# 43407-9 (10/2020, 12/2019)

**CLOVIS UNIFIED
SCHOOL DISTRICT****STUDENTS****Rights and Responsibilities****ALCOHOL, TOBACCO, AND OTHER DRUGS PREVENTION/INTERVENTION**

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 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 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, administrative 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 students 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.

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4. 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 7th and/or 8th grade and in health courses for 9th grade students as well as 10th, 11th and 12th 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 District employees be trained to identify symptoms which may indicate use of alcohol, tobacco, and other drugs. District employees' responsibilities in working with, intervening, and reporting students suspected of alcohol, tobacco, and other drug use shall be clearly defined in the administrative regulation.
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

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 directs the Superintendent or designee to 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 District 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 could result in suspension and/or expulsion. In addition, students will be required to attend counseling sessions for alcohol related offenses, as appropriate.
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 policies, and administrative regulations.

**CLOVIS UNIFIED
SCHOOL DISTRICT****E. Voluntary Drug Testing**

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

F. Program Evaluation

The Board and Superintendent shall agree upon performance measures that will be used to monitor and determine the effectiveness of District programs in reducing drug and alcohol use. The Superintendent or designee shall periodically report to the Board on the effectiveness of District activities in achieving identified objectives and outcomes. (20 USC 7116)

Adopted: 07/23/1975

Reviewed: 06/15/2010

Amended: 01/04/1978, 02/25/1987, 06/20/1990, 01/15/1992, 02/10/1993, 02/28/1996,
12/11/2002, 08/24/2005, 10/12/2005, 08/08/2007, 07/08/2009, 11/18/2020 (BP 2106
renumbered as BP 5131.6)

EDUCATION CODE

44049 Known or suspected alcohol or drug abuse by student
44645 In-service training anabolic steroids
48900 Suspension or expulsion (grounds)
48900.5 Suspension, limitation on imposition; exception
48901 Smoking or use of tobacco prohibited
48901.5 Prohibition of electronic signaling devices
48902 Notification of law enforcement authorities; civil or criminal immunity
48909 Narcotics or other hallucinogenic drugs
48915 Expulsion; particular circumstances
49423 Administration of prescribed medicine
49480 Continuing medication regime for nonepisodic condition
49602 Confidentiality of pupil information
51202 Instruction in personal and public health and safety
51203 Instruction on alcohol, narcotics and restricted dangerous drugs
51210 Areas of study
51220 Areas of study, grades 7 to 12
51260-51269 Drug education
60041 Instructional materials
60110-60115 Instructional materials on alcohol and drug education

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

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SCHOOL DISTRICT****HEALTH AND SAFETY CODE**

11032 Narcotics, restricted dangerous drugs and marijuana

11053-11058 Standards and schedules

11353.6 Juvenile Drug Trafficking and Schoolyard Act

11357 Unauthorized possession of marijuana; possession in school or on school grounds

11361.5 Destruction of arrest or conviction records

11372.7 Drug program fund; uses

11802 Joint school-community alcohol abuse primary education and prevention program

11999-11999.3 Alcohol and drug program funding; no unlawful use

124175-124200 Adolescent family life program

PENAL CODE

13860-13864 Suppression of drug abuse in schools

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors

828.1 Disclosure of criminal records; protection of vulnerable staff & students

UNITED STATES CODE, TITLE 20

5812 National education goals

7101-7122 Student Support and Academic Enrichment Grants

Doc# 43397-7 (10/2020, 10/2017 (BP 5131.6), 08/2013 (BP 5131.61), 07/2016 (BP 5131.62))

**CLOVIS UNIFIED
SCHOOL DISTRICT****STUDENTS****Rights and Responsibilities****DRESS AND GROOMING**

PURPOSE: To define student dress and grooming requirements.

Consistent dress and grooming policy is necessary 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 authorizes the Superintendent to adopt an administrative regulation which is free from bias based on race, ethnicity, national origin, immigration status, or other protected characteristics and which prohibits 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.

The administrative regulation 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 the administrative regulation are termed defiance of the direction and valid authority of the school principal, teachers, and others in authority and the Board directs that the principal or designee may administer any appropriate disciplinary action.

School Uniforms

The 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.

Adopted: 06/04/1975

Reviewed: 06/14/2006, 05/23/2007, 05/28/2008, 05/27/2009, 05/26/2010, 06/12/2013

Amended: 01/04/1978, 05/28/1980, 05/23/1984, 12/12/1984, 05/22/1985, 05/28/1986,
05/27/1987, 06/08/1988, 06/28/1989, 06/05/1991, 06/08/1992, 06/25/1993,
06/25/1994, 05/24/1995, 02/28/1996, 03/27/1996, 08/24/2005, 11/18/2020 (BP 2105)

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renumbered as BP 5132)

EDUCATION CODE

- 212.1 Nondiscrimination based on race or ethnicity
- 220 Nondiscrimination
- 32281 School safety plans
- 35183 School dress codes; uniforms
- 35183.5 Sun-protective clothing
- 48907 Student exercise of free expression
- 49066 Grades; effect of physical education class apparel

CALIFORNIA CODE OF REGULATIONS, TITLE 5

Section 300 Duties Generally.

Section 302 Pupils to Be Neat and Clean on Entering School

Doc# 43396-7 (10/2020, 10/2019)

CLOVIS UNIFIED SCHOOL DISTRICT

STUDENTS

Rights and Responsibilities

STUDENT DISCIPLINE – ZERO TOLERANCE

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

The 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 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 Board declares the schools of the 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, 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.

In all discipline matters, the Board intends that all students will be afforded statutory due process rights pertaining to suspension, expulsion, involuntary transfer, and other discipline.

A. Mandatory Recommendation for Expulsion

Any student who engages in one or more of the following shall be immediately suspended by the principal or designee and recommended that the student be considered for expulsion from the District and/or for involuntary transfer:

1. Commits or attempts to commit a sexual assault or commits a sexual battery.
2. Found in possession of, sells, or furnishes a firearm.
3. Brandishes a knife at another person.

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4. Found in possession of an explosive.
5. Unlawfully sells a controlled substance. (Education Code section 48915(c))

B. Mandatory Recommendation for Expulsion, Absent Particular Circumstances/Alternative Means

Any student who engages in one or more of the following shall be immediately suspended by the principal or designee and recommended for consideration for expulsion from the District and/or for involuntary transfer, unless the principal's designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

1. Causes serious physical injury to another person, except in self-defense.
2. Possesses any knife or other dangerous object of no reasonable use to the pupil.
3. Possesses any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, except as otherwise provided.
4. Commits robbery or extortion.
5. Commits assault or battery, as defined, upon any school employee. (Education Code section 48915(a))

C. Discretionary Recommendation for Expulsion

Any student who engages in one or more of the following, or other offenses listed in Education Code section 48900, et seq., may be immediately suspended by the principal or designee and may be recommended for consideration for expulsion from the District and/or for involuntary transfer:

1. Commits a battery.
2. Found in possession of a dangerous object.
3. Found under the influence of a controlled substance and/or alcohol and/or any other form of intoxicant.
4. Commits an act of vandalism with property damage
5. Participates repeatedly in mutual combat.
6. Participates in robbery or extortion.

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7. Participates in gang motivated intimidation.
8. Participates in hate motivated behavior constituting a statutory violation.
9. Makes a terroristic threat.

Violations of this 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 adopt an administrative regulation to implement the requirements of this policy. Such regulation 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.

Adopted: 06/08/1994

Reviewed: 10/10/2007

Amended: 07/06/1994, 09/26/2001, 09/28/2005, 07/08/2009, 11/16/2011, 01/15/2014,
11/18/2020 (BP 2110 renumbered as BP 5144.10)

EDUCATION CODE

233 Hate Violence Prevention Act

35160-35160.1 Authority of governing boards

48900, et seq. Suspension or Expulsion

HEALTH AND SAFETY CODE

11014.5 Drug paraphernalia

11053-11058 California Uniform Controlled Substances Act

Doc# 43401-11 (11/2020, None)

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STUDENTS

Rights and Responsibilities

STUDENT SEARCH AND SEIZURE

PURPOSE: To authorize the search of students and the personal property of students based upon a reasonable suspicion that the search will uncover evidence that he/she is violating the law, board policies, administrative regulations, or other rules of the District.

The Board is committed to providing the students of the District with a safe school environment conducive to learning. The Board authorizes District employees 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 policies, administrative regulations, or other rules of the District. The types of student property that may be searched by District employees include, but are not limited to, lockers, desks, purses, backpacks, student vehicles, cellular phones, or other electronic devices.

The Board expects District employees to exercise discretion and good judgment while conducting searches of students or the personal property of students. District employees shall articulate the circumstances which support the reasonable suspicion which warrants a search.

The 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 District employees.

The Board directs the Superintendent to adopt an administrative regulation controlling the searches of students, student lockers, and the personal property of students, including student automobiles, on school premises and related to school activities.

The Board directs the Superintendent or designee to provide 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:

1. All lockers are the property of the District and the Board authorizes District employees 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.
2. Metal detectors may be used by District employees and District 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.

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3. District employees may search a student's vehicle when the employee has reasonable suspicion the vehicle contains evidence of violation of law or District rule. If a vehicle, including a student vehicle, is on District property and the vehicle is parked in an area providing notice of Vehicle Code section 21113, it may be searched without suspicion or subject to other conditions.
4. District employees 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 policies, administrative regulations, or other rules of the District and provided the procedures are followed as outlined in the administrative regulation. District employees may hold onto a student's cell phone to prevent tampering during the investigation.
5. Video cameras may be used by District employees 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 any classroom without consent of the teacher and principal, except as required by the District for purposes of distance learning as provided by law. Cameras shall not have audio recordings. The resulting videotapes may be used to establish the misconduct of students and others at school or school sponsored activities.
6. 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 District employee, 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.

Adopted: 07/23/1975

Reviewed: 02/26/2007, 10/03/2008

Amended: 05/13/1992, 02/26/1997, 02/11/2004, 07/08/2009, 11/18/2020 (BP 2104 renumbered as BP 5145.12)

EDUCATION CODE

35160 Authority of governing boards

35160.1 Broad authority of school Districts

32280-32285 School safety plans

43503 Distance learning

48900 - 48901.5 Suspension and expulsion

49050 – 49051 Searches by school employees

49330-49334 Injurious objects

51512 Prohibited use of electronic listening or recording device

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PENAL CODE

626.9 Firearms

626.10 Dirks, daggers, knives or razor

1546.1 Production of or access to electronic communication information

VEHICLE CODE

21113 Public Grounds

Doc# 43395-7 (10/2020, 11/2008)

**CLOVIS UNIFIED
SCHOOL DISTRICT****STUDENTS**

Rights and Responsibilities

SEXUAL HARASSMENT

PURPOSE: To set forth the District's policy that every student shall be free from sexual harassment at school or school-related activities.

The District prohibits sexual harassment in all of the District's programs and activities. The District further prohibits retaliatory behavior or action against any person who reports, files a complaint or otherwise supports a complainant in alleging sexual harassment. District staff shall act promptly to resolve any sexual harassment. The Board authorizes the Superintendent to establish an administrative regulation setting forth procedures that will ensure that students are free from sexual harassment and to provide notice of the policy and to resolve complaints of sexual harassment in accordance with law.

Adopted: 08/02/1995

Reviewed: 12/06/2005, 07/15/2009

Amended: 09/22/1999, 04/13/2005, 06/11/2007, 11/18/2020 (BP 2111 renumbered as BP 5145.7)

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900 Grounds for suspension or expulsion

48900.2 Additional grounds for suspension or expulsion; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

48985 Notices, report, statements and records in primary language

CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

12950.1 Sexual harassment training

CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

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UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.82 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

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

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

Reese v. Jefferson School District (2000, 9th Cir.) 208 F.3d 736

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

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

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

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

Doc# 43402-9 (10/2020, 09/2016)

**CLOVIS UNIFIED
SCHOOL DISTRICT****INSTRUCTION**

Community Relations

PARENT INVOLVEMENT

PURPOSE: Parents/guardians shall have the opportunity to work with schools in a mutually supportive and respectful partnership to support their children's success in school.

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

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so, including the process for filing a complaint. Such notification shall be in the District's informational materials and publications, including the Student and Parent Rights and Responsibilities Handbook available to parents and students upon registration in the District and at the beginning of each school year. This information is available at www.cusd.com.

The District's local control and accountability plan (LCAP) shall include goals and strategies for parent/guardian involvement and family engagement, including District efforts to seek parent/guardian input in District and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the District's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

NON-TITLE I SCHOOLS

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

1. Develop a District parent involvement policy reflecting the needs of the community in collaboration with the various parent committees (School Site Council (SSC), School Assessment Review Team (SART), English Language Advisory Committee (ELAC), Intercultural Diversity Advisory Council (IDAC), etc.), as well as develop strategies to address the purposes and goals described in Education Code section 11504. The policy will be reviewed, revised, presented and made available to the parents on an annual basis

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through the District newsletter, web site, Parent and Student Rights and Responsibilities Handbook or other methods.

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

FEDERAL AND STATE FUNDED PROGRAMS

The Board intends to provide opportunities for parents/guardians of children served by programs supported by designated funding (federal/state categorical funds) to participate in the design, implementation, and evaluation of the programs provided for their children.

Regulations and guidelines for federal/state categorical programs require parent involvement and/or advisory committees. The committees shall be organized in accordance with state and/or federal guidelines.

Parent involvement committees for federal/state categorical programs shall advise and report only on those programs which relate to the specific purpose for which they were organized. They shall serve in an advisory capacity and function on behalf of the District schools through established lines of authority. Their actions shall not financially obligate the District except with Board approval.

A. Federal-Funded Programs

The parents/guardians of children enrolled in Title I programs shall be involved in planning, designing, and implementing these programs in an organized, systematic, ongoing, informed and timely fashion. They shall have regular opportunities to make recommendations on the educational needs of their children and on ways in which they can help their children benefit from the programs. All such recommendations shall receive timely responses.

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Federal regulations require schools receiving Title I funds to conduct annually at least one public meeting to which all parents/guardians of eligible children are invited. The purpose of the annual meeting shall be to discuss Title I programs and activities; inform parents/guardians of the right to consult in the planning, design, implementation and evaluation, solicit parent/guardian input, and provide for ongoing communications.

Federal regulations for Title I funding allow the District to provide for parent involvement through a formal advisory committee structure and through other less formal activities. The District shall include a description of the parent involvement structure/activities in its Single Plan for Student Achievement (SPSA). Federal regulations further require the District to annually assess, through consultation with parents/guardians, the effectiveness of the Title I Parental Involvement Policy and Program and to determine what action needs to be taken, if any, to increase parental participation.

The District, if it receives Title I funds, shall provide parents/guardians with timely information about schools in a language and format they can understand. The information shall include annual notification in accordance with applicable laws.

The District shall, as appropriate, provide information to assist the schools in building parents'/guardians' capacity for involvement and identifying barriers to greater participation, giving particular attention to parents/guardians of students who are economically disadvantaged, disabled, limited English proficient, have limited literacy, and/or of any racial or ethnic minority background. The District shall provide, as appropriate, technical assistance and other support to schools as needed to implement its Title I Parent Involvement Policy and/or Program.

The procedures for developing and implementing Title I parent involvement policies and programs shall be stated in Administrative Regulation No. 6020.

If the District also receives funds under federal Title IV, Part E, to coordinate and enhance family engagement programs, the Superintendent or designee shall inform parents/guardians and organizations of the existence of Title IV. (20 USC 6318)

The District's board policy and administrative regulation containing parent/guardian and family engagement strategies shall be incorporated into the District's LCAP in accordance with 20 USC section 6312. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develops a school-level parent/guardian and family engagement policy in accordance with 20 USC section 6318.

District and school-level parent/guardian and family engagement policies and administrative regulations shall be distributed to parents/guardians of students participating in Title I programs and shall be available to the local community. Parents/guardians shall be notified of the policy in

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an understandable and uniform format and, to the extent practicable, provided in a language the parents/guardians can understand.

B. District/School Advisory Committees for State Funded Programs

The District shall establish District and School Advisory Committees (DAC and SAC) in accordance with applicable laws. The Superintendent shall include in Administrative Regulation No. 6020 a list of the required District/school advisory committees and a description of their purposes.

Adopted: 11/25/1996

Reviewed: 01/14/2009, 11/13/2013

Amended: 02/09/2000, 03/09/2005, 08/24/2005, 09/26/2007, 01/23/2008, 01/14/2015,
11/18/2020 (BP 9209 renumbered as BP 6020, all contents of BP 9203 moved to BP
6020)

EDUCATION CODE

11500-11505 Programs to encourage parent involvement

42238.02 Fiscal year average daily attendance

48985 Notices in languages other than English

49091.16-19 Parental review

51101 et seq. Parent rights and responsibilities

52060-52077 Local control and accountability plan

54444.1-54444.2 Parent advisory councils, services to migrant children

56190-56194 Community advisory committee, special education

64001 School plan for student achievement, consolidated application programs

LABOR CODE

230.8 Time off to visit child's school

CODE OF REGULATIONS, TITLE 5

18275 Child care and development programs, parent involvement and education

UNITED STATES CODE, TITLE 20

1132h Civil enforcement

6311 State plan

6312 Local educational agency plan

6314 Schoolwide programs

6318 Parent and family engagement

6631 Teacher and school leader incentive program, purposes and definitions

7241-7246 Family engagement in education programs

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 Definitions, auxiliary aids and services

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35.160 Communications

Doc# 44280-9 (10/2020, 05/2020)

**CLOVIS UNIFIED
SCHOOL DISTRICT****INSTRUCTION**

Instructional Materials and Equipment

STUDENT USE OF TECHNOLOGY

PURPOSE: To set forth the rights and responsibilities for students use of technology.

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

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

A. On-Line 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. (20 USC 7131; 47 USC 254; 47 CFR 54.520)
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 while using District technological resources. 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, unless specified by an existing privacy agreement.

B. Development and Maintenance of Administrative Regulation

The Superintendent shall develop and maintain an administrative regulation that addresses protective measures for students while they are using District technological resources and addressing appropriate use of District technological resources.

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. Any contracts shall be entered into in accordance with Board Policy No. 3312 – Contracts.

**CLOVIS UNIFIED
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The Superintendent or designee will provide an annual written notice to the parents/guardians of students about the District's computers, Internet system, and technology resources, the policies governing its use, and the limitation of liability of the District. Parents/guardians and students must sign a Student User Agreement in Exhibit No. 6163.4. Upon receipt of the executed agreement, the student will be issued an Internet Use Permit (or some other method of designating permission). Parents/guardians have the right at any time to investigate the contents of their child's e-mail files. Parents/guardians have the right to request the termination of their child's Internet access at any time by updating their student's Internet Permission Form and Student User Agreement.

E. Administrative Responsibilities

1. The Superintendent, or designee, will serve as the coordinator to oversee the District Internet system. The Superintendent is authorized to develop an administrative regulation and a Student User Agreement for the use of the District Internet system that are in accord with this policy and other District policies.
2. The principal or designee will serve as the school site-level coordinators for the District Internet system, develop site-level procedures necessary to implement this policy and the administrative regulations establish procedures to ensure adequate supervision of students using the District Internet system, maintain executed Student User Agreements, and be responsible for implementing this policy and related administrative regulation at the school site level.
3. 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.

F. Compliance with Law

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

Adopted: 06/26/2002

Reviewed: 06/22/2007, 03/02/2011

Amended: 01/05/2005, 07/08/2009, 05/09/2012, 11/18/2020 (BP 7205 renumbered as BP 6163.4)

EDUCATION CODE

48980 Notice at beginning of term

49073.6 Student records; social media

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51006 Computer education and resources
51007 Programs to strengthen technological skills
60044 Prohibited instructional materials

PENAL CODE

313 Harmful matter
502 Computer crimes, remedies
632 Eavesdropping on or recording confidential communications
653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 15

6501-6506 Children's Online Privacy Protection Act

UNITED STATES CODE, TITLE 20

7101-7122 Student Support and Academic Enrichment Grants
7131 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 16

312.1-312.12 Children's Online Privacy Protection Act

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Doc# 44328-8 (10/2020, 07/2015)