

Parent and Student Rights and Responsibilities 2018 - 2019

Grades K - 12



Desert Sands Unified School District publishes this Handbook for Parents and Students annually to present information that may be useful to parents and students and to comply with state and federal laws regarding notification to parents and students of their educational rights.

Included in this Handbook:

Informational Directory

- Desert Sands Unified School District Board of Education
- Desert Sands Unified School District Administration
- Desert Sands Unified School District Schools

Referenced Codes and Policies relating to important information regarding parent and student rights. This information should be read carefully.

- California Education Code
- Code of Federal Regulations
- Desert Sands Unified School District
 - Board Policies
 - Administrative Regulations
- Health and Safety Code
- Public Law
- United States Code

Response Cards

- Acknowledgment of receipt of the
 - Parent and Student Rights and Responsibilities Handbook
 - Health and Emergency contact information pertaining to students
- Request for Home to School Transportation - Field Trips - School Events
- Agreement to Abide by District Rules of Conduct for School Bus Passengers
- Specialized Student Program Questionnaire

PLEASE COMPLETE THE CARDS AND RETURN THEM TO YOUR CHILD'S SCHOOL.

If you have any questions or concerns regarding any information contained
in the Handbook, please contact the principal at your child's school.

Tenemos un Manual en español si lo prefiere.

DESERT SANDS UNIFIED SCHOOL DISTRICT

47-950 Dune Palms Rd., La Quinta, California 92253

(760) 777-4200

BOARD OF EDUCATION

Gary Tomak - President
Wendy Jonathan - Vice President/Clerk
Michael Duran - Member
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ADMINISTRATION

- Superintendent

- Assistant Superintendent
Student Support Services

- Assistant Superintendent
Educational Services

- Assistant Superintendent
Business Services

- Assistant Superintendent
Personnel Services

- Senior Director, Special Education

- Director, Child Welfare and Attendance

- Director, State and Federal Programs

- Senior Director, Elementary Curriculum,
Instruction & Assessment

- Senior Director, Secondary Curriculum,
Instruction & Assessment

ELEMENTARY SCHOOLS (K-5)

Dr. Reynaldo J. Carreon, Jr. Academy	47-368 Monroe St.	Indio	(760) 863-1544
Carrillo Ranch	43-775 Madison St.	Indio	238-9700
James Earl Carter	74-251 Hovley Lane	Palm Desert	862-4370
Amelia Earhart	45-250 Dune Palms Rd.	Indio	200-3720
Gerald Ford	44-210 Warner Trail	Indian Wells	772-4120
Benjamin Franklin	77-800 Calle Tampico	La Quinta	238-9424
Herbert Hoover	44-300 Monroe St.	Indio	775-3820
Andrew Jackson	82-850 Kenner St.	Indio	775-3830
Lyndon B. Johnson	44-640 Clinton St.	Indio	863-3680
John F. Kennedy	45-100 Clinton St.	Indio	775-3840
Abraham Lincoln	74-100 Rutledge Way	Palm Desert	862-4340
James Madison	80-845 Avenue 46	Indio	775-3850
James Monroe	42-100 Yucca Lane	Bermuda Dunes	772-4130
Richard Oliphant	41-633 Gore Street	Indio	834-3231
Ronald Reagan	39-800 Liberty Dr.	Palm Desert	772-0456
Theodore Roosevelt	83-200 Dr. Carreon Blvd.	Indio	775-3860
Harry S. Truman	78-870 Avenue 50	La Quinta	777-4240
Martin Van Buren	47-733 Van Buren St.	Indio	775-3870
George Washington Charter	45-768 Portola Ave.	Palm Desert	862-4350

MIDDLE SCHOOLS (6-8)

Desert Ridge Academy	79-767 Avenue 39	Indio	393-5500
John Glenn	79-655 Miles Ave.	Indio	200-3700
Indio	81-195 Miles Ave.	Indio	775-3800
Thomas Jefferson	83-089 Highway 111	Indio	863-3660
La Quinta	78-900 Avenue 50	La Quinta	777-4220
Colonel Mitchell Paige	43-495 Palm Royale Dr.	La Quinta	238-9710
Palm Desert Charter	74-200 Rutledge Way	Palm Desert	862-4320

HIGH SCHOOLS (9-12)

Indio High School	81-750 Avenue 46	Indio	775-3550
La Quinta High School	79-255 Blackhawk Way	La Quinta	772-4150
Palm Desert High School	74-910 Aztec Road	Palm Desert	862-4300
Shadow Hills High School	39-225 Jefferson St.	Indio	393-5400
Amistad High School (Continuation)	83-501 Dillon Road	Indio	775-3570
Summit High School (Continuation)	43-330 Palm Royale Dr.	La Quinta	238-9760
Horizon (Alternative School) K-12	43-330 Palm Royale Dr.	La Quinta	238-9720

STUDENT CODE OF BEHAVIOR RIGHTS AND RESPONSIBILITIES

THE DESERT SANDS UNIFIED SCHOOL DISTRICT'S STUDENT BEHAVIOR POLICY STATES:

The Board of Education and Staff of the Desert Sands Unified School District believe that one of the major functions of the public schools is the preparation of youth for citizenship of our nation. This purpose can best be realized if each student attains a high level of self-discipline, for it is through self-discipline and the acceptance of individual responsibility that achievement and socially responsible citizenship are possible.

The Governing Board recognizes its responsibility to give all reasonable support and assistance to all employees (certificated and classified) with respect to student discipline policies, regulations and procedures of the school district. The administration, teachers and classified staff recognize a mutual responsibility for the enforcement of such policies and regulations through the fair, firm and consistent usage of the Administrative Guidelines.

Further, the Governing Board recognizes that an effective discipline policy requires that sufficient support services be provided so that continually disruptive students will not be returned to regular classes without some modification of behavior. When such behavior modification does not occur, the student will be assigned to other alternative programs or removed from school (including expulsion, when necessary).

It is the intent of the Governing Board to have all such policies, regulations and rules enforced fairly and consistently without regard to race, creed, color or sex.

Tenemos un Manual en español si lo prefiere.

CODE OF ETHICS AND RESPONSIBILITY

Desert Sands Unified School District is a place where everyone is treated with respect. We demonstrate the characteristics of goodness and treat each other well. We are a community where respect, responsibility, and trust are taught and lived.

COMMON VOCABULARY

Respect: To look back at the speaker with consideration. The special consideration in which one holds another person or thing.

Responsibility: To consider oneself accountable to someone or for something.

Ethics: Accepted standards of good behavior.

Code of Ethics: is an official declaration of the Desert Sands Unified School District Board of Education.

Trust: Confidence in a person knowing that something is true.

Integrity: Search for the truth in a steadfast and forthright manner.

WHAT IS THE CODE OF ETHICS ALL ABOUT?

The *Code of Ethics* is the official declaration of the Desert Sands Unified School District Board of Education which:

- * Transforms the culture of a school to create a community of learners supported by a climate of caring and collaboration among staff, students, parents/guardians and society at large.
- * Identifies the quality of interpersonal relationships among all members of the Desert Sands community.
- * Defines a conduct that affects a positive school environment.
- * Declares that all members of the Desert Sands Unified School District community shall assume responsibility for this *Code of Ethics*.

HOW IS THE CODE ADMINISTERED?

Site specific mechanisms for engaging parents/guardians in the reinforcement of the *Code of Ethics and Responsibility*.

Administrative Actions:

- * Determine representatives from the school site community and enlist their support in implementing, evaluating, and refining objectives in the **School Plan**. [Strategic Plan 3.0, 2005-06]
- * Determine site core beliefs, measurable objectives, evaluations, and supporting actions steps in the **School Plan: A Climate of Respect and Responsibility**. [Strategic Plan 3.0, 2005-06]
- * Include the *Code of Ethics* in the parent packet at the beginning of the school year or when new students enroll.
- * Display *Code of Ethics* poster in the offices and every classroom
- * Include *Code of Ethics* in presentations throughout the community.
- * Include Code of Ethics on web page.

STUDENTS: STATEMENTS OF STANDARDS

Students must conform to an ethical code. To this end, students subscribe to the following statements of standards:

- * Respect themselves, others, and the property of others.
- * Fulfill school responsibilities with honesty and integrity.
- * Seek wise people to mediate problems.
- * Accept responsibility for choices made.
- * Assist others
- * Demonstrate a willingness to listen and understand others.
- * Listen to the person who is speaking which is a sign of respect.
- * Conduct themselves in a safe and responsible manner.
- * Assume responsibility for seeking solutions.
- * Act with integrity.

SCHOOL PERSONNEL: ADDITIONAL STATEMENTS OF STANDARDS

School personnel must conform to an ethical code. To these ends, school personnel subscribe to the following statements of standards.

For evaluations you will:

- * Make the well-being of students the fundamental value in all decision making and actions.
- * Support the principle of due process and protect the civil and human rights of all individuals.
- * Support of the best efforts of students and the school community.
- * Invite parent/guardian involvement.
- * Work with parents/guardians to reach solutions that are in the best interest of the students and the school community.
- * Work with other personnel in a collaborative manner.
- * Maintain confidentiality.
- * Assume responsibility for seeking solutions.
- * Teach and model respect and responsibility.
- * Act with integrity.

PARENTS AND OTHER ADULTS: ADDITIONAL STATEMENTS OF STANDARDS

Adults must conform to an ethical code. To this end, adults subscribe to the following statements of standards:

- * Make the well-being of students the fundamental value in all decision making and actions.
- * Fulfill parental responsibilities with honesty and integrity.
- * Support the best efforts of students.
- * Work with school personnel and others to reach solutions.
- * Listen to the person who is speaking with the intention of understanding another point of view.
- * Assume responsibility for seeking solutions.
- * Act with integrity.

WHAT IS THIS STUDENT BEHAVIOR CODE ALL ABOUT?

The Code is an official declaration of the Desert Sands Unified School District Board of Education which;

Describes a positive school environment	Defines conduct that disrupts a positive environment
Specifies the rights and responsibilities of students	Standardizes procedures for disciplinary action
Defines the attendance policy	Defines grievance procedures

Provisions in this Code apply to all students in Grades K-12. **DIFFERENCES IN AGE AND MATURITY ARE RECOGNIZED IN DETERMINING THE TYPE AND DEGREE OF DISCIPLINARY ACTION TO BE TAKEN.**

All students should be expected to assume greater responsibility for their actions with education facilitating their physical, mental and emotional maturity.

WHEN IS THE CODE ENFORCED?

The Code is enforced: (Education Code Section 48900)

While on school grounds	During lunch period, whether on or off the campus
While going to or coming from school	During, or while going to or coming from, a school sponsored activity

Additionally, the principal or designee is authorized to take administrative action when a student's misconduct to and from school has a harmful effect on the other students or on the educational process.

HOW IS THE CODE ADMINISTERED?

Each member of the school staff, including all teachers, shall assume responsibility for the effective administration of this Code of Behavior.

Effective student behavior on campus is ultimately the principal's responsibility. However, members of the school staff must play an integral part in the total process if the program is to be effective.

Sources regarding disciplinary action will be clearly communicated throughout this document. The key is consistency and the three F's (*Fair, Firm, Friendly*).

WHAT IS A GOOD SCHOOL ENVIRONMENT?

A good school environment is best described as:

Being POSITIVE, not negative	Making improvement in behavior the primary goal in discipline
Providing full educational opportunities	Being a safe and drug-free school where all feel respected and protected

It is also the presence of a friendly, yet businesslike, atmosphere in which students and school personnel work cooperatively toward recognized and acceptable goals. A good school environment is free from distractions, frictions, and disturbances.

WHO ESTABLISHES A GOOD SCHOOL ENVIRONMENT?

The code recognizes the need for cooperative relationship among students, parents/guardians, and school personnel. This relationship is most productive when:

STUDENTS:

Attend all classes daily and on time	Conduct themselves in a safe and responsible manner
Are prepared for class assignments and activities	Are healthy, clean, and neat
Come to class with appropriate working materials	Are responsible for their own work
Respect all persons and property	Abide by the rules and regulations set forth by the school and individual teacher
Refrain from abusive language or inflammatory actions	Seek changes in an orderly and approved manner

PARENTS/GUARDIANS:

Keep in contact with the school concerning their student's progress and conduct	Assist their student in being healthy, neat and clean
Ensure that their student is in daily attendance and promptly report and explain an absence or tardiness to the school	Refrain from abusive language or inflammatory actions
Provide their student with resources needed to complete class work and homework	Bring to the attention of school authorities any problems or condition which affects their student or other students of the school community

SCHOOL PERSONNEL:

Are in regular attendance and on time	Develop a good working relationship among staff, students, and parents/guardians
Are prepared to perform their duties with appropriate working materials	Encourage the school staff, parents/guardians, and students to use the services of community agencies
Respect all persons and property	Utilize good guidance procedures
Refrain from abusive language or inflammatory actions	Encourage parents/guardians to keep in regular communication with the school
Conduct themselves in a safe and responsible manner	Provide opportunities for parent/guardian participation in affairs of the school
Are healthy, clean, and neat	Encourage and maintain the involvement of students in the operation of the school: i.e., Student Government
Abide by the rules and regulations set forth by the school	Involve the community in order to improve the quality of life within the school and the district
Seek changes in an orderly and approved manner	Seek input through dialogue with parents, students, and school personnel
Structure school environment to foster good behavior	
Plan a flexible curriculum to meet the needs of all students	

STUDENT CONDUCT

RULES AND REGULATIONS REGARDING CONDUCT

The governing board of each school district shall prescribe rules not inconsistent with law or the State Board of Education. Each principal shall take steps to insure that all rules pertaining to discipline of students are communicated to students at the beginning of each school year and to transfer students when enrolled. (Education Code [Section 35291](#))

SUPERVISION (Board Policy 5142.3)

Students shall be under the supervision of the school authorities from the time they arrive on the school premises until they leave the school premises. When students are provided transportation to and from the school premises by the school district, they shall be under the supervision of school authorities from the time they board the school bus until the time they leave the school bus. Students shall be under the school's supervision at all school sponsored functions.

DRESS CODE (Board Policy 5132)

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students' clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

STUDENT RIGHTS AND RESPONSIBILITIES

Within every school, the principal has the responsibility and authority for maintaining an orderly educational process. The Desert Sands Unified School District Board of Education guarantees the freedoms allowed by law, provided these freedoms do not endanger the health, safety and welfare of students and staff.

The School Board recognizes and supports students' rights and the corresponding students' responsibilities.

Nowhere is it stated nor implied in this document that the school should give up its authority and responsibility.

The student's rights guaranteed under the law include, but are not limited to, the use on campus of forums and bulletin boards, the distribution of printed materials or petitions, and the wearing of buttons, badges or other insignia as long as the content of the speeches or materials is not obscene or is not libelous or slanderous according to current legal definitions, and does not incite students so as to create a clear and present danger of the commission of unlawful acts on school premises or the violation of lawful school regulations, or the substantial disruption of the orderly operation of the school. (Education Code [Section 48907](#))

The stated above relating to printed materials may be limited when the content of the materials is determined to be obscene, libelous or slanderous according to current legal definitions. The activities listed may also be limited under regulations established by the school principal as to the time, place and manner of conducting such activities. Such limits shall be established under regulations which meet three tests: (1) Free expression shall not be abridged or denied under the guise of regulation; (2) Regulations must clearly define, with objective standards, the areas of prohibition; and (3) Regulations shall not be discriminatory.

No student shall be given any test, questionnaire, survey or examination containing any questions regarding a student's (or his parent's/guardian's) beliefs or practices in religion, morality, sex or family life unless the parent/guardian is notified in writing that such questions will be asked and consent is received in writing from the parent/guardian.

In addition to the rights granted to students, there are responsibilities which are also defined in the statutes and upheld as constitutional by the courts. All students have the responsibility to comply with the regulations, pursue the required course of study and submit to the authority of the teachers of the schools. (Education Code [Section 48908](#)) Students shall respect the rights of all other individuals, both students and employees of the school.

Every student has the right to attend school which may not be denied except through due process. Conversely, every student has the responsibility to attend school according to law. The parent/guardian shares this responsibility with the student and each shall be subject to legal consequences if the responsibility is not upheld.

Administrators and teachers are charged with the responsibility to prepare each student to take his/her place in a democratic society. The adherence of students to rules and regulations which are based on the democratic principles of the U.S. Constitution and the Supreme Court interpretations of it shall be the responsibility of all district employees.

The courts have defined the rights of students to freedom of speech and expression. These regulations attempt to clearly state the specific rights of students and the responsibility of school teachers and administrators relating to the students' rights.

Student rights are not absolute. They may be denied when there exists a clear and present danger that the activity will materially and substantially interfere with the requirements of appropriate discipline in the operation of the schools.

PERSONNEL SERVICES

NONDISCRIMINATION AND COMPLAINT PROCEDURES

NONDISCRIMINATION ON THE BASIS OF ACTUAL OR PERCEIVED RACE, RELIGION, COLOR, NATIONAL ORIGIN, ETHNIC GROUP, AGE, PREGNANCY, MARITAL OR PARENTAL STATUS, PHYSICAL OR MENTAL DISABILITY, MEDICAL CONDITION, GENETIC INFORMATION, VETERAN STATUS, GENDER, SEX OR ACTUAL OR PERCEIVED SEXUAL ORIENTATION

It is a policy of the Desert Sands Unified School District not to discriminate on the basis of actual or perceived race, religion, color, national origin, ethnic group, age, pregnancy, marital or parental status, physical or mental disability, medical condition, genetic information, veteran status, gender, sex or actual or perceived sexual orientation, and other protected categories for access to its educational programs and activities, or in the recruitment and employment of personnel, or for membership in advisory groups or committees, in compliance with Title VI, Civil Rights Act; Title IX Education Amendments: Section 504, Rehabilitation Act; and Age Discrimination Act. The District will take steps to assure that the lack of English will not be a barrier to admission and participation in district programs. This nondiscrimination policy covers admission and access to, and treatment and employment in, the District's programs and activities, including vocational education. Complaints, inquiries, or translation requests related to gender equity, nondiscrimination and uniform complaint procedures should be directed to: Donna Salazar, Ed.D., Assistant Superintendent, Personnel Services, Desert Sands Unified School District, 47-950 Dune Palms Road, La Quinta, CA 92253, (760) 771-8687. Inquiries related to 504's should be directed to: Director of Alternative Education, or Larry Bellanich, Director, Child Welfare & Attendance, Desert Sands Unified School District, 47-950 Dune Palms Road, La Quinta, CA 92253, (760) 771-8611. (Federal Regulation, Title IX)

UNIFORM COMPLAINT PROCEDURES (Board Policy 1312.3)

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages the early, informal resolution of complaints whenever possible and appropriate. To resolve complaints which cannot be resolved through such informal process, the Board shall adopt a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

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

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs (5 CCR 4610)
2. Any complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, in district programs and activities against any person based on his/her actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, 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 his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
3. Any complaint alleging bullying in district programs and activities, regardless of whether the bullying is based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, 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 his/her association with a person or group with one or more of these actual or perceived characteristics
4. Any complaint alleging district violation of the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities. (5 CCR 4610)
5. Any complaint alleging that the district has not complied with legal requirements related to the implementation of the local control and accountability plan. (Education Code 52075)
6. 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
7. Any other complaint as specified in a district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. One type of ADR is mediation, which shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

In filing and investigating complaints, the confidentiality of the parties involved shall be protected as required by law. As appropriate for any complaint alleging retaliation, unlawful discrimination, or bullying, the Superintendent or designee shall keep confidential the identity of the complainant and/or the subject of the complaint, if he/she is different from the complainant, as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints. All such records shall be destroyed in accordance with applicable state law and district policy.

NON-UCP COMPLAINTS

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.
3. Any complaint alleging employment discrimination shall be sent to the California Department of Fair Employment and Housing and the compliance officer shall notify the complainant by first class mail of the transfer.
4. Any complaint alleging fraud shall be referred to the California Department of Education.

In addition, the district's Williams Uniform Complaint Procedures, AR 1312.4, shall be used to investigate and resolve 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 misassignments. (Education Code 35186)

UNIFORM COMPLAINT PROCEDURES (AR 1312.3)

Except as the Governing Board may otherwise specifically provide in other district policies, these general uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

COMPLIANCE OFFICERS

The district designates the individual(s) identified below as the employee(s) responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding sex discrimination. The individual(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

Donna Salazar, Ed.D., Assistant Superintendent, Personnel Services, 47-950 Dune Palms Road, La Quinta, CA 92253, (760) 771-8687

The compliance officer who receives a complaint may assign another compliance officer to investigate the complaint. The compliance officer shall promptly notify the complainant if another compliance officer is designated to investigate the complaint.

In no instance shall a compliance officer be designated to investigate a complaint if he/she is mentioned in the complaint or has a conflict of interest that would prohibit him/her from fairly investigating the complaint. Any complaint filed against or implicating a compliance officer may be filed with the Superintendent or designee.

The Superintendent or designee shall ensure that employees designated to investigate complaints receive training and are knowledgeable about the laws and programs which they are assigned to investigate. Training provided to such designated employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating complaints, including those involving alleged discrimination, applicable standards for reaching decisions on complaints, and appropriate corrective measures. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

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

NOTIFICATIONS

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013, 52075; 5 CCR 4622)

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

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination.
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging retaliation, unlawful discrimination, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
 - d. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
 - e. The Board is required to adopt and annually update a local control and accountability plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
 - f. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.
 - g. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
 - h. Copies of the district's UCP are available free of charge.

DISTRICT RESPONSIBILITIES

All UCP-related complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint unless the complainant agrees in writing to an extension of the timeline. (5 CCR 4631)

The compliance officer 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 4631 and 4633.

All parties involved in the allegations shall be notified when a complaint is filed and when a decision or ruling is made. However, the compliance officer shall keep all complaints or allegations of retaliation, unlawful discrimination, or bullying confidential except when disclosure is necessary to carry out the investigation, take subsequent corrective action, conduct ongoing monitoring, or maintain the integrity of the process. (5 CCR 4630, 4964)

FILING OF COMPLAINT

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in accordance with the following:

1. A written complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay 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)
3. A complaint alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, may be filed only by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination or bullying is filed anonymously, the compliance 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.

5. When the complainant or alleged victim of unlawful discrimination or bullying requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.
6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

MEDIATION

Within three business days after the compliance officer receives the complaint, he/she may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of asexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation, unlawful discrimination, or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

INVESTIGATION OF COMPLAINT

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance 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.

In conducting the investigation, the compliance officer 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, 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. To resolve a complaint alleging retaliation, unlawful discrimination, or bullying, the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's 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 the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

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. Failure or refusal of the district to cooperate in 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. (5 CCR 4631)

The compliance officer shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

REPORT OF FINDINGS

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the district's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

FINAL WRITTEN DECISION

The district's decision shall be in writing and shall be sent to the complainant. (5 CCR 4631)

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties that may be involved in implementing the decision or affected by the complaint, as long as the privacy of the parties is protected.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved attends a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language. In other all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600.

For complaints of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, the notice may, as required by law, include:

- a. The corrective actions imposed on the individual found to have engaged in the conduct that relate directly to the subject of the complaint
 - b. Individual remedies offered or provided to the subject of the complaint
 - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

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

For complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, and bullying, based on state law, the decision shall also include a notice to the complainant that:

1. He/she may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

CORRECTIVE ACTIONS

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce

district policies, training for faculty, staff, and students, updates to school policies, or school climate surveys.

For complaints involving retaliation, unlawful discrimination, or bullying, appropriate corrective actions that focus on the victim may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

For complaints involving retaliation, unlawful discrimination, or bullying, appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination, including discriminatory harassment, intimidation, or bullying, that the district does not tolerate it, and how to report and respond to it.

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges 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. (Education Code 49013, 52075)

For complaints alleging noncompliance with the laws regarding student fees, such remedies, where applicable, shall include reasonable efforts to ensure full reimbursement to affected students and parents/guardians. (Education Code 49013; 5 CCR 4600)

APPEALS TO THE CALIFORNIA DEPARTMENT OF EDUCATION

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 calendar days of receiving the district's decision. (Education Code 49013, 52075; 5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the district's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. 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
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

Regulation DESERT SANDS UNIFIED SCHOOL DISTRICT

approved: April 21, 1998

La Quinta, California

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revised: February 4, 2003 revised: March 21, 2006

revised: March 15, 2011 revised: May 21, 2013

revised: January 13, 2015

WILLIAMS UNIFORM COMPLAINT PROCEDURES (Adm. Reg. 1312.4, E 1312.4); Reference Appendix #3, #4 and #5.

ENROLLMENT

The Desert Sands Unified School District currently provides comprehensive educational programs for school age children enrolled in Kindergarten and grades 1 through 12. The programs listed in this handbook are available to all students who reside in our school district.

INTRADISTRICT TRANSFER OPEN ENROLLMENT

A student whose parent/guardian resides within the Desert Sands Unified School District is eligible to attend any school within the district if there is space available. Parent/guardian must apply on line at Desert Sands Unified School District on the Child Welfare and Attendance web page. Approval of the applications will be based on a random, unbiased selection process. To be eligible, the application must be submitted online December through February to be eligible for admission to their school of choice the following school year under the District's open enrollment policy. Parents/guardians will be notified by mail/email of approval or denial. (Education Code Section 35160.5)

INTERDISTRICT TRANSFERS (AR 5117)

Students who reside outside the boundaries of Desert Sands Unified School District, and wish to attend a school in the Desert Sands Unified School District, must contact their school district of residence to apply for an inter-district transfer agreement between December and February to be eligible for admission to their school of choice the following school year. These applications will be approved on availability and must be renewed each school year. (Education Code Section 46660)

ADMISSION REQUIREMENT Washington Charter School/Palm Desert Charter Middle School

Admission will be open to all students regardless of ethnicity, creed, gender or disability. Admission will require a commitment from both parents/guardians and students to meet the goals, objectives and mission of the school, as set forth in the school handbook. These will be fully explained in the enrollment interview and in a signed parent/guardian/student/teacher agreement. Preference for enrollment will be given to those enrolled during the school year, or living within the Washington Charter School or Palm Desert Charter Middle School preferred attendance area.

ATTENDANCE POLICY

ABSENCE AND EXCUSES (Board Policy/AR 5113)

The Governing Board believes that regular attendance plays an important role in student achievement. The Board shall work with parents/guardians and students to ensure their compliance with all state attendance laws, and may use appropriate legal means to correct problems of chronic absence or truancy.

Excused Absence

Absence from school shall be excused only for reasons as permitted by law, Board policy, and administrative regulations. (Education Code 48205)

Inasmuch as class participation is an integral part of students' learning experiences, parents/guardians and students shall be encouraged to schedule medical appointments during nonschool hours. Students attending medical appointments during school hours are expected to attend school before and/or after the appointment. Absences related to attending a medical appointment will only be excused for the time of the appointment plus reasonable travel time.

At the beginning of each school year, the Superintendent or designee shall send a notification to the parents/guardians of all students, and to all students in grades 7-12, informing them that school authorities may excuse any student from school to obtain confidential medical services without the consent of the student's parent/guardian. (Education Code 46010.1)

Students shall not be absent from school without their parents/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointment.

A student's absence shall be excused for the following reasons:

1. Personal illness (Education Code 48205)
2. Quarantine under the direction of a county or city health officer (Education Code 48205)
3. Medical, dental, optometrical, or chiropractic appointment (Education Code 48205)
4. Attendance at funeral services for a member of the immediate family, which shall be limited to one day if the service is conducted in California or three days if the service is conducted out of state (Education Code 48205)
Immediate family shall be defined as mother, father, grandmother, grandfather, spouse, son/son-in-law, daughter /daughter-in-law, brother, sister, or any relative living in the student's immediate household. (Education Code 45194, 48205)
5. Jury duty in the manner provided by law (Education Code 48205)
6. The illness or medical appointment during school hours of a child to whom the student is the custodial parent (Education Code 48205)
7. Upon advance written request by the parent/guardian and the approval of the principal or designee, justifiable personal reasons including, but not limited to: (Education Code 48205)

- a. Appearance in court
- b. Attendance at a funeral service
- c. Observation of a holiday or ceremony of his/her religion
- d. Attendance at religious retreats not to exceed four hours per semester
- e. Attendance at an employment conference
- f. Attendance at an educational conference offered by a nonprofit organization on the legislative or judicial process
8. Service as a member of a precinct board for an election pursuant to Elections Code 12302 (Education Code 48205)
9. To spend time with his/her immediate family member who is an active duty member of the uniformed services, as defined in Education Code 49701, and has been called to duty for deployment to a combat zone or a combat support position or is on leave from or has immediately returned from such deployment (Education Code 48205)
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. Participation in religious exercises or to receive moral and religious instruction in accordance with district policy (Education Code 46014)
 - a. In such instances, the student shall attend school at least the minimum school day.
 - b. The student shall be excused for this purpose on no more than four days per school month.

Method of Verification

When a student who has been absent returns to school, he/she shall present a satisfactory explanation verifying the reason for the absence. Absences shall be verified by the student's parent/guardian, other person having control of the minor, or the student if age 18 or older. (Education Code 46012; 5 CCR 306)

The following methods may be used to verify student absences:

1. Written note, fax, email, or voice mail from parent/guardian or parent representative.
2. Conversation, in person or by telephone, between the verifying employee and the student's parent/guardian or parent representative. The employee shall subsequently record the following:
 - a. Name of student
 - b. Name of parent/guardian or parent representative
 - c. Name of verifying employee
 - d. Date(s) of absence
 - e. Reason for absence
3. Visit to the student's home by the verifying employee, or any other reasonable method which establishes the fact that the student was absent for the reasons stated. The employee shall document the verification and include the information specified in item #2 above.
4. Physician's verification.
 - a. When excusing students for confidential medical services or verifying such appointments, district staff shall not ask the purpose of such appointments but may contact a medical office to confirm the time of the appointment.
 - b. When a student has had 10 absences in the school year for illness verified by methods listed in #1-3 above, any further absences for illness shall be verified by a physician.

The Superintendent shall establish such procedures as deemed necessary to determine the pattern and causes of habitual truancy, including medical verification for excessive absences and shall cooperate with other private and governmental agencies in correcting the causes thereof (State Department of Education - Attendance Accounting in Public Schools).

CHRONIC ABSENCE AND TRUANCY (AR 5113.1)

DEFINITIONS

Chronic absentee means a student who is absent for any reason on 10 percent or more of the school days in the school year, when the total number of days the student is absent is divided by the total number of days the student is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.

Truant means a student who is absent from school without a valid excuse three full days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof. (Education Code 48260)

Habitual truant means a student who has been reported as a truant three or more times within the same school year, provided the district has made a conscientious effort to hold at least one conference with the student and his/her parent/guardian. (Education Code 48262, 48264.5)

Chronic truant means a student who has been absent from school without a valid excuse for 10 percent or more of the school days in one school year, from the date of enrollment to the current date, provided the district has met the requirements of Education Code 48260-48263 and 48291. (Education Code 48263.6)

ATTENDANCE SUPERVISOR(S)

The Superintendent or designee shall appoint or contract with a supervisor of attendance and assistant supervisors as necessary to supervise the attendance of district students. Such supervisors shall perform duties related to compulsory full-time education, truancy, compulsory continuation education, work permits, and any additional duties prescribed by the Superintendent. (Education Code 48240, 48243, 48244)

ADDRESSING CHRONIC ABSENCE

When a student is identified as a chronic absentee, the attendance supervisor shall communicate with the student and his/her parent/guardian to determine the reason(s) for the excessive absences, ensure the student and parent/guardian are aware of the adverse consequences of poor attendance, and jointly develop a plan for improving the student's school attendance.

The student may be referred to a student success team or school-site attendance review team to assist in evaluating the student's needs and identifying strategies and programs that may assist him/her.

A student who is struggling academically may be offered tutoring or other supplemental instruction, extended learning opportunities, and/or alternative educational options as appropriate.

Whenever chronic absenteeism is linked to a nonschool condition, the attendance supervisor may recommend community resources and/or collaborate with community agencies and organizations to address the needs of the student and his/her family.

ADDRESSING TRUANCY

An attendance supervisor or designee, peace officer, probation officer, or school administrator or designee may arrest or assume temporary custody, during school hours, of any minor student found away from his/her home who is absent from school without a valid excuse. Any person arresting or assuming temporary custody of a minor student shall deliver the student and make reports in accordance with Education Code 48265 and 48266. (Education Code 48264, 48265, 48266)

The attendance supervisor shall investigate a complaint from any person that a parent/guardian has violated the state compulsory education laws contained in Education Code 48200-48341. (Education Code 48290)

When a student has been identified as a truant, as defined above, the following steps shall be implemented based on the number of trancies he/she has committed:

1. Initial truancy
 - a. A student who is initially classified as truant shall be reported to the attendance supervisor. (Education Code 48260)
 - b. The student's parent/guardian shall be notified by the most cost-effective method possible, which may include email or a telephone call, that: (Education Code 48260.5)
 - (1) The student is truant.
 - (2) The parent/guardian is obligated to compel the student to attend school. If the parent/guardian fails to meet this obligation, he/she may be guilty of an infraction of the law and subject to prosecution pursuant to Education Code 48290-48296.
 - (3) Alternative educational programs are available in the district.
 - (4) The parent/guardian has the right to meet with appropriate school personnel to discuss solutions to the student's truancy.
 - (5) The student may be subject to arrest or held in temporary custody by a probation officer, a peace officer, a school administrator, or attendance supervisor or his/her designee under Education Code 48264 if found away from home and absent from school without a valid excuse.
 - (6) The student may be subject to suspension, restriction, or delay of his/her driving privilege pursuant to Vehicle Code 13202.7.
 - (7) It is recommended that the parent/guardian accompany the student to school and attend classes with the student for one day.
 - c. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
 - d. The student may be given a written warning by a peace officer. A record of this warning may be kept at school for not less than two years or until the student graduates or transfers from the school. If the student transfers, the record may be forwarded to the new school. (Education Code 48264.5)
 - e. The attendance supervisor may notify the district attorney and/or probation officer of the name of each student who has been classified as a truant and the name and address of the student's parents/guardians. (Education Code 48260.6)
2. Second truancy
 - a. Any student who has once been reported as a truant shall again be reported to the attendance supervisor as a truant if he/she is absent from school without valid excuse one or more days or is tardy on one or more days. (Education Code 48261)
 - b. The student may be required to attend makeup classes on one day of a weekend pursuant to Education Code 37223. (Education Code 48264.5)
 - c. The student may be assigned to an after-school or weekend study program within the county. If the student fails to successfully complete this study program, he/she shall be subject to item #3 below. (Education Code 48264.5)

- d. An appropriate district staff member shall make a conscientious effort to hold at least one conference with the student and parent/guardian by communicating with the parent/guardian at least once using the most cost-effective method possible, which may include email or telephone call. (Education Code 48262)
 - e. The attendance supervisor may notify the district attorney and/or probation officer whether the student continues to be classified as a truant after the parents/guardians have been notified in accordance with item #1b above. (Educational Code 48260.6)
3. Third truancy (habitual truancy)
 - a. A student who is habitually truant, irregular in school attendance, or habitually insubordinate or disorderly during attendance at school may be referred to, and required to attend, a school attendance review board (SARB) program, a truancy mediation program established by the district attorney or the probation officer, or a comparable program deemed acceptable by the district's attendance supervisor. (Education Code 48263, 48264.5)
 - b. Upon making a referral to the SARB or the probation department, the attendance supervisor shall provide the student and parent/guardian, in writing, the name and address of the SARB or probation department and the reason for the referral. This notice shall indicate that the student and parent/guardian shall be required, along with the district staff person making the referral, to meet with the SARB or a probation officer to consider a proper disposition of the referral. (Education Code 48263)
 - c. If the student does not successfully complete the truancy mediation program or other similar program, he/she shall be subject to item #4 below. (Education Code 48264.5)
 - d. If the attendance supervisor determines that available community services cannot resolve the problem of the truant or insubordinate student or if the student and/or student's parents/guardians have failed to respond to the directives of the district or to services provided, the attendance supervisor may so notify the district attorney and/or the probation officer. (Education Code 48263)
 4. Fourth truancy
 - a. Upon his/her fourth truancy within the same school year, the student shall be within the jurisdiction of the juvenile court. (Education Code 48264.5; Welfare and Institutions Code 601)
 - b. If a student has been adjudged by the county juvenile court to be a habitual truant, the attendance supervisor shall notify the juvenile court and the student's probation or parole officer whenever the student is truant or tardy on one or more days without a valid excuse in the same or succeeding school year, or is habitually insubordinate or disorderly at school. The juvenile court and probation or parole officer shall be notified within 10 days of the violation. (Education Code 48267)
 5. Absence for 10 percent of school days (chronic truancy)
 - a. The attendance supervisor shall ensure that the student's parents/guardians are offered language-accessible support services to address the student's truancy.
 - b. If a chronically truant student is at least age 6 years and is in any of grades K-8, the attendance supervisor shall notify the parents/guardians that failure to reasonably supervise and encourage the student's school attendance may result in the parent/guardian being found guilty of a misdemeanor pursuant to Penal Code 270.1.

EFFECT OF ABSENCE ON GRADES/CREDITS

If a student's absence is excused under Education Code 48205 and associated Administrative Regulations, he/she shall be allowed to complete any missed assignment or test that can be reasonably given, as determined by the teacher of that class. The student shall be given full credit for the assignment or test if he/she satisfactorily completes the assignment or test within a reasonable period of time. (Education Code 48205)

A student's grades may be affected by excessive unexcused absences in accordance with Board policy.

SCHOOL ATTENDANCE REVIEW BOARD (SARB)

The Governing Board believes that excessive student absenteeism and tardiness, whether caused by excused or unexcused absences, may be an early warning sign of poor academic achievement and may put students at risk of dropping out of school. The Board desires to ensure that all students attend school in accordance with the state's compulsory education law and take full advantage of educational opportunities provided by the district.

As required by law, habitually truant students shall be referred to a school attendance review board, (SARB), a truancy mediation program operated by the county's district attorney or probation officer, and/or a juvenile court.

The Board shall submit nominations to the County Superintendent of Schools for a district representative on the county SARB. (Education Code 48321)

The Board shall appoint members of the district's SARB, who may include, but need not be limited to, a parent/guardian as well as representatives of the district, county probation department, county welfare department, county office of education, law enforcement agencies, community-based youth service centers, school guidance personnel, child welfare and attendance personnel, and school or county health care personnel. (Education Code 48321)

The district's SARB shall operate in accordance with Education Code 48320-48325 and procedures established by the Superintendent or designee.

Regulation adopted: 9/1/87

Revised: 5/16/06

Revised: 1/22/13

Desert Sands Unified School District

La Quinta, CA 92253

EDUCATIONAL SERVICES

SCHOOL ACCOUNTABILITY REPORT CARD (SARC) (Board Policy/AR 0510)

A school accountability report card are available to parents/guardians at their request. Please contact your child's school or the Educational Services Division at (760) 771-8602. (Education Code Section 35256)

GRADING OF STUDENT (Board Policy 5121(a)/AR 5121/AR 5125.2)

Grades serve a valuable instructional purpose by helping students and parents/guardians identify the student's areas of strength and those areas needing improvement. Parents/guardians and students have the right to receive grades that represent an accurate evaluation of the student's academic performance.

Teachers shall evaluate a student's work in relation to standards which apply to all students at his/her grade level. Teachers shall inform students and parents/guardians how student achievement will be evaluated in the classroom.

Grades will be based solely on the quality of the student's academic work and his/her mastery of course content and district standards. Students shall have the opportunity to demonstrate this mastery through a variety of methods including, but not limited to, tests, projects, portfolios, and/or class discussion.

When grades are given for any course of instruction taught, the grade given to each pupil shall be the grade determined by the teacher of the course and the determination of the pupil's grade by the teacher, in the absence of clerical or mechanical mistake, fraud, bad faith, or incompetency, shall be final. A grade challenge must occur no later than one semester following the period for which the grade was given. (Education Code Section 49066)

A written report shall be sent to, or a conference shall be held, with the student's parent/guardian in the event the student is in danger of failing the course. (Education Code Sections 49066-49067)

An Honors, Fine or Performing Art course may only receive one year of weighted credit per area at **the highest level** through 2019. Beginning with the class of 2020, only UC/CSU approved honors courses will receive weighted credit. (E 5121/AR 5121)

An incomplete grade is given when a student's work is not finished because of illness or other excused absence. If not made up within three weeks, the incomplete will become an F.

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

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

CHALLENGING COURSES BY EXAMINATIONS (Board Policy 6155)

The Governing Board recognizes the occasional need to allow students in grades 9-12 to take examinations which assist in the proper placement of students in the course of study. Students may receive credit by demonstrating a competency through examination and/or performance.

The examination given to students under this policy shall be a comprehensive examination which shall cover all of the objectives of the course being challenged. Successful completion of the examination shall be at a level which indicates mastery of the content and/or reasonable chance for success in the next higher course.

FOSTER YOUTH EDUCATIONAL PLACEMENT (EC 48850 et seq.)

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as a district liaison for foster youth to help facilitate the enrollment, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training regarding the enrollment, placement, and rights of foster youth.

When a foster youth in grade 11 or 12 transfers into the district from another school district or transfers between high schools within the district, he/she may be exempted from all coursework and other graduation requirements adopted by the Board that are in addition to the statewide coursework requirements specified in Education Code 51225.3, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school while he/she remains in foster care. (Education Code 51225.3, 60851)

The Superintendent or designee shall notify any student who is granted an exemption and, as appropriate, the person holding the right to make educational decisions for the student if any of the requirements that are waived will affect the student's ability to gain admission to postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.3)

PHYSICAL EDUCATION

Desert Sands Unified School District recognizes the positive benefits of physical activity for student health and academic achievement. The district provides a physical education program that builds interest and proficiency in movement skills and encourages students' lifelong fitness through physical activity.

Desert Sands Unified School District's physical education program includes a variety of kinesthetic activities, including team and individual sports, as well as aesthetic movement forms, such as dance. An appropriate alternative activity shall be provided for students with a physical disability that may restrict excessive physical exertion.

According to California Education Code and Board Policy, instruction in physical education shall be provided for a total period of time of not less than 200 minutes each 10 school days for students in grades 1 through 6, and not less than 400 minutes each 10 school days for students in grades 7 through 12. Parents and guardians of students in grades 1 through 5 receive an annual notice explaining the responsibility of the district to provide physical education, and information on where to direct questions or concerns (appendix #1).

STATE-MANDATED PUPIL TESTING

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

California Assessment of Student Performance and Progress (CAASPP)

The CAASPP assessment system will be administered annually to students in grades 3 through 8 and grade 11. The CAASPP measures the level of performance a pupil has achieved on State adopted content standards and assists teachers, administrators, and pupils and their parents by promoting high quality teaching and learning through the use of a variety of assessment approaches. (Education Code Section 60640) Parents or guardians may annually submit to the school a written request to excuse their child from any or all of the CAASPP assessments for the school year. The District and its employees may discuss the CAASPP program with their parents and guardians and may inform them of the availability of exemptions under Education Code 60615. However, the District and its employees shall not solicit or encourage any written exemption request on behalf of any student or groups of students.

For the 2018-19 school year, the CAASPP is to be comprised of the following:

- Smarter Balanced summative assessments for English language arts/literacy (ELA) and mathematics are computer adaptive assessments aligned with the Common Core State Standards (CCSS). The assessments are administered in grades 3 through 8 and grade 11 to measure whether students are on track to college and career readiness. In grade 11, results from the ELA and math assessments can be used as an indicator of college readiness.
- California Science Tests (CAST) measures student acquisition of the California Next Generation Science Standards. It is administered in grades 5 and 8, and once in high school.
- California Alternate Assessments (CAA) in ELA and mathematics are computer-based assessments administered to students with the most severe cognitive disabilities in grades 3 through 8 and grade 11. Test items are aligned with the CCSS and are based on the Core Content Connectors. The instructionally embedded CAA for Science field test is administered in grades 5 and 8, and once in high school.

English Language Proficiency Assessments

California transitioned from the California English Language Development Test (CELDT) to the English Language Proficiency Assessments for California (ELPAC) in 2017–18. The ELPAC is aligned with the 2012 California English Language Development Standards. For the 2018-2019 school year, the ELPAC will be administered to eligible students in kindergarten through grade 12. It consists of two separate English Language Proficiency assessments: one for the initial identification of students as English learners and the other for the annual summative assessment to identify students' English language proficiency level and to measure their progress in learning English. (Education Code [Section 60810](#))

Physical Fitness Testing

The physical fitness test (PFT) for students in California schools is the FitnessGram®. The main goal of the test is to help students in starting lifelong habits of regular physical activity. Students in grades five, seven, and nine take the fitness test. (Education Code [Section 60800](#))

DISTRICT STRATEGIES FOR TITLE 1 PARENT INVOLVEMENT (AR 6020); REFERENCE APPENDIX #6

STUDENT RECORDS AND INFORMATION ([AR 5125](#))

The compiling of appropriate facts and records pertaining to each student is a necessary function of the school district. This information is needed as a record of each student's progress. A "cumulative records" file is maintained for each student enrolled in this district. This

file contains student identification data, academic work completed, grades and test scores, attendance data, health record, teacher and counselor comments, and behavior records. These files are located at the student's current school site. All active student records are under the supervision of the school principal; all inactive records are under the supervision of the District Custodian of Records. The records for your child are available for your review upon written request to the building principal or the District Custodian of Records. To provide copies of any student record, the district shall charge a reasonable fee not to exceed the actual cost of furnishing copies. Information included in student records may be challenged. If you wish to challenge the content of these records, procedures may be obtained from the school principal or the District Custodian of Records/Director, Child Welfare and Attendance, (760) 771-8612. (Education Code Sections 49063, 49073-49078) Notification of Rights under the Family Educational Rights and Privacy Act (FERPA) is referenced as **APPENDIX A**.

Prior to disclosing a record pursuant to a court order, the Superintendent or designee shall, unless otherwise instructed by the order, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested if lawfully possible within the requirements of the judicial order. (5 CCR 435)

RELEASE OF DIRECTORY INFORMATION (Board Policy 5125.1)

The Superintendent or designee may authorize the release of student directory information to representatives of the news media, prospective employers, military or nonprofit organizations as provided by law. Unless prohibited by the parent/guardian in accordance with law, directory information which school officials may disclose consists of the following: student's name, address, telephone number, electronic mail address, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended.

Employers and prospective employers shall have access to directory information unless parent/guardian has in writing denied this release. Military services representatives shall have access to directory information unless parent/guardian has in writing denied this release.

Under no circumstances shall directory information be disclosed to a private profit-making entity other than employers, prospective employers, military, and representatives of the news media. Private schools and colleges may be given the names and addresses of 12th grade students and students who are no longer enrolled provided they use this information only for purposes directly related to the institution's academic or professional goals. (Education Code Section 49073)

SUBMITTING GPAS FOR CAL GRANTS

With the implementation of Assembly Bill 2160, California public high schools are required to submit for all graduating seniors a Cal Grant high school Grade Point Average (GPA) to the California Student Aid Commission. The GPA is a requirement to be considered for a Cal Grant award and for the completion of the Free Application for Federal Student Aid (FAFSA). Each grade 12 pupil will be deemed a Cal Grant applicant unless the student or parent has opted out of the high school's submission of GPAs to the Commission. If you do not want your school to report a GPA to the California Student Aid Commission, please contact your high school counselor.

HEALTH AND WELLNESS (Board Policy 5030)

Desert Sands recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall build a coordinated school health system that supports and reinforces health literacy through health education, physical education, health services, nutrition services, psychological and counseling services, health promotion for staff, a safe and healthy school environment, and parent/guardian and community involvement.

To encourage consistent health messages between the home and school environment, the Superintendent or designee may disseminate health information to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, the district or school web site, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

The Governing Board believes that health education should foster the knowledge, skills and behaviors that students need in order to lead healthy, productive lives. The district's health education program shall teach personal responsibility for one's own lifelong health, respect for and promotion of the health of others, the process of growth and development, and informed use of health-related information, products and services.

SEXUAL HEALTH AND HIV/AIDS PREVENTION INSTRUCTION (Board Policy/AR 6142.1)

The Desert Sands Unified School District believes that the primary responsibility for family life education is in the home; however, the Desert Sands Unified School District shares with other community agencies in supporting and supplementing the home's responsibility in this area.

Family Life Education programs may be provided in grades K-12. Venereal Disease and AIDS instruction will be provided in grades 5-12. If instruction about the human reproductive organs and their functions, processes or disease or any information regarding child abuse is included in your child's class, you will then have the opportunity to inspect and review any written or audio-visual materials to be used. You may evaluate the materials and, based on firsthand knowledge or religious beliefs, determine whether you want your child to participate in the program. If a guest speaker or outside consultant will be presenting instructional material in HIV/AIDS or sexual health education, you will be notified prior to the lesson. ***Your child will be permitted to be excused from that portion of the class instruction relating to sex education, venereal disease, child abuse and AIDS during this year if you request, in writing, that he/she be excused.*** If you have any questions on this matter, or wish to request copies of Ed Codes 51201.5 and 51553 related to AIDS instruction, please

contact the principal of the school your child attends. The school may require the student missing part or all of a particular course to complete other appropriate work to substitute for the material omitted. (Education Code Sections 51201.5, 51240, 51550, 51820 and Welfare and Institutions Code Section 18976.5)

COURSE SELECTION AND CAREER COUNSELING

Student in Desert Sands Unified School District periodically receive counseling services from school personnel; in addition, students in grades 7-12 are counseled on alternatives for careers and courses of study. Parent/Guardians of these students may participate in such counseling sessions and decision. Desert Sands Unified School District believes a comprehensive counseling program helps promote academic achievement and serves the diverse needs of all district students. Students are encouraged to arrange meetings with counseling staff to discuss academic, social or personal difficulties, as well as other issues that may impact student learning.

The counseling program helps students establish immediate and long-range educational plans, achieve academic standards, prepare for the high school exit examination, and complete the required curriculum in accordance with their individual needs, abilities and interests.

Counseling staff support students in planning for the future and help them become aware of their career potential. Academic planning for higher education shall include information about courses needed for admission to colleges and universities, standardized admission tests, financial aid, and scholarships. (Education Code Section 221.5 (d))

RELIGIOUS INSTRUCTION

Desert Sands Unified School District recognizes that students' education would be incomplete without an understanding of the role of religion in society. As appropriate for a particular course, teachers may objectively discuss the influences of various religions, using religious works and symbols to illustrate their relationship with culture, literature or the arts. Instruction about religion shall not promote or denigrate the beliefs or customs of any particular religion or sect, nor should a preference be shown for one religious viewpoint over another.

Students may express their beliefs about religion in their homework, artwork and other class work if the expression is germane to the assignment. Such work shall be judged by ordinary academic standards.

Permissive absence may be granted for governing board approved religious exercises or instruction. (Education Code Section 46014)

CALWORKS PROGRAM

Local school districts in conjunction with Riverside County Department of Social Services have developed a school attendance policy and procedure. Students who are receiving cash aid from the Department of Social Services are required to attend school regularly. Monthly updates will be reported to local caseworkers. A family's monthly grant will be reduced for each month a student is not in school regularly. Please contact your school or caseworker for further information.

NOTICE OF ALTERNATIVE SCHOOLS

California State law authorized all school districts to provide for alternative schools. Section 58550 of the Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

- A. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- B. Recognize that the best learning takes place when the student learns because of his/her desire to learn.
- C. Maintain a learning situation maximizing student self-motivation and encouraging the student in his/her own time to follow his/her own interest. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects.
- D. Maximize the opportunity for teachers, parents/guardians, 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/guardians 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/guardian, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

ASSIGNMENT TO ALTERNATIVE PROGRAMS

It should be noted that these alternative placements are in addition to categorically aided Special Education places for the handicapped. Assignment to alternative programs is the placement of a student, with appropriate consideration of due process, in a program designed to meet the student's particular needs. Alternative programs may be located at the student's home or at another site.

- A. Prior to the placement in an alternative program, the school principal or designee shall confer with the student and the student's parents/guardians about the student's need to be in an alternative program.
- B. Following the conference, the student and the student's parents/guardians shall be given written notice of:
 - 1. The circumstances which led to the placement
 - 2. How the alternative program is designed to meet the student's needs
 - 3. The conditions which must be met in order for the student to return to the regular school program.

CONTINUATION SCHOOL

The Desert Sands Unified School District Board of Education has established two continuation high schools (Amistad, Summit) to meet the needs of a select group of students, to meet the intent of the Legislature and to fulfill the purposes of Education Code Sections 48430, 48432. Continuation education is intended to:

- 1. Provide an opportunity for completion of the required academic courses of instruction for graduation from high school
- 2. Provide a program of individualized instruction which may emphasize occupational orientation or a work-study program
- 3. Provide a specially designed program of individualized instruction and intensive guidance services to meet the special needs of students with behavior or severe attendance problems
- 4. Provide a flexible program combining the features of the preceding three educational objectives

Students, at age sixteen, may voluntarily request assignment to continuation school. If so, this assignment may be made subject to available space and approval by the Superintendent or designee.

Involuntary transfer of a student to the continuation high school shall require a finding that the student has committed an act enumerated in Education Code Section 48900 or has been habitually truant or irregular in attendance. The decision to make the involuntary transfer of a student to the continuation high school shall be made by the Superintendent or designee(s), none of whom are members of the staff of the school in which the student is enrolled (Education Code Section 48432.5).

The Director of Child Welfare and Attendance shall be responsible for insuring that all necessary notifications and hearings are conducted in a legal manner and in a way consistent with the requirements of the Education Code. No involuntary transfer will be made without due process.

An involuntary transfer to continuation school shall be made for no longer than the end of the semester following the semester during which the offenses leading to the transfer occurred. However, at the request of a student or parent/guardian, the Superintendent or designee shall conduct an annual review of the involuntary transfer. Satisfactory behavior and attendance while enrolled at the continuation high school shall be a requirement for a student's return to regular high school.

VOLUNTARY ENROLLMENT

With the consent of the Superintendent or designee, a student may voluntarily enroll in continuation classes in order to receive special attention such as individualized instruction. Students so enrolled may return to the regular high school at the beginning of the following school year, or at any time the Superintendent or designee gives consent. (Education Code Section 48432.5)

HEALTH ISSUES

MEDICAL AND HOSPITAL SERVICES FOR STUDENTS

The medical costs of student accidents are normally the responsibility of the parent/guardian. Student accident insurance solves many problems in advance. Every year, the Desert Sands Unified School District provides parents/guardians with applications for school time accident insurance. The contract is made between the parent/guardian and the insurance company. The Desert Sands Unified School District only supplies the application forms. This low cost accident insurance helps pay for the medical costs if a child is injured while under the jurisdiction of the school. The principal of your child's school will provide you with further information. The application form is included in this handbook. (Education Code Section 49472 & 48206.3)

The school district, in cooperation with the California Departments of Health Services and Education, has a program to allow the District to be reimbursed with federal Medicaid dollars for selected health services provided to eligible students at school. In accordance with Local Education Agency rules and guidelines, we are notifying you that eligible student records may be forwarded to the District's billing agency. These records will be forwarded in a confidential manner. Our vendor holds a contract with the District that contains a specific confidentiality clause to ensure information is not disclosed inappropriately; further, our vendor is HIPAA compliant (Federal Health Insurance Portability & Accountability Act). School health services currently provided to all students will not be changed by this program. Students will not be denied services they require to attend school, and parents will never be billed for services by the school district.

HOSPITALIZED STUDENTS

Students who are hospitalized with a temporary disability are residents of the school district in which the hospital is located. (Education Code Section 48207)

HOME AND HOSPITAL PROGRAM FOR STUDENTS WITH TEMPORARY DISABILITIES

It is the primary responsibility of the parent/guardian of a student with a temporary disability to notify the school district in which the hospital is located. The parent/guardian is responsible for notifying the district once the child is admitted to a hospital whether or not the parent/guardian previously notified the district that the student would be hospitalized. It is recommended that parents/guardians submit written notification. Students who have a temporary disability which makes attendance in regular classrooms impossible or inadvisable are eligible to participate in the Home and Hospital program. Please contact the school principal for further information and requirements. (Education Code Sections 48208 and 48206.3)

LIABILITY FOR EMERGENCY TREATMENT

It is necessary for each student to have on file in the school office one or more local/current/working emergency telephone numbers to be used by the principal when appropriate situations arise. The following section from the California Education Code is relevant to this issue:

“Notwithstanding any provision of any law, no school district, officer of any school district, school principal, physician, or hospital treating any child enrolled in any school in any district shall be held liable for the reasonable treatment of a child without the consent of a parent/ guardian of the child when the child is ill or injured during regular school hours, requires reasonable medical treatment, and the parent/ guardian cannot be reached, unless the parent/guardian has previously filed with the school district a written objection to any medical treatment other than first aid.” (Education Code Section 49407)

ADMINISTRATION OF PRESCRIBED MEDICATION FOR STUDENT

The school nurse or other designated school employee will administer prescribed medication during the school hours only upon written request of both the California physician and the parent/guardian. Parents/guardians whose children need this service to be performed must obtain the official district form from their school of attendance and return it completed to the principal/school site. (Education Code Sections 49423 and 49480) **REFERENCE APPENDIX #2**

IMMUNIZATIONS (Board Policy 5141.31), (Health and Safety Code 120370 and 120365)

The Board of Education requires parents/guardians to show evidence of meeting statutory immunization requirements upon entrance into school. Per SB 277 Medical Exemptions will be accepted when the following criteria are met:

A parent or guardian must submit a written statement from a licensed physician (M.D. or D.O.) which states:

- That the physical condition or medical circumstances of the child are such that the required immunization(s) is not indicated.
- Which vaccines are being exempted.
- Whether the medical exemption is permanent or temporary.
- The expiration date, if the exemption is temporary.

PARENTS' RIGHT TO REFUSE PHYSICAL EXAMINATION

A parent/guardian may file an annual written statement with the school principal to notify the school that he/she will not consent to a physical examination of his/her child. The child will be exempt from physical examinations; however, whenever there is good reason to believe that the child is suffering from a recognized contagious or infectious disease, the child shall be sent home and not permitted to return until the school authorities are satisfied that the disease does not exist. (Education Code Section 49451)

VISION AND HEARING TESTING

Upon first enrollment in a California school district, the governing board of a school is required to provide for the testing of vision and hearing of each student by duly qualified supervisors of health. Children will be exempt if parent/guardian notify the school principal in writing that such appraisal is in conflict with their religious beliefs. (Education Code Section 49452 and Section 49455)

SCOLIOSIS SCREENING

This program is currently suspended by California Department of Finance. (www.mandates.gov)

HEAD LICE PREVENTION AND CONTROL (Board Policy 5141.33)

The Board of Education, in conjunction with the California Department of Public Health (CDPH), recognizes head lice require treatment, but not pose a risk of disease transmission.

If a student is found with active head lice, he/she may be excluded from school by the principal or designee; if student is suspected of having head lice he/she shall be allowed to stay in school until the end of the school day. The parent/guardians shall receive information about the recommended treatment procedures, ways to check the hair and other resources. The parent/guardian of an excluded student must accompany the child upon returning to school, which can be the next day, if the child received the recommended head lice treatment. The student will have their head checked by school designated personnel to determine active head lice or/nit status before returning to class.

A letter will be sent home to notify classroom parents/guardians a case of active head lice is suspected and ask them to check their child for head lice. This letter will include information on the head lice treatment.

The principal and school nurse shall work with the parents/guardians of any students who are considered to have a chronic case of head lice in order to help minimize the student's absences from school.

Staff shall maintain the privacy of students identified as having head lice.

For further information, see the CDPH Head Lice webpage: <http://cdph.ca.gov/healthinfo/discond/Pages/HeadLice.aspx>

CONFIDENTIAL MEDICAL SERVICE

Requires students in grades 7 through 12 and all parents/guardians to be notified that law permits school authorities to excuse students in grade 7 through 12 to obtain confidential medical services without consent of a parent/guardian. (Education Code [Section 46010.1](#))

This is a mandated notification requirement; however, district/governing board implementation is permissive. Desert Sands Unified School District chooses not to release students to obtain confidential medical services.

DISTRICT REIMBURSEMENT FOR HEALTH SERVICES

Desert Sands Unified School District, in cooperation with the California Departments of Health Services and Education, has a program to allow the District to be reimbursed with federal Medicaid dollars for selected health services (such as vision and hearing screenings, health assessments) provided to eligible students at school. In accordance with Local Education Agency rules and guidelines, we are notifying you that eligible student records may be forwarded to the District's billing agency. These records will be forwarded in a confidential manner. Our vendor holds a contract with the District that contains a specific confidentiality clause to ensure information is not disclosed inappropriately; further, our vendor is HIPPA compliant (Federal Health Insurance Portability & Accountability Act).

School health services currently provided to all students will not be changed by this program. Students will not be denied services they require to attend school, and parents will never be billed for services by the school district.

CONTINUING PROGRAM OF MEDICATION

State law requires that the PARENT/GUARDIAN NOTIFY THE SCHOOL when their child is on continuing medication for a non-episodic condition. Permission for the school nurse to communicate with the physician and to counsel with school personnel regarding the possible effects of the drug is ONLY with written permission of the parent/guardian. (Education Code [Section 49480](#))

If your child is on continuing medication, it is YOUR RESPONSIBILITY to notify the school on the Health Record and Emergency Card (C).

STUDENTS

DUTY TO REMAIN AT SCHOOL

A student may not leave the school premises at recess, or at any other time before the regular hour of closing school, except in case of emergency, or with the approval of the principal of the school. (Reg. 77, No. 39) All Desert Sands schools have closed campuses. (C.C.R. Title 5, [Section 33](#))

NOTICE OF FREE AND REDUCED-PRICE MEALS

Free and reduced-price breakfast and lunch are available to students whose parents/guardians qualify. Information regarding qualification is available at the school site offices, the District office and in your student packet. Meal applications can also be filled out online by accessing the Desert Sands Unified School District Web site. (Education Code [Section 49500](#))

SEARCH AND SEIZURE: ([Board Policy 5145.12](#))

The Governing Board recognizes that incidents may occur which jeopardize the health, safety and welfare of students and staff and which necessitate the search and seizure of students, their property, or their lockers by school officials.

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

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

The Governing Board supports the use of trained narcotics officers on high school campuses under certain circumstances. The use of such officers would be evaluated on a case by case basis, but at no time would the safety of students be put in jeopardy to support such an operation. Schools in the District may use perimeter video surveillance for purposes of security and student safety. Schools utilizing video surveillance are clearly marked with signage at the main entrances. Under normal circumstances, unauthorized persons may not view videos taken on school grounds. Requests to view videos must go through the District Personnel Office. Each request will be evaluated based on cause.

SEXUAL HARASSMENT ([Board Policy / AR 5145.7](#))

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual harassment of students at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who files a complaint, testifies, or otherwise participates in district complaint processes.

INSTRUCTION/INFORMATION

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence

2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the district's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made
5. Information about the rights of students and parents/guardians to file a criminal complaint, as applicable

COMPLAINT PROCESS

Any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity (e.g., by a visiting athlete or coach) shall immediately contact his/her teacher or any other employee. An employee who receives such a complaint shall report it in accordance with administrative regulation.

The Superintendent or designee shall ensure that any complaints regarding sexual harassment are immediately investigated in accordance with administrative regulation. When the Superintendent or designee has determined that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and to address its effects on the victim.

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

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

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

(AR 5143.7)

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

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

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

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

SCHOOL-LEVEL COMPLAINT PROCESS/GRIEVANCE PROCEDURE

Complaints of sexual harassment, or any behavior prohibited by the district's Nondiscrimination/Harassment policy - BP 5145.3, shall be handled in accordance with the following procedure:

1. Notice and Receipt of Complaint: Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the district Coordinator for Nondiscrimination/Principal. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Coordinator/Principal, whether or not the victim files a complaint.

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

2. Initiation of Investigation: The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student

who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall determine whether it is reasonable to pursue an investigation considering the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment.

3. Initial Interview with Student: When a student or parent/guardian has complained or provided information about sexual harassment, the Coordinator/Principal shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.
4. Investigation Process: The Coordinator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Coordinator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Coordinator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

5. Interim Measures: The Coordinator/Principal shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. Optional Mediation: In cases of student-on-student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Principal may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.
7. Factors in Reaching a Determination: In reaching a decision about the complaint, the Coordinator/Principal may take into account:
 - a. Statements made by the persons identified above
 - b. The details and consistency of each person's account
 - c. Evidence of how the complaining student reacted to the incident
 - d. Evidence of any past instances of harassment by the alleged harasser
 - e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Coordinator/Principal may take into consideration:

- a. How the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
 - d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different students
8. Written Report on Findings and Follow-Up: No more than 30 days after receiving the complaint, the Coordinator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator/Principal shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If it is determined that harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Coordinator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Coordinator/Principal shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

ENFORCEMENT OF DISTRICT POLICY

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti
2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond
3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment
4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community
5. Taking appropriate disciplinary action.

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

NOTIFICATIONS

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted, including school web sites (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations

Regulation

adopted: November 17, 1998

revised: January 14, 2003

revised: January 22, 2013

DESERT SANDS UNIFIED SCHOOL DISTRICT

La Quinta, California

POSSESSION OF CELLULAR PHONES AND OTHER PERSONAL ELECTRONIC SIGNALING DEVICES (Board Policy 5131)

No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to health-related purposes. (Education Code Section 48901.5)

All electronic signaling devices, including but not limited to pagers, beepers, and cellular/digital phones, possessed by students, shall remain in the **off** position during hours of instruction at all district sites except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a district employee. Use of these devices is allowed before school, during designated lunch breaks, and after school. Use of electronic signaling devices at school sponsored events shall be determined by the school administrator in charge. However, students may not access the photo capability to capture digital images and/or the capability to connect to the Internet during instructional time or in locations or situations considered private or confidential. The District's Code of Ethics shall apply to the use of all personal electronic devices while at school.

If a disruption occurs, the employee shall direct the student to turn off the device and/or confiscate it. If a school employee finds it necessary to confiscate a device, he/she may either return it at the end of the class period or school day or keep it until the principal or designee has consulted the student's parent/guardian.

A student who violates this policy may be prohibited from possessing a personal electronic signaling device at school or school-related events.

In the event of an emergency situation, involving an immediate threat to any school site, the site administrator may declare that all signaling devices be placed in the **off** position for the duration of the emergency. All devices shall remain off until notified by the site administrator.

WEAPONS AND DANGEROUS INSTRUMENTS (BP 5131.7)

The Governing Board recognizes students and staff have the right to a safe and secure campus free from physical and psychological harm and desires to protect them from the dangers presented by firearms and other weapons.

The Board prohibit any student from possessing weapons, imitation firearms, or other dangerous instruments, as defined in law and administrative regulation, in school buildings, on school grounds or buses, at school-related or school-sponsored activities away from school, or while going to or coming from school.

Under the power granted to the Board to protect the safety of students, staff, and others on district property and to maintain order and discipline in the schools, any school employee is authorized to confiscate any prohibited weapon, imitation firearm, or dangerous instrument from any student on school grounds.

PEPPER SPRAY (Board Policy 5131.7)

To prevent potential misuse that may harm students or staff, students are prohibited from carrying tear gas or tear gas weapons such as pepper spray on campus or at school activities.

STUDENT RETENTION (Board Policy 5123)

When a student is recommended for retention or is identified as being at risk for retention, the Superintendent or designee shall provide opportunities for remedial instruction to assist the student in overcoming his/her academic deficiencies. Such opportunities may include but are not limited to tutorial programs, after-school programs, summer school programs, and/or the establishment of a student study team.

RETENTION AT OTHER GRADE LEVELS (AR 5123)

The Superintendent or designee shall identify students who should be retained or who are at risk of being retained. Students between grades 2 and 3, and grades 3 and 4 shall be identified primarily on the basis of their level of proficiency in reading. Proficiency in reading, English language arts and mathematics shall be the basis for identifying students between grades 4 and 5, between intermediate and middle school grades, and between middle school grades and high school grades (Education Code Section 48070.5)

When a student is identified as being at risk of retention, the Superintendent or designee shall notify the student's parents/guardians as early in the school year as practicable. The student's parents/guardians shall be provided an opportunity to consult with the teacher responsible for the decision to promote or retain the student. (Education Code Section 48070.5)

The teacher's decision to promote or retain a student may be appealed consistent with Board policy, administrative regulations, and law.

The burden shall be on the appealing party to show why the teacher's decision should be overruled. (Education Code Section 48070.5)

To appeal a teacher's decision, the appealing party shall submit a written request to the Superintendent or designee specifying the reasons why the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion. The teacher shall be provided an opportunity to state orally and/or in writing the criteria on which his/her decision was based.

Within 30 days of receiving the request, the Superintendent or designee shall determine whether or not to overrule the teacher's decision. Prior to making this determination, the Superintendent or designee may meet with the appealing party and the teacher. If the Superintendent or designee determines that the appealing party has overwhelmingly proven that the teacher's decision should be overruled, he/she shall overrule the teacher's decision.

CAREER TECHNICAL EDUCATION

Desert Sands Unified School District desires to provide a comprehensive career technical education (CTE) program in grades 7-12 which Desert Sands continues to provide a comprehensive career technical education (CTE) program in the secondary grades which integrates core academic instruction with technical and occupational instruction in order to increase student achievement, graduation rates, and readiness for postsecondary education and employment. The district's CTE program is designed to help students develop the academic, career, and technical skills needed to succeed in a knowledge- and skills-based economy. Programs include a rigorous academic component and provide students with a strong experience and understanding of all aspects of an industry.

The focus of district CTE programs is on preparing students to enter current or emerging high-skill, high-wage, and/or high-demand occupations. CTE opportunities may be offered through linked learning programs, partnership academies, apprenticeship programs, regional occupational centers or programs, tech prep programs, or other programs that expose students to career options while preparing them for future careers in a given industry or interest area.

The district continues to develop partnerships with local businesses and industries to ensure that course sequences, career technical and integrated curriculum, classroom instruction and projects, and assessments have real-world relevance and reflect labor market needs and priorities. The district also collaborates with postsecondary institutions to ensure that the district's program is articulated with postsecondary programs in order to provide a sequential course of study. Articulation opportunities may include dual or concurrent enrollment in community college courses.

All CTE opportunities are offered without regard to any actual or perceived characteristic protected from discrimination by law.

HARMFUL USE OF ANIMALS (Board Policy / AR 5145.8)

A student who has moral objections to dissecting or otherwise harming or destroying animals shall notify the teacher of this objection upon receiving notification from the teacher that a course utilizes live or dead animals or animal parts. The student's notification must be substantiated in writing by the parent. If a student chooses to refrain from participation in an education project involving harmful or destructive use of animals and if an alternative education project of comparable time and effort is possible, the teacher and the student may develop an alternative educational project to provide the student with an alternate avenue to acquire the same knowledge or information. A teacher's decision in determining if a student may pursue an alternate educational project or be excused from the project shall not be arbitrary or capricious. (Education Code [Section 32255](#))

STUDENT USE OF TECHNOLOGY (Board Policy 6163.4)

The Board of Education believes the use of technology in school provides students greater opportunities to learn, engage, communicate, and develop skills that will prepare them for work, life, and society. The Governing Board intends that technological resources provided by the district be used in a safe, responsible, ethical, legal, and proper manner in support of the instructional program and for the advancement of student learning. All students using these resources shall receive annual instruction in their proper and appropriate use.

USE OF DISTRICT COMPUTERS FOR ON-LINE SERVICES/INTERNET ACCESS

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.

To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision. The district is not responsible for the failure of technology protection measures. Students shall not attempt to circumvent technology protection measures on district devices.

The Superintendent or designee also shall establish regulations to address the safety and security of students when using electronic mail, messaging sites or apps, chat rooms, and other forms of direct electronic communication.

Disclosure, use, and dissemination of any student's personal identification information are prohibited.

The District's Responsible Use Policy Agreement shall establish expectations for appropriate student conduct when using the Internet or other forms of electronic communication.

DISCIPLINE

The Governing Board believes that one of the major functions of the public schools is the preparation of youth for responsible citizenship. The district shall foster a learning environment which reinforces the concepts of self-discipline and the acceptance of personal responsibility. Students are expected to progress from being adult-directed to self-directed with minimal application of disciplinary measures.

In order to maintain an environment conducive to attaining the highest quality of education in the district, there must exist certain disciplinary policies and regulations relating to student conduct which delineate acceptable behavior and provides the basis for sound disciplinary practices within each school in the district. These policies and regulations will be enforced fairly and uniformly and consistently without regard to race, creed, color or sex.

The administration, teachers and classified staff share the mutual responsibility for student conduct and safety and the enforcement of district policies and regulations. The Board shall give all reasonable support and assistance to all employees with respect to the student discipline.

The Board recognizes that not all students will adhere to district rules for appropriate behavior. Sufficient support services shall be provided so that continually disruptive students will not be returned to regular classes without some modification of behavior. Students may be assigned to other alternative programs or be subject to removal from school.

In order to ensure that school site rules for student discipline are enforced fairly and uniformly and consistently, the Superintendent shall establish procedures for the development of such rules. All school site rules shall be strictly based on district policy, regulation, and existing law.

All avenues provided in policy, regulation, and law for the discipline of students may be utilized in developing site level rules. These include, but are not limited to, advising and counseling students, conferencing with parents/guardians, detention during and after school hours, alternative educational environments and, if necessary, suspension and expulsion.

Special care shall be taken to solicit the views of the school community, including administrators, teachers, school security personnel, parents, and students in developing the site level rules.

The adoption of each school's rules on student discipline is the responsibility of the school principal/designee and a designated teacher. All adopted school site rules shall be subject to Board review and approval prior to implementation.

School site rules shall be revised periodically as required by any changes in district policy, regulation or law, and shall undergo the site level rule review and adoption process at least every four (4) years.

NOTICE TO PARENTS/GUARDIANS AND STUDENTS (AR 5144)

The principal of each school shall ensure that every student and his/her parent/guardian is notified in writing of all Board policies, administrative regulations, and individual school rules related to discipline at the beginning of each school year, and that transfer students and their parents/guardians are so advised at the time of enrollment in school. The notice shall include the fact that these rules and regulations are available on request at the principal's office in all district schools.

CORPORAL PUNISHMENT - Corporal punishment shall not be used as a disciplinary measure against any student. School administrators and teachers shall employ other means of disciplining students who violate school rules, district regulations or district policies.

The use of reasonable and necessary force by an employee to protect oneself or students or to prevent damage to district property shall not be considered corporal punishment for purposes of this policy. (Education Code [Section 49001](#))

Legal Reference:

EDUCATION CODE
35146 Closed sessions
35291 Rules
35291.5 Rules and procedures on school discipline
48660-48666 Community day schools

48900-48926 Suspension and expulsion
48908 Duties of students
48908-48985 Notification of parents or guardians
49000-49001 Prohibition of corporal punishment
49330-49334 Injurious objects

CODE OF REGULATIONS, TITLE 5
353 Detention after school

STUDENTS - SUSPENSIONS AND EXPULSION/DUE PROCESS

I. DEFINITIONS (Board Policy 5144.1, AR 5144.1)

Suspension from school means removal of a student from ongoing instruction for adjustment purposes. However, suspension does not mean any of the following: (Education Code 48925)

1. Reassignment to another education program or class at the same school where the student will receive continuing instruction for the length of day prescribed by the Governing Board for students of the same grade level.
2. Referral to a certificated employee designated by the principal to advise students.
3. Removal from the class, but without reassignment to another class or program, for the remainder of the class period without sending the student to the principal or designee as provided in Education Code 48910. Removal from a particular class shall not occur more than once every five school days.

Expulsion means removal of a student from the immediate supervision and control, or the general supervision, of school personnel. (Education Code 48925)

Day means a calendar day unless otherwise specifically provided. (Education Code 48925)

School day means a day upon which the schools of the district are in session or weekdays during the summer recess. (Education Code 48925)

Student includes a student's parent/guardian or legal counsel. (Education Code 48925)

Principal's designee means one or more administrators or, if there is not a second administrator at one school site, a certificated person specifically designated by the principal, in writing, to assist with disciplinary procedures. Only one such person may be designated at any time as the principal's primary designee and only one such person may be designated as secondary designee for the school year. The names of such persons shall be on file in the principal's office. (Education Code 48911)

School property, for the purposes described in Education Code 48900, includes, but is not limited to, electronic files and databases. (Education Code 48900(s))

II. NOTICE OF REGULATIONS

At the beginning of each school year, the principal of each school shall ensure that all students and parents/guardians are notified in writing of all school rules related to discipline, including suspension and expulsion. (Education Code 35291, 48900.1, 0 48980)

III. GROUNDS FOR SUSPENSION AND EXPULSION

Any student, including a student with disabilities, may be subject to suspension or expulsion when it is determined that he/she:

1. Caused, attempted to cause, or threatened to cause physical injury to another person or willfully used force or violence upon another person, except in self-defense (Education Code 48900(a))
A student who aids or abets the infliction or attempted infliction of physical injury on another person, as defined in Penal Code 31, may be suspended, but not expelled. However, such a student may be suspended or expelled pursuant to Education Code 48900(a) when he/she has been adjudged by a juvenile court to have committed, as an aider or abettor, a crime of physical violence in which the victim suffered great or serious bodily injury. (Education Code 48900(t))
2. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object, unless, in the case of possession of any object of this type, the student had obtained written permission to possess the item from a certificated school employee, with the principal or designee's concurrence (Education Code 48900(b))
3. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind (Education Code 48900(c))
4. Unlawfully offered, arranged, or negotiated to sell any controlled substance as defined in Health and Safety Code 11053-11058, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant (Education Code 48900(d))

5. Committed or attempted to commit robbery or extortion (Education Code 48900(e))
6. Caused or attempted to cause damage to school property or private property (Education Code 48900(f))
7. Stole or attempted to steal school property or private property (Education Code 48900(g))
8. Possessed or used tobacco or products containing tobacco or nicotine products, including, but not limited to, cigars, cigarettes, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel , except that this restriction shall not prohibit a student from using or possessing his/her own prescription products (Education Code 48900(h))
9. Committed an obscene act or engaged in habitual profanity or vulgarity (Education Code 48900(i))
10. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Health and Safety Code 11014.5 (Education Code 48900(j))
11. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, other school officials, or other school personnel engaged in the performance of their duties (Education Code 48900(k))
12. Knowingly received stolen school property or private property (Education Code 48900(l))
13. Possessed an imitation firearm (Education Code 48900(m))
Imitation firearm means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm (Education Code 48900(m))
14. Committed or attempted to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code 243.4 (Education Code 48900(n))
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness (Education Code 48900(o))
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma (Education Code 48900(p))
17. Engaged in, or attempted to engage in, hazing (Education Code 48900(q))
Hazing means a method of initiation or pre-initiation into a student organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective student. Hazing does not include athletic events or school-sanctioned events.
18. Engaged in an act of bullying (Education Code 48900(r))
 - (1) Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, directed toward one or more students that has or can reasonably be predicted to have the effect of one or more of the following:
 - (a) Placing a reasonable student in fear of harm to himself/herself or his/her property
 - (b) Cause the student to experience a substantially detrimental effect on his/her physical or mental health.
 - (c) Cause the student to experience substantial interferences with his/her academic performance or ability to participate in or benefit from the services, activities, or privileges provided by a school.
 - (d) Bullying shall include any act of sexual harassment, hate violence, or harassment, threat, or intimidation, as defined in Education Code 48900.2, 48900.3, or 48900.4, that has any of the effects described above on a reasonable student.
 - (2) Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, image, or post on a social network Internet web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. A post on a social network Internet web site shall include, but is not limited to, the posting or creation of a burn page or the creation of a credible impersonation or false profile for the purpose of causing a reasonable student any of the effects of bullying described above.
 - (3) Reasonable student means a student, including, but not limited to, a student who has been identified as a student with a disability, who exercises average care, skill, and judgment in conduct for a person of his/her age, or for a person of his/her age with his/her disability.

In addition to the reasons specified in Section 48900, a student may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the student is enrolled determines that the student has:

48900.2 Committed sexual harassment as defined in Education Code 212.5. Sexual harassment means conduct which, when considered from the perspective of a reasonable person of the same gender as the victim, is sufficiently severe or pervasive as to have a negative impact upon the victim's academic performance or to create an intimidating, hostile, or offensive educational environment.

48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 233. Hate violence means any act punishable under Penal Code 422.6, 422.7, or 422.75. Such acts include injuring or intimidating a victim, interfering with the exercise of a victim's civil rights, or damaging a victim's property because of the victim's race, ethnicity, religion, nationality, disability, gender, gender identity, gender expression, or sexual orientation; a perception of the presence of any of those characteristics in the victim; or the victim's association with a person or group with one or more of those actual or perceived characteristics.

48900.4 Intentionally engaged in harassment, threats, or intimidation against district personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading

the rights of school personnel or students by creating an intimidating or hostile educational environment.

48900.7 Made terrorist threats against school officials and/or school property. A terrorist threat includes any written or oral statement by a person who willfully threatens to commit a crime which will result in death or great bodily injury to another person or property damage in excess of \$1,000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out.

A student may be suspended or expelled for any of the acts listed above if the act is related to school activity or school attendance occurring at any district school or within any other school district, at any time, including, but not limited to, the following: (Education Code 48900(s))

1. While on school grounds
2. While going to or coming from school
3. During the lunch period, whether on or off the school campus
4. During, going to, or coming from a school-sponsored activity

IV. AUTHORITY TO SUSPEND

The Superintendent, principal, or designee may suspend a student for any of the acts listed in “Grounds for Suspension and Expulsion” above. A student may be suspended only when the Superintendent or principal has determined that other means of correction have failed to bring about proper conduct in the student. (Education Code 48900.5)

When other means of correcting a student’s behavior are implemented prior to imposing suspension upon the student, including supervised suspension, the Superintendent, principal, or designee shall document the other means of correction used and retain them in the student’s record. (Education Code 48900.5)

However, the Superintendent, principal, or designee may impose a suspension upon a first offense if he/she determines that the student violated any of items #1-5 listed in “Grounds for Suspension and Expulsion” above or if the student’s presence causes a danger to persons. (Education Code 48900.5)

V. PROCEDURES PRIOR TO SUSPENSION

Notice to Law Enforcement Authorities

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishment of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10.(Education Code 48902)

Within one school day after a student’s suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

VI. SUSPENSION PROCEDURES

1. Removal from Class by a Teacher and Parental Attendance

A teacher may remove any student from his/her class for the remainder of the day and the following day for any act listed in “Grounds for Suspension and Expulsion” above. (Education Code 48910)

When removing a student from his/her class, the teacher shall immediately report this action to the principal or designee and send the student to the principal or designee for appropriate action. If that action requires the continuing presence of the student at school, he/she shall be appropriately supervised during the class periods from which he/she has been removed. (Education Code 48910)

As soon as possible, the teacher shall ask the student’s parent/guardian to attend a parent-teacher conference regarding the removal. A counselor or psychologist may attend the conference if it is practicable, and a school administrator shall attend if either the parent/guardian or teacher so requests. (Education Code 48910)

A student removed from class shall not be returned to class during the period of removal without the approval of the teacher of the class and the principal. (Education Code 48910)

A student removed from class shall not be placed in another regular class during the period of removal. However, if a student is assigned to more than one class per day, he/she may be placed in any other regular classes except those held at the same time as the class from which the student was removed. (Education Code 48910)

The teacher of any class from which a student is removed may require the student to complete any assignments and tests missed during the removal. (Education Code 48913)

Pursuant to Board policy, a teacher may require the parent/guardian of a student whom the teacher has removed to attend a portion of a school day in his/her child’s classroom. When a teacher makes this request, the principal shall send the parent/guardian a written notice that the parent/guardian’s attendance is requested pursuant to law. (Education Code 48900.1)

The notice shall specify that the attendance may be on either the date the student is scheduled to return to class or within one week thereafter.

This notice shall also:

1. Inform the parent/guardian when his/her presence is expected and by what means he/she may arrange an alternate date
2. State that if the parent/guardian does not have a means of transportation to school, he/she may ride the school bus with the student
3. Ask the parent/guardian to meet with the principal after the visit and before leaving school, as required by Education Code 48900.1

2. Suspension by Superintendent, Superintendent's designee, Principal, or Principal's designee

Suspensions shall be initiated according to the following procedures:

1. **Informal Conference:** Suspension shall be preceded by an informal conference conducted by the Superintendent, principal, or designee with the student and, whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At the conference, the student shall be informed of the reason for the disciplinary action, presented with the evidence against him/her, and given the opportunity to present his/her version and evidence in support of his/her defense. (Education Code 48911)

This conference may be omitted if the Superintendent, principal, or designee determines that an emergency situation exists involving a clear and present danger to the lives, safety, or health of students or school personnel. If a student is suspended without this conference, both the parent/guardian and student shall be notified of the student's right to return to school for the purpose of the conference. The conference shall be held within two school days, unless the student waives his/her right to it or is physically unable to attend for any reason. In such a case, the conference shall be held as soon as the student is physically able to return to school. (Education Code 48911)

2. **Administrative Actions:** All requests for student suspension are to be processed by the principal or designee. A school employee shall report the suspension, including the name of the student and the cause for the suspension, to the Superintendent or designee. (Education Code 48911)
3. **Notice to Parents/Guardians:** At the time of the suspension, a school employee shall make a reasonable effort to contact the parent/guardian by telephone or in person. Whenever a student is suspended, the parent/guardian shall be notified in writing of the suspension. (Education Code 48911)

This notice shall state the specific offense committed by the student. (Education Code 48900.8)

In addition, the notice may state the date and time when the student may return to school. If school officials wish to ask the parent/guardian to confer regarding matters pertinent to the suspension, the notice may add that state law requires the parent/guardian to respond to such requests without delay.

4. **Parent/Guardian Conference:** Whenever a student is suspended, school officials may meet with the parent/guardian to discuss the cause(s) and duration of the suspension, the school policy involved, and any other pertinent matter. (Education Code 48914) Although the parent/guardian is required to respond without delay to a request for a conference about his/her child's behavior, no penalties may be imposed on the student for the failure of the parent/guardian to attend such a conference. The student may not be denied readmission solely because the parent/guardian failed to attend the conference. (Education Code 48911)
5. **Extension of Suspension:** If the Board is considering the expulsion of a suspended student from any school or the suspension of a student for the balance of the semester from continuation school, the Superintendent or designee may, in writing, extend the suspension until such time as the Board has made a decision. (Education Code 48911)

Any extension of the original period of suspension shall be preceded by notice of such extension with an offer to hold a conference concerning the extension, giving the student an opportunity to be heard. This conference may be held in conjunction with a meeting requested by the student or parent/guardian to challenge the original suspension. Extension of the suspension may be made only if the Superintendent or designee determines, following a meeting in which the student and the student's parent/guardian were invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process. (Education Code 48911)

If the student involved is a foster youth, the Superintendent or designee shall notify the district liaison for foster youth of the need to invite the student's attorney and a representative of the appropriate county child welfare agency to attend the meeting. (Education Code 48853.5, 48911, 48918.1)

In addition to suspending a student, the Superintendent, principal, or designee may provide services or require the student to participate in an alternative disciplinary program designed to correct his/her behavior and keep him/her in school.

3. Suspension by the Board

The Board may suspend a student for any of the acts listed in "Grounds for Suspension and Expulsion" above and within the limits specified in "Suspension by Superintendent, Principal, or Designee" above. (Education Code 48912)

The Board may suspend a student enrolled in a continuation school or class for a period not longer than the remainder of the semester if any of the acts listed in "Grounds for Suspension and Expulsion" occurred. The suspension shall meet the requirements of Education Code 48915. (Education Code 48912.5)

When the Board is considering a suspension, disciplinary action, or any other action (except expulsion) against any student, it shall hold a closed session if a public hearing would lead to disclosure of information violating a student's right to privacy under Education Code 49073-49079. (Education Code 35146, 48912)

The Board shall provide the student and his/her parent/guardian with written notice of the closed session by registered or certified mail or personal service. Upon receiving this notice, the student or parent/guardian may request a public meeting, and this request shall be granted if made in writing within 48 hours after receipt of the Board's notice. However, any discussion that conflicts with any other student's right to privacy still shall be held in closed session. (Education Code 35146, 48912)

VII. STUDENT ASSISTANCE PROGRAM (Board Policy 5131.6)

Student Assistance Program Services: The district-wide Student Assistance Program (S.A.P.) offers additional educational services, support and counseling referrals to all K-12 students/families. The district's goal is to offer respectful, confidential services, coordinate prevention, intervention and support programs, and remove all barriers to positive academic and personal achievement in safe and drug-free schools. These services include individualized student/family appointments and are especially helpful with both normal developmental challenges and serious problems like violence, gangs, tobacco, alcohol and other drug use, suicide or any other serious problem that creates a barrier to learning. Student/families may call the S.A.P. office directly at the District Education Center from 7:30-4:30 daily at: (760) 238-9770 to speak CONFIDENTIALLY to the trained staff. In addition, site administrators, counselors, and other staff provide referrals to this program and can assist the student/family in obtaining information about how to use these services.

Student Assistance Program Referral Process: Students, who receive suspensions in the following areas listed below are required to participate in the Student Assistance Program (S.A.P.). In addition, concerned staff, peers, parents/guardians and community members are encouraged to make confidential referrals to this program. Participation begins with a student/family interview with the S.A.P. staff at the District Education Center. Additional educational programs and family education may be part of the student's S.A.P. Intervention Plan. Both students and parents/guardians participate in writing and signing the plan.

- alcohol and other drugs (c), (d), (j), (p)
- violence-related suspensions (a), (b), (m), (n), (o), (r) and Ed. Code Section 48900(.2), (.3), (.4), (.7);
- tobacco-related suspensions (h).

Failure to comply with the district policy of completing the S.A.P. programs will result in a referral to the site Principal with consequences which may include School Discipline Hearing Panel. (AR 5131.6)

STUDENT ASSISTANCE PROGRAM TOBACCO USE PREVENTION EDUCATION PROGRAM

Students found in violation of the tobacco policy (Board Policy 5131.62) will be required to attend the Tobacco educational program facilitated by trained district and school Student Assistance Program (S.A.P.) staff. The following consequences for a violation apply (suspensions at each level are determined by the school site):

1st Offense: notice is sent to parents/guardians by site administrator.

2nd Offense: required interview at S.A.P. with student/parent/guardian and possible participation in INsight/Tobacco Intervention Group

3rd Offense: required participation in the Insight/Tobacco Intervention Group

Failure to comply with the district policy of completing the S.A.P. programs will result in a referral to the site Principal with consequences which may include School Discipline Hearing Panel.

K-12 STUDENT ASSISTANCE PROGRAM (Board Policy 5131.6)

Prevention Education: Desert Sands health curriculum is based on effective research-based programs and developmentally appropriate to prevent such risk behaviors as violence, tobacco, alcohol and other drugs. From Kindergarten to grade 6 instruction is conducted in conjunction with courses given on Health. In grades 6-12 instruction will be conducted in conjunction with courses given on Health or in any appropriate area of study.

Annual Student Survey: The California and Federal Departments of Education requires school districts receiving special funding to survey students regarding their health knowledge and behaviors to assist us in planning health prevention programs and determining their success. These surveys will be conducted during class time and, depending on the student's age, include the areas of safety, violence, tobacco, alcohol and other drugs and other risk behaviors. All surveys are confidential. The statistics gathered will enable us to better serve the needs of our student population. The written permission of the parent/guardian is required to administer the survey in grades K-5. The parent/guardian may provide a written request to opt out of the survey for students in grades 7-12. (Education Code Section 51513)

K-12 Counseling Services: Certificated counselors are available at every school site. For some schools, community-based agency services are also available to supplement the district school counseling. Any personal information disclosed to a school counselor by a parent/guardian of a student who is 12 years old or older and who is in the process of receiving counseling from a school counselor is confidential and shall not be revealed, released, discussed or referred to except as follows:

- a. Discussion with medical personnel, for the sole purpose of referring the student for treatment.
- b. Reporting of child abuse or neglect, as required by law.
- c. Reporting to principal, or parent/guardian in order to avert a clear and present danger to the health, safety or welfare of the student.
- d. Reporting to the principal, parent/guardian or police, when a student indicates that a crime will be or has been committed.

EXPULSION (Board Policy 5144)

I. AUTHORITY TO EXPEL

A student may be expelled only by the Board. (Education Code 48918(j))

The Board shall expel, as required by law, any student found to have committed any offense listed below under “Mandatory Recommendation and Mandatory Expulsion.” (Education Code 48915)

For all other grounds listed above under “Grounds for Suspension and Expulsion” the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following: (Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

Mandatory Recommendation for Expulsion

Unless the Superintendent, principal, or designee determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct, he/she shall recommend a student’s expulsion for any of the following acts:

Education Code 48915(a)(1)

- A. Causing serious physical injury to another person, except in self-defense
- B. Possession of any knife as defined in Education Code 48915(g), explosive, or other dangerous object of no reasonable use to the student
- C. Unlawful possession of any controlled substance, as listed in Health and Safety Code 11053-11058, except for (a) the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis, or (b) the student’s possession of over-the-counter medication for his/her use or other medication prescribed for him/her by a physician
- D. Robbery or extortion
- E. Assault or battery, as defined in Penal Code 240 and 242, upon any school employee

In determining whether or not to recommend the expulsion of a student, the Superintendent, principal, or designee shall act as quickly as possible to ensure that the student does not lose instructional time. (Education Code 48915)

Mandatory Expulsion

The Superintendent, principal, or designee shall recommend that the Board expel any student found at school or at a school activity to be:

Education Code 48915(c)

1. Possessing, as verified by a district employee, selling, or otherwise furnishing a firearm, unless the student had obtained prior written permission to possess the firearm from a certificated school employee, with the principal or designee’s concurrence. However, possession of an imitation firearm, as defined in Education Code 48900(m), shall not be regarded as an offense requiring a mandatory recommendation for expulsion and mandatory expulsion.
2. Brandishing a knife as defined in Education Code 48915(g) at another person
3. Unlawfully selling a controlled substance listed in Health and Safety Code 11053-11058
4. Committing or attempting to commit a sexual assault as defined in Penal Code 261, 266c, 286, 288, 288a, or 289, or committing a sexual battery as defined in Penal Code 243.4
5. Possessing an explosive as defined in 18 USC 921

For all other grounds listed above under “Grounds for Suspension and Expulsion” the Board shall order a student expelled upon the recommendation of the Superintendent, principal, or designee, only if the Board makes a finding of either or both of the following:

(Education Code 48915(b) and (e))

1. That other means of correction are not feasible or have repeatedly failed to bring about proper conduct
2. That due to the nature of the violation, the presence of the student causes a continuing danger to the physical safety of the student or others

II. EXPULSION PROCEDURES

1. Student’s Right to Expulsion Hearing

Any student recommended for expulsion shall be entitled to a hearing to determine whether he/she should be expelled. The hearing shall be held within 30 school days after the Superintendent, principal, or designee determines that the student has committed one of the acts listed above under “Grounds for Suspension and Expulsion” .” (Education Code 48918(a))

The student is entitled to at least one postponement of an expulsion hearing for a period of not more than 30 calendar days. The request for postponement shall be in writing. Any subsequent postponement may be granted at the Board’s discretion. (Education Code 48918(a))

If the Board finds it impractical during the regular school year to comply with these time requirements for conducting an expulsion hearing, the Superintendent or designee may, for good cause, extend the time period by an additional five school days. Reasons for the extension shall be included as a part of the record when the expulsion hearing is held. (Education Code 48918(a))

If the Board finds it impractical to comply with the time requirements of the expulsion hearing due to a summer recess of Board meetings of more than two weeks, the days during the recess shall not be counted as school days. The days not counted during the recess may not exceed 20 school days, as defined in Education Code 48925. Unless the student requests in writing that the expulsion hearing be postponed, the hearing shall be held not later than 20 calendar days prior to the first day of the next school year. (Education Code 48918(a))

Once the hearing starts, all matters shall be pursued with reasonable diligence and concluded without unnecessary delay. (Education Code 48918(a))

After a determination that one of the grounds listed above under “Grounds for Suspension and Expulsion” has occurred, the Superintendent, principal, or designee shall offer the student and his/her parent/guardian the option to waive a hearing and stipulate to the expulsion. The stipulation agreement shall be in writing and shall be signed by the student and his/her parent/guardian.

2. Written Notice of Hearing

Written notice of the expulsion hearing shall be forwarded to the student and the student’s parent/guardian at least 10 calendar days before the date of the hearing. The notice shall include: (Education Code 48900.8, 48918(b))

1. The date and place of the hearing.
2. A statement of the specific facts, charges, and offense upon which the proposed expulsion is based.
3. A copy of district disciplinary rules which relate to the alleged violation.
4. Notification of the student’s or parent/guardian’s obligation, pursuant to Education Code 48915.1, to provide information about the student’s status in the district to any other district in which the student seeks enrollment. This obligation applies when a student is expelled for acts other than those described in Education Code 48915(a) or (c).
5. The opportunity for the student or the student’s parent/guardian to appear in person or be represented by legal counsel or by a nonattorney advisor.

Legal counsel means an attorney or lawyer who is admitted to the practice of law in California and is an active member of the State Bar of California.

Nonattorney advisor means an individual who is not an attorney or lawyer, but who is familiar with the facts of the case and has been selected by the student or student’s parent/guardian to provide assistance at the hearing.

6. The right to inspect and obtain copies of all documents to be used at the hearing.
7. The opportunity to confront and question all witnesses who testify at the hearing.
8. The opportunity to question all evidence presented and to present oral and documentary evidence on the student’s behalf, including witnesses.

3. Conduct of Expulsion Hearing

1. Closed Session: Notwithstanding the provisions of Government Code 54953 and Education Code 35145, the Board shall conduct a hearing to consider the expulsion of the student in a session closed to the public unless the student requests in writing at least five days prior to the hearing that the hearing be a public meeting. If such a request is made, the meeting shall be public unless another student’s privacy rights would be violated. (Education Code 48918(c))

Whether the expulsion hearing is held in closed or public session, the Board may meet in closed session to deliberate and determine whether or not the student should be expelled. If the Board admits any other person to this closed session, the parent/guardian, the student, and the counsel of the student also shall be allowed to attend the closed session. (Education Code 48918(c))

If a hearing that involves a charge of sexual assault or sexual battery is to be conducted in public, a complaining witness shall have the right to have his/her testimony heard in closed session when testifying in public would threaten serious psychological harm to the witness and when there are no alternative procedures to avoid the threatened harm, including, but not limited to, videotaped deposition or contemporaneous examination in another place communicated to the hearing room by closed-circuit television. (Education Code 48918(c))

2. Record of Hearing: A record of the hearing shall be made and may be maintained by any means, including electronic recording, as long as a reasonably accurate and complete written transcription of the proceedings can be made. (Education Code 48918(g))
3. Subpoenas: Before commencing a student expulsion hearing, the Board may issue subpoenas, at the request of either the student or the Superintendent or designee, for the personal appearance at the hearing of any person who actually witnessed the action that gave rise to the recommendation for expulsion. After the hearing has commenced, the Board or the hearing officer or administrative panel may issue such subpoenas at the request of the student or the County Superintendent of Schools or designee. All subpoenas shall be issued in accordance with Code of Civil Procedure 1985-1985.2 and enforced in accordance with Government Code 11455.20. (Education Code 48918(i))

Any objection raised by the student or the Superintendent or designee to the issuance of subpoenas may be considered by the Board in closed session, or in open session if so requested by the student, before the meeting. The Board’s decision in response

to such an objection shall be final and binding. (Education Code 48918(i))

If the Board determines, or if the hearing officer or administrative panel finds and submits to the Board, that a witness would be subject to unreasonable risk of harm by testifying at the hearing, a subpoena shall not be issued to compel the personal attendance of that witness at the hearing. However, that witness may be compelled to testify by means of a sworn declaration as described in item #4 below. (Education Code 48918(i))

4. Presentation of Evidence: Technical rules of evidence shall not apply to the expulsion hearing, but relevant evidence may be admitted and used as proof only if it is the kind of evidence on which reasonable persons can rely in the conduct of serious affairs. The decision of the Board to expel shall be supported by substantial evidence that the student committed any of the acts pursuant to Education Code 48900 and listed in “Grounds for Suspension and Expulsion” above. (Education Code 48918(h)) Findings of fact shall be based solely on the evidence at the hearing. Although no finding shall be based solely on hearsay, sworn declarations may be admitted as testimony from witnesses whose disclosure of their identity or testimony at the hearing may subject them to an unreasonable risk of physical or psychological harm. (Education Code 48918(f)) In cases where a search of a student’s person or property has occurred, evidence describing the reasonableness of the search shall be included in the hearing record.
5. Testimony by Complaining Witnesses: The following procedures shall be observed when a hearing involves allegations of sexual assault or sexual battery by a student: (Education Code 48918, 48918.5)
 - a. Any complaining witness shall be given five days’ notice before being called to testify.
 - b. Any complaining witness shall be entitled to have up to two adult support persons, including, but not limited to, a parent/guardian or legal counsel, present during his/her testimony.
 - c. Before a complaining witness testifies, support persons shall be admonished that the hearing is confidential.
 - d. The person presiding over the hearing may remove a support person whom he/she finds is disrupting the hearing.
 - e. If one or both support persons are also witnesses, the hearing shall be conducted in accordance with Penal Code 868.5.
 - f. Evidence of specific instances of prior sexual conduct of a complaining witness shall be presumed inadmissible and shall not be heard unless the person conducting the hearing determines that extraordinary circumstances require the evidence to be heard. Before such a determination is made, the complaining witness shall be given notice and an opportunity to oppose the introduction of this evidence. In the hearing on the admissibility of this evidence, the complaining witness shall be entitled to be represented by a parent/guardian, legal counsel, or other support person. Reputation or opinion evidence regarding the sexual behavior of a complaining witness shall not be admissible for any purpose.
 - g. In order to facilitate a free and accurate statement of the experiences of the complaining witness and to prevent discouragement of complaints, the district shall provide a nonthreatening environment.
 - (1) The district shall provide a room separate from the hearing room for the use of the complaining witness before and during breaks in testimony.
 - (2) At the discretion of the person conducting the hearing, the complaining witness shall be allowed reasonable periods of relief from examination and cross-examination during which he/she may leave the hearing room.
 - (3) The person conducting the hearing may:
 - (a) Arrange the seating within the hearing room so as to facilitate a less intimidating environment for the complaining witness
 - (b) Limit the time for taking the testimony of a complaining witness to the hours he/she is normally in school, if there is no good cause to take the testimony during other hours
 - (c) Permit one of the support persons to accompany the complaining witness to the witness stand
6. Decision: The Board’s decision as to whether to expel a student shall be made within 40 school days after the student is removed from his/her school of attendance, unless the student requests in writing that the decision be postponed. (Education Code 48918(a))

4. Alternative Hearing: Hearing Officer or Administrative Panel

Instead of conducting an expulsion hearing itself, the Board may contract with a hearing officer, or with the Office of Administrative Hearings of the State of California for a hearing officer. Alternatively, the Board may appoint an impartial administrative panel composed of three (3) or more certificated personnel, none of whom shall be members of the Board or on the staff of the school in which the student is enrolled. (Education Code [Section 48918\(d\)](#)) A hearing conducted by the hearing officer or administrative panel shall conform to the same procedures as apply to a hearing conducted by the Board as specified in [Conduct of Hearing](#) above. The hearing officer or administrative panel shall, within three (3) school days after the hearing, determine whether to recommend expulsion of the student to the Board. If expulsion is not recommended, the student shall be immediately reinstated.

If expulsion is recommended, findings of fact in support of the recommendation shall be prepared and submitted to the Board. All findings of fact and recommendations shall be based solely on the evidence presented at the hearing. The Board may accept the recommendation based either upon a review of the findings of fact and recommendations submitted or upon the results of any supplementary hearing the Board may order. (Education Code [Section 48918\(f\)](#)) The hearing officer or administrative panel may also recommend that the Board suspend the expulsion for a period of not more than one year.

5. Final Action by the Board

Whether the expulsion hearing is conducted in closed or public session by the Board, a hearing officer, or an administrative panel, the final action to expel shall be taken by the Board at a public meeting. (Education Code 48918(j))

If the Board conducts the hearing and reaches a decision not to expel, this decision shall be final and the student shall be reinstated immediately.

Upon ordering an expulsion, the Board shall set a date when the student shall be reviewed for readmission to a school within the district. For a student expelled for any act listed under "Mandatory Recommendation and Mandatory Expulsion" above, this date shall be one year from the date the expulsion occurred, except that the Board may set an earlier date on a case-by-case basis. For a student expelled for other acts, this date shall be no later than the last day of the semester following the semester in which the expulsion occurred. If an expulsion is ordered during summer session or the intersession period of a year-round program, the Board shall set a date when the student shall be reviewed for readmission not later than the last day of the semester following the summer session or intersession period in which the expulsion occurred. (Education Code 48916)

At the time of the expulsion order, the Board shall recommend a plan for the student's rehabilitation, which may include: (Education Code 48916)

1. Periodic review, as well as assessment at the time of review, for readmission
2. Recommendations for improved academic performance, tutoring, special education assessments, job training, counseling, employment, community service, or other rehabilitative programs

With parent/guardian consent, students who have been expelled for reasons relating to controlled substances or alcohol may be required to enroll in a county-sponsored drug rehabilitation program before returning to school. (Education Code 48916.5)

6. Written Notice to Expel

The Superintendent or designee shall send written notice of the decision to expel to the student or parent/guardian. This notice shall include the following:

1. The specific offense committed by the student for any of the causes for suspension or expulsion listed above under "Grounds for Suspension and Expulsion" (Education Code 48900.8)
2. The fact that a description of readmission procedures will be made available to the student and his/her parent/guardian (Education Code 48916)
3. Notice of the right to appeal the expulsion to the County Board of Education (Education Code 48918)
4. Notice of the alternative educational placement to be provided to the student during the time of expulsion (Education Code 48918)
5. Notice of the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of the student's status with the expelling district, pursuant to Education Code 48915.1 (Education Code 48918)

III. PLAN FOR REHABILITATION

The Board may recommend a plan for the student's rehabilitation, which may include:

1. Periodic review and assessment at the time of application for readmission.
2. Recommendations for counseling, employment, community service and other rehabilitation programs.
3. Such other recommendations as the Board approves.
4. Students who have been expelled for reasons relating to controlled substances or alcohol may be required to complete the District's Student Assistance Program. (AR 5131.6(e))

Reference: (Education Code [Section 48916.5](#))

IV. READMISSION

Readmission procedures shall be as follows:

1. On the date set by the Board when it ordered the expulsion, the district shall consider readmission of the student. (Education Code 48916)
2. The Superintendent or designee shall hold a conference with the parent/guardian and the student. At the conference the student's rehabilitation plan shall be reviewed and the Superintendent or designee shall verify that the provisions of this plan have been met. School regulations shall be reviewed and the student and parent/guardian shall be asked to indicate in writing their willingness to comply with these regulations.
3. The Superintendent or designee shall transmit to the Board his/her recommendation regarding readmission. The Board shall consider this recommendation in closed session if information would be disclosed in violation of Education Code 49073-49079. If a written request for open session is received from the parent/guardian or adult student, it shall be honored.
4. If the readmission is granted, the Superintendent or designee shall notify the student and parent/guardian, by registered mail, of the Board's decision regarding readmission.

5. The Board may deny readmission only if it finds that the student has not satisfied the conditions of the rehabilitation plan or that the student continues to pose a danger to campus safety or to other district students or employees. (Education Code 48916)
6. If the Board denies the readmission of a student, the Board shall determine either to continue the student's placement in the alternative educational program initially selected or to place the student in another program that serves expelled students, including placement in a county community school. (Education Code 48916)
7. The Board shall provide written notice to the expelled student and parent/guardian describing the reasons for denying readmittance into the regular program. This notice shall indicate the Board's determination of the educational program which the Board has chosen. The student shall enroll in that program unless the parent/guardian chooses to enroll the student in another school district. (Education Code 48916)

No student shall be denied readmission into the district based solely on the student's arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile school, or other such contact with the juvenile justice system. (Education Code 48645.5)

V. DECISION NOT TO ENFORCE EXPULSION ORDER (Board Policy 5144)

In accordance with Board policy, when deciding whether to suspend the enforcement of an expulsion order, the Board shall take into account the following criteria:

1. The student's pattern of behavior
2. The seriousness of the misconduct
3. The student's attitude toward the misconduct and his/her willingness to follow a rehabilitation program

The suspension of the enforcement of an expulsion shall be governed by the following:

1. The Board may, as a condition of the suspension of enforcement, assign the student to a school, class, or program appropriate for the student's rehabilitation. This rehabilitation program may provide for the involvement of the student's parent/guardian in the student's education. However, a parent/guardian's refusal to participate in the rehabilitation program shall not be considered in the Board's determination as to whether the student has satisfactorily completed the rehabilitation program. (Education Code 48917)
2. During the period when enforcement of the expulsion order is suspended, the student shall be on probationary status. (Education Code 48917)
3. The suspension of the enforcement of an expulsion order may be revoked by the Board if the student commits any of the acts listed under "Grounds for Suspension and Expulsion" above or violates any of the district's rules and regulations governing student conduct. (Education Code 48917)
4. When the suspension of enforcement of an expulsion order is revoked, a student may be expelled under the terms of the original expulsion order. (Education Code 48917)
5. Upon satisfactory completion of the rehabilitation assignment, the Board shall reinstate the student in a district school. Upon reinstatement, the Board may order the expunging of any or all records of the expulsion proceedings. (Education Code 48917)
6. The Superintendent or designee shall send written notice of any decision to suspend the enforcement of an expulsion order during a period of probation to the student or parent/guardian. The notice shall inform the parent/guardian of the right to appeal the expulsion to the County Board, the alternative educational placement to be provided to the student during the period of expulsion, and the student's or parent/guardian's obligation to inform any new district in which the student seeks to enroll of his/her status with the expelling district, pursuant to Education Code 48915.1(b). (Education Code 48918(j))
7. Suspension of the enforcement of an expulsion order shall not affect the time period and requirements for the filing of an appeal of the expulsion order with the County Board (Education Code 48917)

VI. RIGHT TO APPEAL

The student or parent/guardian is entitled to file an appeal of the Board's decision with the County Board. The appeal must be filed within 30 days of the Board's decision to expel, even if the expulsion order is suspended and the student is placed on probation. (Education Code 48919)

The student shall submit a written request for a copy of the written transcripts and supporting documents from the district simultaneously with the filing of the notice of appeal with the County Board. The district shall provide the student with these documents within 10 school days following the student's written request. (Education Code 48919)

VII. MAINTENANCE OF RECORDS

The district shall maintain a record of each suspension and expulsion, including its specific cause(s). (Education Code 48900.8)

Expulsion records of any student shall be maintained in the student's mandatory interim record, and sent to any school in which the student subsequently enrolls upon written request by that school. (Education Code 48918(k))

The Superintendent or designee shall, within five working days, honor any other district's request for information about an expulsion from this district. (Education Code 48915.1)

VIII. NOTIFICATION TO LAW ENFORCEMENT AUTHORITIES

Prior to the suspension or expulsion of any student, the principal or designee shall notify appropriate city or county law enforcement authorities of any student acts of assault which may have violated Penal Code 245. (Education Code 48902)

The principal or designee also shall notify appropriate city or county law enforcement authorities of any student acts which may involve the possession or sale of narcotics or of a controlled substance. In addition, law enforcement authorities shall be notified regarding any acts by students regarding the possession, sale, or furnishment of firearms, explosives, or other dangerous weapons in violation of Education Code 48915(c)(1) or (5) or Penal Code 626.9 and 626.10.(Education Code 48902)

Within one school day after a student's suspension or expulsion, the principal or designee shall notify appropriate city or county law enforcement authorities, by telephone or other appropriate means, of any student acts which may violate Education Code 48900(c) or (d), relating to the possession, use, offering, or sale of controlled substances, alcohol, or intoxicants of any kind. (Education Code 48902)

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Regulation revised: 6/4/13

STUDENTS - SUSPENSION AND EXPULSION/DUE PROCESS (INDIVIDUALS WITH EXCEPTIONAL NEEDS) (AR 5144.2)

SUSPENSION

A student enrolled in a special education program is subject to the same grounds for suspension which apply to non-handicapped students. All the procedural safeguards established by district policies and regulations shall be observed in considering the suspension of special education students, including the requirement that, depending on the nature of the misconduct, some form of inschool intervention be used prior to suspension to show that suspension was imposed only when other means of correction failed to bring about proper conduct. (Education Code Section 48900.5). However, a student may be suspended upon a first offense, as indicated in AR 5144.1.

Special education students may be suspended for up to five consecutive days, and this suspension may be extended by five additional days in situations in which the student poses an immediate threat to the safety of others. The suspension may not extend beyond ten consecutive school days.

The Board delegates its authority to extend a special education student's suspension from five to ten days to the Superintendent or his/her designee.

EXPULSION

The Governing Board may expel a student who is currently enrolled in a special education program only if an individualized education program team has determined that (1) the misconduct was not caused by, or a direct manifestation of, the student's identified handicap; and (2) the student was appropriately placed at the time the misconduct occurred. (Education Code Section 48915.5), (Code of Federal Regulations T34 300.523 300.523)

If a student is enrolled in a special education program at the time the recommendation for expulsion is made, the procedures and time-lines governing expulsion shall be the same as those for other students recommended for expulsion specified in AR 5144.1, except that an individualized education program (IEP) team meeting shall be held under conditions and with possible consequences as follows: (Education Code Section 48915.5)

1. The IEP meeting shall be held after recommendation for expulsion by the site administrator.
2. The parent/guardian shall be notified of his/her right to participate in the meeting at least 48 hours before the meeting.
3. Unless a parent/guardian has requested a postponement, the meeting may be conducted without the parent/guardian's participation.
4. The IEP Team shall determine if the misconduct was caused by, or a direct manifestation of, the student's identified handicap. The IEP Team shall also determine if the student had been appropriately placed at the time the misconduct occurred.
5. In reaching its decision, the Team shall base its decision on results of a comprehensive evaluation. (34 Code of Federal Regulations 104.35). In addition, it may base its decision on relevant information that has been acquired within one year of the date of the alleged misconduct.

Relevant information shall include all of the following:

- a. A review of the student's school progress and behavior, if available, including, but not limited to, a review of the student's individualized education program, teacher progress reports and comments, school health records, and school discipline records.
- b. A review of the ability of the student to conform his/her behavior to the prescribed standards, and a determination of the relationship, if any, between the student's behavior and his/her handicapping condition.
- c. The IEP Team will address the students behavior(s) through the development of a Positive Behavior Intervention Plan for the designated behaviors (Title 5 3052)

6. If the IEP Team determines that the alleged misconduct was not caused by, or a direct manifestation of, the student's handicapping condition, and if it is determined that the student was appropriately placed, the student shall be subject to the applicable disciplinary actions and procedures prescribed for suspension and expulsions of all students.
7. The parent/guardian of each student with previously identified exceptional needs has a right to a due process hearing conducted pursuant to Section 1415 of Title 20 of the United States Code if the parent/guardian disagrees with the decision of the IEP Team.
8. If the state's special education due process hearing is initiated by the parent/guardian due to a disagreement with the IEP Team recommendations, the district shall cooperate with the State Department of Education towards achieving an expeditious resolution to the disagreement.
9. If a parent/guardian demands a due process hearing concerning the IEP determination, the student shall remain in his then current placement pending resolution of the due process proceeding unless:
 - a. He/she has been suspended. Such suspension may not exceed five consecutive school days for a single incident of misconduct, unless extended by five additional days when the student poses an immediate threat to the safety of others. (Education Code Section 48911)
 - b. The student and his/her parents/guardians agree to a change in placement. (Education Code Section 56505)
 - c. A court order has been obtained permitting such a change in placement.
 - d. The change is a "minor" change in program or services rather than a "significant" change in placement.
10. Parental consent is not required as a condition for expulsion proceedings or the decision to expel. (Education Code Section 48915.5)

Regulation adopted: 3/15/94
 Regulation revised: 11/17/98

Desert Sands Unified School District
 La Quinta, CA 92253

STUDENT SUPPORT SERVICES

SEARCH AND SERVE

Each public education agency shall establish written policies and procedures for seeking out all individuals with exceptional needs. For more information contact the Director of Student Support Services, (760) 771-8652. (Education Code Sections 56300 - 56301, Title V, 3020)

PRIVATE SCHOOLING FOR THE HANDICAPPED

Every handicapped student shall be offered the opportunity of a free appropriate public education. When no appropriate public program is available, then a program in a private, non-sectarian non-public school may be offered as an alternative at no cost to parents/guardians. (Education Code Section 56365)

GUIDELINES FOR INDEPENDENT PSYCHOEDUCATIONAL AND SPEECH AND LANGUAGE ASSESSMENT (Title 34 300.502, 300.502)

When a dispute arises regarding the psychoeducational assessment provided by the District, the following District guidelines apply:

- a) The provider of an independent assessment must have a minimum of three years experience as **School Psychologist in the State of California School System**.
- b) Possess a valid Educational School Psychologist license issued by the State of California.

When a dispute arises regarding the Speech and Language evaluation, the parents/guardians should contact the school district for an assessment. The provider of independent assessments must meet the following District guidelines:

- a) Three years experience as a Speech and Language Pathologist in the California Public School System.
- b) Possess a valid Language, Speech, Hearing credential issued by the State of California.
- c) Possess a valid Speech Pathologist license, issued by the State of California. (SELPA)

FREE AND APPROPRIATE EDUCATION - SPECIAL EDUCATION

All handicapped children have the right to a free and appropriate public education. Individuals have the right to privacy and confidentiality of all educational records including the right to see, review, and if necessary, challenge the records in accordance with the Family Educational Rights and Privacy Act of 1974. (Education Code 49063, 49070; 49076, Title 20 12329 1232g, 3499.7099.007) Individuals have the right to review and/or obtain a copy of the educational records prior to meetings (Education Code 49069). An IEP Team will develop, review, or revise an individualized education program (Education Code 56341). No pupil shall be required to participate in all or part of any special education program unless parent/guardian is informed in writing (Education Code 56346) and is involved in its development (Title 34300.345 300.345). All handicapped children have the right to placement in the least restrictive learning environment, to the program with at least restrictive alternatives, and the right to enjoy the same variety of programs as are available to the non-handicapped. All individuals have the right to receive a full explanation of all procedural safeguards and rights of appeal (Title 34300.503 300.503) (United States Code Title 2014151415, 34104.36104.036 and 34300.507 300.507). Individuals have the right to free or low cost legal and other relevant services, upon request (Education Code 56507). Individuals also have the right to assessment for an Individual Education Program and appeals (informed conferences, mediation, due process, hearing and compliance procedures) (Education Code 56329 and 56321 and Title 34 300.505 300.505). For further information regarding parent/guardian rights and appeals, contact the Director of Student Support Services, (760) 771-8652. (Federal Register PL 94-142)

COMPLAINT PROCEDURE - SPECIAL EDUCATION

Any individual, public agency, or organization may file a written complaint with the Superintendent of Public Instruction alleging a matter which, if true, would constitute a violation by that public education agency of federal or state law or regulation governing special education and related services. Schools of the district comply with Title VI, Title IX, and Section 504 regulations. Students, parents/guardians of students who have any concerns about these regulations or wish to file individual grievances should contact the Director of Student Support Services, 47-950 Dune Palms Rd., La Quinta, CA 92253, (760) 771-8652. If the complainant files a written complaint with the Superintendent of the concerned local public agency, the Superintendent shall immediately transmit the complaint to the State Superintendent of Public Instruction. (Title V, 3080)

ENGLISH LEARNER EDUCATION

ENGLISH LEARNER PROGRAM

Desert Sands Unified School District implements an English learner education program in accordance with existing state and federal laws. The goals of the District's program for English learners are:

1. English learner (EL) programs will be developed and fully implemented as described in the Master Plan for English Learners.
2. All English learners will master the English language as efficiently and effectively as possible.
3. All English learners will achieve academic success.
4. There will be a substantial decrease in retentions, drop-outs, disciplinary actions, and other at risk academic factors among English learners.
5. Parents of English learners will be engaged in their child's education.

The district determines the language classification of all students as they enroll based on information obtained from parents through the completion of the home language survey. Students who have a home language other than English are assessed for English language proficiency in listening, speaking, reading, and writing. English learners will receive daily standards-based English Language Development in listening, speaking, reading, and writing.

The school district provides annual language assessment data to parents/guardians. A pamphlet on Programs for English Learners is available at each school site outlining the program options. This is available in both English and Spanish.

INSTRUCTIONAL PROGRAMS FOR ENGLISH LEARNERS

Structured English Immersion (SEI): A language acquisition program for English learners in which nearly all classroom instruction is provided in English with primary support provided as applicable. The curriculum and instruction is designed for students who have not yet acquired reasonable fluency in English. Students are offered English Language Development (ELD) and access to grade level academic subject matter content.

English Language Mainstream (ELM): A general education program with language acquisition support for English learners in which all classroom instruction is provided in English. The curriculum and instruction is designed to help students attain high levels of English proficiency as they master grade level standards. Students are offered English Language Development (ELD) instruction in tandem with grade level content instruction to achieve high levels of English proficiency while mastering grade level standards.

Depending on the level of English proficiency, the student will be placed in Structured English Immersion (SEI) or an English Language Mainstream (ELM) program. English learner parents/guardians are invited to participate in the English Learner Advisory Committee (ELAC) held at their school site. Parents are also encouraged to participate in the District English Learner Advisory Committee (DELAC) at the District Education Center. (Education Code Section 52164)

Depending on students' English proficiency they will be placed in Structured English Immersion or an English Language Mainstream program.

Parents/guardians are encouraged to become involved in the school and to participate in the English Learner Advisory Committee (ELAC) held at each school site. Parents are selected by ELAC to participate in DELAC at the District Education Center. (Education Code Section 52164)

SCHOOL BUS TRANSPORTATION

(Board Policy 5131.1)

Bus transportation is a privilege and not a right. The district shall provide bus transportation to students who reside beyond reasonable limits from the school of assignment. Please refer to section Board Policy 3541.

Parental consent to transport pupils is necessary (Board Policy 5131.1) in which the parent/guardian shares responsibility with the student for the conduct of said student. Violation of the Rules of Conduct for School Bus Passengers (Appendix #2) may result in a student losing the right to the privilege of bus transportation. A citation system shall be followed to identify student passengers who violate the Rules of Conduct. Upon receipt of a citation, the principal shall conduct the necessary investigation and take disciplinary action as appropriate which may include suspension of transportation privileges

APPENDIX A

Notification of Rights Under the Family Educational Rights and Privacy Act (FERPA) For Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students who are 18 years of age or older (“eligible students”) certain rights with respect to the student’s education records. These rights are:

- (1) The right to inspect and review the student’s education records within 45 days after the day the school receives a request for access.

Parents or eligible students should submit to the school principal, or appropriate school official, a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- (2) The right to request the amendment of the student’s education records that the parent/guardian or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

Parents/guardians or eligible students who wish to ask the school to amend a record should write the school principal or appropriate school official, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent/guardian or eligible student, the school will notify the parent/guardian or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.

- (3) The right to provide written consent before the school discloses personally identifiable information (PII) from the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, a vendor, or contractor outside of the school who performs an institutional service of function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer. (Note: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.)

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

DESERT SANDS UNIFIED SCHOOL DISTRICT
Office of Student Support Services

PARENT NOTIFICATION FOR ADMINISTRATION OF MEDICATION AT SCHOOL

Medical treatment is the responsibility of the parent/guardian and family physician. Medication, both prescription and over the counter, when given at school involves special or serious problems where it is deemed absolutely necessary by the physician that the medication is given during school hours. The parent/guardian is urged, with the help of your child's physician, to work out a schedule of giving medication at home, outside of school hours, whenever possible.

In the event that it is necessary to administer medication during school hours, authorized school personnel will assist in carrying out the physician's recommendations. Medication will be stored in a secure location as defined by school policy.

If medication (both prescription and over the counter) is to be administered at school, all of the following conditions must be met:

- Completion of an authorization form for the administration of medication at school by both the parent/guardian and physician. This must include the condition for which the medication is to be given, name, dosage, route, and specific instructions for emergency treatment.
- Authorization must be signed by a California licensed physician and medication distributed by a California licensed pharmacy.
- It is the responsibility of the parent/guardian to deliver and pick up the medication from the school site.
- Medication must be in a pharmacy labeled container with child's name, name of drug, correct dosage, and date prescription was filled. Loose, unlabeled pills will not be accepted. (Ask the pharmacy to provide a second labeled container for school use.)
- An appropriate measuring device must accompany all liquid medication. (Silverware is not an appropriate device)
- A separate form is required for each medication.
- Medication left in the school office at the end of the academic school year will be disposed.

This medication request is valid for the duration of one academic year. Whenever there is change in medication, dose, time, or route, the parent/guardian and physician must complete a new form.

Ref: Health Issues, Administration of Prescribed Medication For Student

APPENDIX 1



Desert Sands Unified School District

47-950 Dune Palms Road • La Quinta, California 92253 • (760) 777-4200 • FAX: (760) 771-8505

August 2018

Dear Parent(s)/Guardian(s):

Desert Sands Unified School District is committed to providing your child a high-quality, standards-based physical education program where they are taught not only the skills and knowledge to be physically fit and active, but the confidence and positive attitude necessary to participate in physical activities.

Every elementary school in California (grades 1-6) is required to provide physical education instruction for a total of not less than 200 minutes for each 10 school days, exclusive of recesses and the lunch period. This requirement reinforces the importance of physical education as a vital component of our students' educational experience and its contribution to their health, well-being, social development, and readiness to learn.

The schedule of the physical education instructional day and week is determined by teachers; each specific school schedule is posted in the school office, and in your child's classroom.

If you have questions regarding physical education minutes/schedules, you should contact your child's classroom teacher, or the site principal. If after meeting, you have concerns regarding PE instructional minutes, you may contact Michael Wilhite at the district office by calling (760) 771-8603. If you are still unable to resolve your concern, you may utilize the Uniform Complaint Procedure (UCP). The UCP form can be accessed on the district website, your school, or the district office.



RULES OF CONDUCT FOR SCHOOL BUS PASSENGERS

All pupils of the Desert Sands Unified School District shall behave in a proper manner while on the bus showing courteous consideration for the rights of other students. All passengers shall obey the following rules:

1. Follow bus driver's instructions at all times.
2. Board and leave the bus only at your assigned bus stop.
3. Arrive at the bus stop 5 minutes before, but not more than 10 minutes before, the bus is scheduled to leave. Stand in line and wait for the bus.
(The bus will not wait for students at any stop.)
4. Fill seats as directed by the driver and remain in your seat while on the bus. If bus is equipped with seat belts they must be used.
5. Report to bus driver, vandalism or damage to the bus.
6. Report lost or found articles to the bus driver.
7. When getting off the bus, cross the street in the crosswalk. Follow bus driver's instructions. Never cross the street behind the bus.
8. **Do not** smoke on the bus.
9. **Do not** use profanity or abusive language.
10. **Do not** talk to the driver except when necessary.
11. **Do not** speak loudly while on the bus. Speak quietly or not at all.
12. **Do not** eat or drink while on the bus. Water is permitted.
13. **Do not** put your head, arms or any part of your body outside the bus at any time.
14. **Do not** litter or damage the bus. Parents/Guardians must pay for damage caused by vandalism.
15. **Do not** throw anything within the bus or out of the bus.
16. **Do not** open or use the emergency exits except in an emergency, as directed by the bus driver.
17. Respect others' personal space. Keep hands and feet to yourself.

Pupils who violate any of the above rules of conduct will be given a bus citation. Written citations will be given by the bus driver to the Principal. The Principal will notify the parent/guardian and the pupil. Each citation will be investigated to determine facts and a parent/guardian-pupil conference will be held if necessary.

The consequences for receiving a citation are as follows:

- **1st Offense:** Verbal Warning
- **2nd Offense:** Written warning using the Misconduct Citation form; parent communication
- **3rd Offense:** Written citation using the Misconduct Citation form and removal of transportation for one week; SST recommended
- **4th Offense:** Written citation using the Misconduct Citation form and removal of transportation for two weeks; follow-up SST recommended
- **5th Offense:** Written citation using the Misconduct Citation form and removal of transportation for one month; follow-up SST recommended
- **6th Offense:** Written citation using the Misconduct Citation form and removal of transportation for the remainder of the school year; follow-up SST recommended

APPENDIX 3

WILLIAMS UNIFORM COMPLAINT PROCEDURES

COMMUNITY RELATIONS (AR 1312.4)

TYPES OF COMPLAINTS

The district shall use the procedures described in this administrative regulation only to investigate and resolve the following: (Education Code 35186; 5 CCR 4680-4683)

1. Complaints regarding the insufficiency of textbooks and instructional materials, including any complaint alleging that:
 - a. A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
 - b. A student 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 student.
 - c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - d. A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. Complaints regarding teacher vacancy or misassignment, including any complaint alleging that:
 - a. A semester begins and a teacher vacancy exists.
 - 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.

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 the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or semester means the first day classes necessary to serve all the students enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day students attend classes for that semester. (5 CCR 4600)

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. (Education Code 35186; 5 CCR 4600)

3. Complaints regarding the condition of school facilities, including any complaint alleging that:
 - a. A condition poses an emergency or urgent threat to the health or safety of students or staff.

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of students or staff while at school, including, but not limited to, 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 students or staff; structural damage creating a hazardous or uninhabitable condition; or any other condition deemed appropriate. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, or paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means the school has kept all restrooms open during school hours when students are not in classes and has kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when the temporary closing of the restroom is necessary for student safety or to make repairs. (Education Code 35292.5)

FILING OF COMPLAINT

A complaint alleging any condition(s) specified in the section “Types of Complaints” above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

INVESTIGATION AND RESPONSE

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her at the mailing address indicated on the complaint form within 45 working days of the initial filing of the complaint. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in item #3a in the section "Types of Complaints" above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public

Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

REPORTS

On a quarterly basis, the Superintendent or designee shall report, to the Board at a regularly scheduled public Board meeting and to the County Superintendent of Schools, 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)

FORMS AND NOTICES

The Superintendent or designee shall ensure a Williams complaint form is available at each school. However, complainants need not use the district's complaint form in order to file a complaint. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186; 5 CCR 4680)

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (Education Code 35186)

revised: May 15, 2007

revised: November 20, 2007

revised: May 6, 2008

revised: March 15, 2011

revised: April 16, 2013

revised: November 18, 2014

DESERT SANDS UNIFIED SCHOOL DISTRICT
La Quinta, California

APPENDIX 4

WILLIAMS UNIFORM COMPLAINT PROCEDURES

COMMUNITY RELATIONS (EXHIBIT (1) 1312.4)

**NOTICE TO PARENTS/GUARDIANS, PUPILS, AND TEACHERS:
COMPLAINT RIGHTS**

Parents/Guardians, Students, and Teachers:

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

1. There should be sufficient textbooks and instructional materials. That means each student, including an English learner, 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.

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.

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.

4. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site. 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.

Exhibit

DESERT SANDS UNIFIED SCHOOL DISTRICT

version: January 11, 2005

La Quinta, California

revised: May 3, 2005

revised: February 21, 2006

revised: November 20, 2007

revised: May 6, 2008

revised: April 16, 2013

revised: November 18, 2014

APPENDIX 5

WILLIAMS UNIFORM COMPLAINT PROCEDURES

COMMUNITY RELATIONS (E(2) 1312.4(a))

Education Code 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, or teacher vacancy or misassignment. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? Yes No

Contact Information: (if response is requested)

Name: _____ Address: _____

Phone Number: Day: _____ Evening: _____

Email Address, if any: _____

Date problem was observed: _____

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 _____

APPENDIX 5

WILLIAMS UNIFORM COMPLAINT PROCEDURES (Continued)

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.)

1. **Textbooks and instructional materials:** (Education Code 35186; 5 CCR 4681)
 - A student, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
 - A student 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 student.
 - Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
 - A student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.
2. **Teacher vacancy or misassignment:** (Education Code 35186; 5 CCR 4682)
 - A semester begins and a teacher vacancy exists. A teacher vacancy is a position to which a single designated certificated employee has not been assigned at the beginning of the school year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.
 - A teacher 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.
 - 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; 5 CCR 4683)
 - A condition exists that poses an emergency or urgent threat to the health or safety of students 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 students or staff; structural damage creating a hazardous or uninhabitable condition; and any other condition deemed appropriate by the district.
 - 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, or paper towels or functional hand dryers.
 - The school has not kept all restrooms open during school hours when students are not in classes and has not kept a sufficient number of restrooms open during school hours when students are in classes. This does not apply when temporary closing of the restroom is necessary for student safety or to make repairs.

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 or safety of students or staff.

Please file this complaint at the following location:

Donna Salazar, Ed.D., Assistant Superintendent, Personnel Services
Desert Sands Unified School District
47-950 Dune Palms Road
La Quinta, CA 92253

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)

Exhibit
Version: February 21, 2006
revised: May 15, 2007
revised: June 5, 2007
revised: November 20, 2007
revised: April 16, 2013

DESERT SANDS UNIFIED SCHOOL DISTRICT
La Quinta, California

revised: May 6, 2008
revised: November 18, 2014

APPENDIX 6 DISTRICT STRATEGIES FOR TITLE I PARENT INVOLVEMENT (AR 6020)

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

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

The Superintendent or designee may:

- a. Invite input on the LEA plan from other district committees and school site councils
 - b. Communicate with parents/guardians through the district newsletter, web site, or other methods regarding the LEA plan and the opportunity to provide input
 - c. Ensure there is an opportunity at a public Board meeting for public comment on the LEA plan prior to the Board's approval of the plan or revisions to the plan
 - d. Ensure school-level policies on parent involvement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans.
2. Provide coordination, technical assistance, and other support necessary to assist Title I schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance (20 USC 6318)

The Superintendent or designee may:

- a. Assign person(s) in the district office to serve as a liaison to the schools regarding Title I parent involvement issues
 - b. Provide training for the principal or designee of each participating school regarding Title I requirements for parent involvement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of parent involvement activities
 - c. Provide ongoing district-level workshops to assist school site staff and parents/guardians in planning and implementing improvement strategies, and seek input from parents/guardians in developing the workshops
 - d. Provide information to schools about the indicators and assessment tools that will be used to monitor progress
3. Build the capacity of schools and parents/guardians for strong parent involvement

The Superintendent or designee shall: (20 USC 6318)

- a. Assist parents/guardians in understanding such topics as the state's academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children
- b. Provide materials and training to help parents/guardians work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parent involvement
- c. Educate teachers, student services personnel, principals, and other staff, with the assistance of parents/guardians, in the value and utility of parent/guardian contributions and in how to reach out to, communicate with, and work with parents/guardians as equal partners, implement and coordinate parent/guardian programs, and build ties between parents/guardians and the schools
- d. To the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Head Start, Home Instruction Programs for Preschool Youngsters, public preschool, and other programs, and conduct other activities, such as parent resource centers, that encourage and support parents/guardians in more fully participating in their children's education
- e. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand
- f. Provide other such reasonable support for parent involvement activities as parents/guardians may request
- g. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students

In addition, the Superintendent or designee may:

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

- f. Adopt and implement model approaches to improving parent involvement
 - g. Establish a districtwide parent advisory council to provide advice on all matters related to parent involvement in Title I programs
 - h. Develop appropriate roles for community-based organizations and businesses in parent involvement activities
 - i. Make referrals to community agencies and organizations that offer literacy training, parent education programs, and/or other services that help to improve the conditions of parents/guardians and families
 - j. Provide a master calendar of district activities and district meetings
 - k. Provide information about opportunities for parent involvement through the district newsletter, web site, or other written or electronic means
 - l. Engage parent-teacher organizations to actively seek out and involve parents/guardians through regular communication updates and information sessions
 - m. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians as needed
 - n. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions
 - o. Regularly evaluate the effectiveness of staff development activities related to parent involvement
 - p. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations
4. Coordinate and integrate Title I parent involvement strategies with Head Start, public preschool, and other programs (20 USC 6318)

The Superintendent or designee may:

- a. Identify overlapping or similar program requirements
 - b. Involve district and school site representatives from other programs to assist in identifying specific population needs
 - c. Schedule joint meetings with representatives from related programs and share data and information across programs
 - d. Develop a cohesive, coordinated plan focused on student needs and shared goals
5. Conduct, with involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the schools served by Title I (20 USC 6318)

The Superintendent or designee shall:

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

The Superintendent or designee may:

- a. Use a variety of methods, such as focus groups, surveys, and workshops, to evaluate the satisfaction of parents/guardians and staff with the quality and frequency of district communications
- b. Gather and monitor data regarding the number of parents/guardians participating in district activities and the types of activities in which they are engaged

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

The Superintendent or designee may:

- a. Include information about school activities in district communications to parents/guardians
- b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/guardians with special needs
- c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children

The district's Board policy and administrative regulation containing parent involvement strategies shall be incorporated into the LEA plan and distributed to parents/guardians of students participating in Title I programs. (20 USC 6318)

SCHOOL-LEVEL POLICIES FOR TITLE I SCHOOLS

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

- 1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school's participation in Title I and to explain Title I requirements and the right of parents/guardians to be involved

2. Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, child care, and/or home visits may be provided as such services relate to parent involvement
3. Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school's parent involvement policy and, if applicable, the joint development of the plan for schoolwide programs pursuant to 20 USC 6314

The school may use an existing process for involving parents/guardians in the joint planning and design of the school's programs provided that the process includes adequate representation of parents/guardians of participating students.

4. Provide the parents/guardians of participating students all of the following:
 - a. Timely information about Title I programs
 - b. A description and explanation of the school's curriculum, forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet
 - c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children's education, and, as soon as practicably possible, responses to the suggestions of parents/guardians
5. If the schoolwide program plan is not satisfactory to the parents/guardians of participating students, submit any parent/guardian comments when the school makes the plan available to the district
6. Jointly develop with the parents/guardians of participating students a school-parent compact that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/guardians will build a partnership to help students achieve state standards

This compact shall address:

- a. The school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables participating students to achieve the state's student academic achievement standards
 - b. Ways in which parents/guardians will be responsible for supporting their children's learning, such as monitoring attendance, homework completion, and television viewing; volunteering in the classroom; and participating, as appropriate, in decisions related to their children's education and the positive use of extracurricular time
 - c. The importance of communication between teachers and parents/guardians on an ongoing basis through, at a minimum:
 - (1) Parent-teacher conferences in elementary schools, at least annually, during which the compact shall be discussed as it relates to the student's achievement
 - (2) Frequent reports to parents/guardians on their children's progress
 - (3) Reasonable access to staff, opportunities to volunteer and participate in their child's classroom, and observation of classroom activities
7. Build the capacity of the school and parents/guardians for strong parent involvement by implementing the activities described in items #3a-f in the section "District Strategies for Title I Schools" above
 8. To the extent practicable, provide full opportunities for the participation of parents/guardians with limited English proficiency, parents/guardians with disabilities, and parents/guardians of migrant children, including providing information and school reports required under 20 USC 6311(h) in a format and language such parents/guardians can understand

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

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

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

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

DISTRICT STRATEGIES FOR NON-TITLE I SCHOOLS

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

1. Engage parents/guardians positively in their children's education by helping them develop skills to use at home that support their children's academic efforts at school and their children's development as responsible members of society (Education Code 11502, 11504)

The Superintendent or designee may:

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

The Superintendent or designee may:

- a. Provide parents/guardians with information regarding ways to create an effective study environment at home and to encourage good study habits
 - b. Encourage parents/guardians to monitor their children's school attendance, homework completion, and television viewing
 - c. Encourage parents/guardians to volunteer in their child's classroom and to participate in school advisory committees
3. Build consistent and effective communication between the home and school so that parents/guardians may know when and how to assist their children in support of classroom learning activities (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Ensure that teachers provide frequent reports to parents/guardians on their children's progress and hold parent-teacher conferences at least once per year with parents/guardians of elementary school students
 - b. Provide opportunities for parents/guardians to observe classroom activities and to volunteer in their child's classroom
 - c. Provide information about parent involvement opportunities through district, school, and/or class newsletters, the district's web site, and other written or electronic communications
 - d. To the extent practicable, provide notices and information to parents/guardians in a format and language they can understand
 - e. Develop mechanisms to encourage parent/guardian input on district and school issues
 - f. Identify barriers to parent/guardian participation in school activities, including parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background
 - g. Encourage greater parent/guardian participation by adjusting meeting schedules to accommodate parent/guardian needs and, to the extent practicable, by providing translation or interpreter services, transportation, and/or child care
4. Train teachers and administrators to communicate effectively with parents/guardians (Education Code 11502, 11504)

The Superintendent or designee may:

- a. Provide staff development to assist staff in strengthening two-way communications with parents/guardians, including parents/guardians who have limited English proficiency or limited literacy
 - b. Invite input from parents/guardians regarding the content of staff development activities pertaining to home-school communications
5. Integrate parent involvement programs into school plans for academic accountability

The Superintendent or designee may:

- a. Include parent involvement strategies in school reform or school improvement initiatives
- b. Involve parents/guardians in school planning processes

Policy
adopted: March 6, 2007

DESERT SANDS UNIFIED SCHOOL DISTRICT
La Quinta, California

