



Parents/Guardians and Students

***Rights and Responsibilities  
and Student Behavior  
Standards***

**2024-2025**



**David W. Gordon**  
**County Superintendent**

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## **Annual Notifications Rights and Responsibilities: 2024-2025**

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### **Superintendent's Message:**

Dear Student, Parent(s)/Guardian(s):

#### **Superintendent's Message**

Welcome to the 2024-2025 school year. California Education Code section 48980 requires the Sacramento County Office of Education (SCOPE) to provide annual notice to parents/guardians of certain rights and responsibilities. You are required to acknowledge receipt of this notice by signing and returning the provided receipt (found on page 100 of this handbook) to the school or SCOPE program. As a parent/guardian, you are invited to request additional information regarding SCOPE policies related to its activities or programs from the office of your student's school of attendance or by contacting the Administration Department at 916-228-2409. Information in this document may also be accessed by clicking on "SCOPE Parent Rights & Responsibilities and Student Behavior Standards" on the "Families/Family Rights" page of SCOPE's website: [www.scoe.net/families](http://www.scoe.net/families).

In addition to returning the receipt of these annual notifications, we also ask you to please sign and return the directory information form concerning student directory information if you do not wish information about your student to be released. SCOPE makes student directory information available in accordance with state and federal laws. This means that each student's name, birthday, address, telephone number, photograph, major course of study, participation in school activities, dates of attendance, degrees, awards, and the previous school attendance may be released to agencies such as the local Parent Club, or the military services (high school seniors). If you do not wish this information released, please sign, and return the form (found on page 115 of this handbook) provided for this purpose to the school or county office program (Education Code, § 49073).

We maintain high expectations for proper student behavior on our school campuses and program sites. Additionally, SCOE is committed to continually improving instruction and providing a safe and healthy environment for students. Our schools and programs are entrusted with challenging our students to recognize their highest potential. The support and involvement of parents/guardians like you in the 2024-2025 school year will remain critical as we continue to focus on student achievement. SCOE and the Sacramento County Board of Education (Board) recognize that parents/guardians are their student's first and most influential teachers and that continued parental/guardian involvement in the education of children contributes greatly to student achievement and a positive school environment. (See Appendix Q-BP 6120 – Parent Involvement.)

Your acknowledgment of receipt of this notice does not indicate your consent for your student to participate or not to participate in any activity or program listed. In conclusion, please read this notification carefully, and return the appropriate signed forms to your student's school or SCOE program as soon as possible.

## **Mandated Notifications**

### **Prohibition on Discrimination and Harassment and Uniform Complaint Procedure**

EC=Education Code

#### **Prohibition on Discrimination, Harassment, Intimidation, and Bullying**

The Sacramento County Office of Education (SCOE) prohibits discrimination, harassment, intimidation and bullying on the basis of actual or perceived characteristics including: physical or mental disability, genetic information, gender, gender identity, gender expression, nationality, immigration status, race or ethnicity, color, ancestry, age, marital or parental status, religion, sex, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics, in any SCOE program or activity, which is funded directly by, or that receives or benefits from any state financial assistance, including in its educational programs, activities, or employment policies, as required by state and federal law. (See, e.g., Title VI of the Civil Rights Act of 1964; Title IX of the 1972 Educational Amendments; Section 504 of the Rehabilitation Act of 1973; Age Discrimination Act of 1975; EC §§ 200, 220; Government Code § 11135.) Inquiries regarding compliance with applicable state and federal anti-discrimination statutes may be directed to Title IX Coordinator/Compliance Officer (Compliance Officer), 10474 Mather Blvd., PO Box 269003, Sacramento CA 95826, 916-228-2201, or the Director of the Office of Civil Rights, Department of Education, Washington, D.C. Any lack of English language skills will not be a barrier to the admission and participation in SCOE programs. (P.L. 92-318; 34 CFR 106.9)

#### **Educational Equity Regardless of Immigration Status, Citizenship, or Religion**

Children have a right to a free public education, regardless of immigration status, citizenship status, or religious beliefs. When enrolling a child, schools must accept a variety of documents from the student's parent to demonstrate proof of child's age or residency. No information about citizenship/immigration status or Social Security number is required to enroll in school. Parents have the option to provide a school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for a minor student in the event the parent is detained or deported. Parents have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may enable a trusted adult the authority to make educational and medical decisions for a minor student. Students have the right to report a hate crime or file a complaint to SCOE if they are discriminated against, harassed, intimidated, or bullied on the basis of actual or perceived nationality, ethnicity, or immigration status. The California Attorney General's website provides "Know your Rights" resources for immigrant students and family members online at [https://oag.ca.gov/civil/sections/imm\\_assist](https://oag.ca.gov/civil/sections/imm_assist). Please also see <https://oag.ca.gov/consumers/general/immigration-services-fraud>. (EC § 234.7)

### Prohibition on Sexual Harassment

Alleged pupil sexual harassment in violation of SCOE policy, federal and state law will be handled pursuant to SCOE's Sexual Harassment Policy.(BP 5145.37; EC §§ 212.5, 231.5, 48980(g))

### Pregnant and Parenting Pupils

SCOE may not exclude nor deny any pupil from any educational program or activity on the basis of the pupil's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, and shall treat these conditions in the same manner and under the same policies as any other temporary disabling condition. A pregnant or parenting pupil is entitled to 8 weeks of parental leave, or additional leave if deemed medically necessary by the pupil's physician.

During parental leave, absences shall be excused and the pupil shall not be required to complete academic work or other school requirements. After return from parental leave, a pupil may resume the course of study in which he/she was previously enrolled, is entitled to make up work missed, and to take a fifth year of high school instruction if necessary to complete graduation requirements. A pupil may elect to attend an alternative education option instead of returning to the school in which he or she was enrolled prior to parental leave.

Schools shall provide reasonable accommodations to a lactating pupil on a school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. A pupil shall not incur an academic penalty as a result of his or her use of these accommodations. (EC §§ 221.51, 222, 222.5, 46015.)

### Uniform Complaint Procedure

The Sacramento County Board of Education has adopted a Uniform Complaint Procedure (UCP). SCOE shall follow the UCP when addressing complaints alleging unlawful discrimination, harassment (including sexual harassment claims not otherwise governed by Title IX), intimidation, and bullying; failure to comply with specified state or federal laws governing educational programs, adult education, migrant education child care, development programs, vocational education, and safety planning requirements; failure to comply with educational and graduation requirements for pupils in foster care, pupils who are homeless, former juvenile court school pupils, pupils who are children of military families, or pupils who are migratory children; failure to comply with Local Control and Accountability Plan requirements; and for unlawfully charging pupil fees. A copy of SCOE's Board Policy, Administrative Rules and Regulations, and an annual UCP notification handout is included in this packet of information (See Appendix M, BP 1312.3). Inquiries may be directed to: Compliance Officer, 10474 Mather Blvd., P.O. Box 269003, Sacramento CA 95826-9003, 916-228-2201

## Instructional Programs

### Residence based on Parent's Employment

Under certain conditions, a pupil may be deemed to have complied with the residency requirement for school district attendance in the district if at least one parent or the legal guardian of the pupil is physically employed within the boundaries of that district for a minimum of 10 hours during the school week. If a pupil is deemed to comply with residency requirements based on a parent's/guardian's employment in a district, the student may be allowed to stay in the new district or the high school district to which it feeds through the 12th



grade, subject to certain conditions. Contact the school district in which the parent(s)/guardian(s) is employed for further information. (EC § 48204(b))

#### Statutory and Local Attendance Options

The law allows two or more districts to enter into an agreement for a period of up to five years for the transfer of one or more students. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. The law also provides for the following:

1. If either district denies a transfer request, a parent/guardian may appeal that decision to the County Board of Education. There are specified timelines in the law for filing an appeal and for the County Board of Education to make a decision.
2. No district is required to provide transportation to a student who transfers into the district. (EC §§ 46600-46601)

#### Model Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents/guardians certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

These include the right to:

1. Consent before pupils are required to submit to a survey that concerns one or more of the following “protected areas” of information if the survey is funded in whole or in part by the U.S. Department of Education:

Political affiliations or beliefs of the pupil or pupil's parents/guardians;

1. Mental or psychological problems of the pupil or pupil's family;
2. Sexual behavior or attitudes;
3. Illegal, anti-social, self-incriminating, or demeaning behavior;
4. Critical appraisals of others with whom respondents have close family relationships;
5. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
6. Religious practices, affiliations, or beliefs of the pupil or parents/guardians; or
7. Income, other than as required by law to determine program eligibility.

2. Receive notice and an opportunity to opt a pupil out of:

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a pupil, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from pupils for marketing or to sell or otherwise distribute the information to others.

3. Inspect, upon request and before administration or use –

1. Protected information surveys of pupils;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum

These rights transfer from the parents/guardians to a pupil who is 18 years old or an emancipated minor under State law. Board policies regarding these rights may be obtained from the school or county office. (20 U.S.C. § 1232h.) Parents/guardians who believe their rights have been violated under this section may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-5901

California law also says that no test, questionnaire, survey, or examination containing any questions about a pupil's personal beliefs or practices in sex, family life, morality, and religion, or any questions about a pupil's parents/guardians' beliefs and practices in sex, family life, morality, and religion, shall be administered to any pupil in kindergarten or grades 1 to 12, unless the parent/guardian of the pupil is notified in writing that the test, questionnaire, survey, or examination is to be administered and the parent/guardian of the pupil gives written permission for the pupil to take the test, questionnaire, survey, or examination. (Ed Code section

SCOE will notify parents/guardians of surveys in advance of their occurrence.

#### **Every Student Succeeds Act**

Under the ESSA, parents have the following rights which may be subject to change as regulations and state law are modified to comply with ESSA

#### ***Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides***

Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects s/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether s/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications.

#### **Limited English Proficient Students:**

The Act requires prior notice be given to parents of English learners regarding limited English proficiency programs, including the reasons for the identification of the student as an English learner, the need of placement in a language instruction educational program, the student's level of English proficiency, how such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a

student from a program and/or to decline initial enrollment and expected rate of transition into classrooms not tailored for English learners. State law also requires that each parent/guardian be given notice when their child is assessed for English language proficiency no later than 30 days after the start of the school year. Additionally, schools must indicate: (1) whether the child is a long-term English learner or at risk of becoming one, (2) the manner in which the English language development instruction will meet the educational needs of long-term English learners or those at risk of becoming one, and (3) the manner in which the program for English language development instruction will help long-term English learners or those at risk of becoming one develop English proficiency and meet age-appropriate academic standards.

The information provided above is available upon request from your child's school. Additional notices that may be required under Every Student Succeeds Act shall be sent separately. (20 U.S.C. §§ 6301, et seq.)

#### Language Acquisition Program Options and Parent Choice

Language programs are designed for English speaking students to learn another language. Language acquisition programs are designed for English learners to ensure English acquisition occurs as rapidly and effectively as possible. Parents or guardians may choose a language acquisition program that best suits their child. (Educ. Code, § 310) Schools in which the parents or guardians of 30 students or more per school or the parents or guardians of 20 students or more in any grade request a language program and a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible (20 U.S.C. 6312[e][3][A][viii][III]); Educ. Code 310[a]). The Sacramento County Office of Education offers a language acquisition program during student enrollment. SCOE offers a **Structured English Immersion** program option (*EC* Section 305[a][2]). This program is for English Learner students where nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for students who are learning English. Students are offered designated English Language Development (ELD) and provided access to grade level academic subject matter content with integrated ELD. Parents or guardians may provide input regarding language programs and language acquisition programs during the development of the Local Control Accountability Plan (Educ. Code, § 52062). If interested in a different program from what is offered, please contact Michael Kast at [mkast@scoe.net](mailto:mkast@scoe.net) for the Foundations Program and Jacqueline White at [jwhite@scoe.net](mailto:jwhite@scoe.net) for all other programs.

#### Internet Use

A copy of the Sacramento County Board of Education Policy on Student Use of Technology is attached at Appendix T

#### Excuse from Comprehensive Sexual Health Education, HIV Prevention Education, and Related Assessments

Parents/guardians have the right to excuse their children from all or part of comprehensive sexual health education, HIV prevention education, and assessments related to that education. You are hereby notified that: 1) Written and audio-visual educational materials used in comprehensive sexual health education and HIV prevention education are available for inspection; 2) Comprehensive sexual health education or HIV prevention education will be

taught by SCOE personnel and/or by outside consultants. If arrangement for the instruction is made after the beginning of the school year, you will be notified no fewer than 14 days prior to the commencement of any such instruction if the training is provided by an outside consultant or during an assembly. The notice will include the date of instruction, the name of the organization or affiliation of each guest speaker, and information stating that the parent/guardian has the right to request a copy of the law pertaining to such instruction. You have a right to request a copy of the California Healthy Youth Act (commencing with Education Code § 51930); and you may request in writing that your child not receive comprehensive sexual health education or HIV prevention education. (See page 72.) SCOE may administer anonymous, voluntary and confidential tests, questionnaires, and surveys to pupils in grades 7-12 containing age-appropriate questions about pupils' attitudes or practices related to sex. You will be notified in writing that any such test, questionnaire or survey is to be administered, and you will be given the opportunity to review the test, questionnaire or survey and request in writing that your child not participate. (EC § 51938)

#### Pupils with Exceptional Needs

Pupils with exceptional needs, as defined by EC § 56026, have a right to a free and appropriate public education. If you believe your child is in need of special education services, contact your school principal or the Sacramento County Office of Education at (916) 228-2751. Some pupils with special needs who do not qualify for special education may qualify for assistance under Section 504 of the Rehabilitation Act if he/she has a physical or mental impairment which substantially limits one or more major life activity, has a record of such impairment, or is regarded as having such impairment. The county office has policies and procedures to identify and evaluate any student who may need assistance in his/her educational program or to provide access into district programs. Pupils or parents/guardians or others who have questions or concerns regarding the Section 504 policy may contact the school or the county office.

#### Notice of Alternative Schools

California state law authorizes all districts to provide for alternative schools. Section 58500 of the Education Code defines alternative school as a school or separate class group within a school which is operated in a manner designed to:

1. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
2. Recognize that the best learning takes place when the student learns because of their desire to learn.
3. Maintain a learning situation maximizing student self-motivation and encouraging the student in their own time to follow their own interests. These interests may be conceived by them totally and independently or may result in whole or in part from a presentation by their teachers of choices of learning projects.
4. 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.
5. 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 the 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. (EC § 58501)

#### Minimum Days and Staff Development Days

Schedules are available at the various program sites operated by SCOE. A copy will be provided to you at the time of your student's enrollment or first day of instruction for the current program year, but not less than one month prior to such minimum day or pupil-free staff development day. (EC § 48980(c))

#### Participation in State Assessments and Option to Request Exemption

Pupils in applicable grade levels will participate in state assessments including the California Assessment of Student Performance and Progress (CAASPP) except as exempted by law. Each year, a parent/guardian may submit a written request to excuse his or her child from any or all parts of the CAASPP assessments for that school year. If the parent/guardian submits the exemption request after testing begins, any test(s) completed before the request is submitted will be scored; the results will be included in the pupil's records and reported to the parent/guardian. School district employees will not solicit or encourage any exemption request on behalf of a pupil or group of pupils. (EC § 60615, 5 CCR § 852)

#### Graduation Requirements and 5th Year Option for Transferring High School Students Who Are in Foster Care, Experiencing Homelessness, Former Juvenile Court School Students, Children of Military Families, Migratory Children or Children Participating in a Newcomer Program

SCOE may exempt, from its local graduation requirements, pupils who are (1) in foster care, experiencing homelessness, former juvenile court school students, children of military families, or migratory children and (2) who transfer between schools any time after the completion of the pupil's second year of high school or who participate in a newcomer program and are in their third or fourth year of high school, unless SCOE finds the pupils are reasonably able to complete SCOE's local graduation requirements in time to graduate from high school by the end of the pupils' fourth year of high school. If SCOE determines a pupil is reasonably able to complete its local graduation requirements within a fifth year of high school, SCOE will do the following: (1) consult with the pupil and their educational rights holder about (a) the option to remain for a fifth year to complete SCOE's local graduation requirements, (b) about how waiver of the local graduation requirements will affect the pupil's ability to gain admission to a postsecondary educational institution, (c) transfer opportunities available through California Community Colleges; (2) permit the pupil to stay in school for a fifth year to complete SCOE's local graduation requirements upon agreement with the pupil if age 18 or over or their educational rights holder if under age 18, and (3) for a pupil in foster care or for a pupil experiencing homelessness, consult with the pupil, and the educational rights holder, regarding the pupil's option to remain in the pupil's school of origin pursuant to Ed C 48852.7 or 48853.5

### Transcript Requirements for Transferring Pupils Who Are in Foster Care, Experiencing Homelessness, Former Juvenile Court School Students, Children of Military Families, Migratory Children, or Pupils Participating in a Newcomer Program

State law requires that a transferring school issue and that a new school accept all full and partial coursework satisfactorily completed by the pupil and to list them on the pupil's official transcript, including a determination of the days of enrollment or seat time (including both period attendance and days of enrollment), or both. The credits accepted shall be applied for enrollment purposes to the same or equivalent course. No pupil shall be required to retake a course if the pupil has satisfactorily completed the entire course in a public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school. If the pupil did not complete the entire course the pupil shall not be required to retake the portion of the course the pupil completed unless the school, in consultation with the educational rights holder finds that the pupil is reasonably able to complete the requirements in time to graduate from high school. When partial credit is awarded in a particular course, the pupil shall be enrolled in the same or equivalent course so that the pupil may continue and complete the entire course. A pupil shall not be prevented from retaking or taking a course to meet the eligibility requirements for admission to the California State University or the University of California.

### Educational Records of Transferring Pupils in Foster Care

Upon notification that a pupil in foster care will be transferred to a new school, the pupil's current school shall compile the complete education record of the pupil, including a (1) determination of days of enrollment or seat time, or both if applicable, (2) an official transcript that meets the requirements of paragraph 16 above including full and partial credits earned, or any measure of full or partial coursework being satisfactorily completed, including a determination of the days of enrollment or seat time, (3) current classes and grades, (4) immunization and other records, and, (5) if applicable, a copy of the pupil's plan adopted pursuant to Section 504 of the federal Rehabilitation Act of 1973 (29 USC Section 794) or individualized education program adopted pursuant to the federal Individuals with Disabilities Education Act. No lowering of grades may occur as a result of the absence of the pupil due to a decision to change the placement of a pupil made by a court or placing agency. Similarly, no lowering of grades may occur as a result of the absence of the pupil due to a verified court appearance or related court ordered activity

### Parent/Guardian Notification

A parent/guardian has the right to be notified concerning their child's classroom and standardized test performances; when their child has been identified as being at risk of retention; when their child is in danger of failing a class; and to be informed about school rules, including disciplinary rules and procedures, attendance policies, retention and promotion policies, dress codes, school visiting procedures, and the person to contact should problems arise with their child. (EC §§ 48070.5, 51101(a)(5), (9), (12), (16), 60641) Please contact your school site for further information on any of these issues.

### Changing Scholarship Grades

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, in the absence of clerical or mechanical mistake,



fraud, bad faith, or incompetence. A pupil's parent/guardian may file a written request with the school principal to correct any portion of their student's record which the parent or guardian alleges to be inaccurate. The parent/guardian may appeal the decision of the principal to the County Superintendent. (EC § 49070)

### Progress Reports

There shall be a conference with or a written report to the parent/guardian of each pupil whenever it becomes evident to the teacher that the pupil is in danger of failing a course. The refusal of the parent/guardian to attend the conference, or respond to the written report, shall not preclude failing the pupil at the end of the grading period. (EC § 49067)

### Availability of Board Adopted Course of Study, K-12

The curriculum of every course offered by SCOE's schools is compiled annually in a prospectus. Each school prospectus is available for review upon request at each school site. Copies are available upon request for a fee not to exceed the actual copying cost. (EC § 49091.14)

## Privacy and Information Rights

### Privacy Rights Regarding Student Records

As a public school entity, SCOE is required by California state law to maintain records on students. The purpose of keeping such information is to provide the best possible conditions for students' education.

Please be informed that you have the right to inspect your student's records and to challenge the contents of the records. Written procedures for challenging student records are available from your school principal. If you desire to inspect or challenge records, please make an appointment during regular school hours.

### Pupil Records

Pupil records maintained by SCOE consist of any item of information directly related to an identifiable pupil, including but not limited to subjects taken, grades received, standardized test results, attendance records, and health records.

Pupil records are maintained at each school where the pupil is attending. The school principal or designee is responsible for maintaining each type of pupil record and the information contained therein. Additional records, such as psychological and special education reports, are maintained at those respective offices.

Except for directory information, pupil records are accessible only to parents or legal guardians, a pupil 16 years or older or having completed the 10th grade, a pupil age 14 and over who is identified as both homeless and as an unaccompanied youth, individuals who have completed and signed a Caregiver's Authorization Affidavit, and other specified persons under circumstances prescribed by law. Requests to review or challenge the contents of the records should be directed to the school principal.

SCOE may also release educational records, without obtaining prior written parental consent, to any school official or employee, which would include accountants, consultants, contractors, or other service providers, who have a legitimate educational interest in the educational record.

Up to two (2) copies of the pupil record may be obtained within five (5) days of request by the

parent/guardian. Additional copies will be provided at a cost equal to the transcript fee for this type of information and 25 cents per page for additional information not included in the transcript. Parents/guardians may contact the school to review a log listing those who have requested or received information from a pupil's file. When a student moves to a new school district, records will be forwarded upon request of the new district within 10 school days. At the time of transfer, the parent/guardian or an eligible student may challenge, review or receive a copy upon payment of a reasonable fee for the requested records. Parents/guardians may contact the school district or county office for any policy regarding the review and expungement of pupil records.

If you believe SCOE is not in compliance with federal regulations regarding privacy, you may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education at 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Pupil record destruction is completed according to California regulations. (EC §49063 et seq., §49069, §49073, 34 CFR 99.30, 34 CFR 99.34, 5 Cal. Code Regs. § 437, and the federal Family Educational Rights and Privacy Act)

#### Educational Rights (Homeless)

Sacramento County Board of Education has adopted a policy prohibiting students from being stigmatized or segregated into a separate school or program based upon their homeless status. SCOE recognizes that they have a right to continue in the school of origin for the duration of homelessness or for the remainder of the year, even if the child becomes permanently housed. The policy includes that a designated SCOE liaison will resolve school selection or enrollment disputes through the Dispute Resolution Process.

#### School Accountability Report Card (SARC)

The School Accountability Report Card provides parents/guardians and other interested members of the community a variety of information about the school, its resources, its successes, and the areas where it needs improvement. On or before February 1 of each year, an updated copy of the SARC for each SCOE operated school can be found on SCOE's website at [https:// www.scoe.net/divisions/administration/planning/sarc/](https://www.scoe.net/divisions/administration/planning/sarc/). A hard copy will also be provided upon request to any student's parent/guardian. (EC § 35256)

#### Federal Race and Ethnicity Data Collection Reporting

The United States Department of Education requires schools to collect data on the race and ethnicity of its students and staff members. Accordingly, the California Department of Education revised its data collection requirements using the California Longitudinal Pupil Achievement Data System. Schools are obligated to comply with the reporting requirements using a two-part question that can be found on the California Department of Education website at <https://www.cde.ca.gov/ds/sp/cl/refaq.asp#q1>.



## Attendance

### Excused Absences

As required by EC § 48980(i), the full text of EC § 48205 is provided to the parent/guardian:

(a) Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:

1. Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
2. Due to quarantine under the direction of a county or city health officer.
3. For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
4. For the purpose of attending the funeral services or grieving the death of either a member of the pupil's immediate family, or of a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, so long as the absence is not more than five days per incident.
5. For the purpose of jury duty in the manner provided for bylaw.
6. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
7. For justifiable personal reasons, including, but not limited to, an attendance or appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil's religion, attendance at a religious retreat, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board of the school district.
8. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
9. For the purpose of spending time with a member of the pupil's immediate family who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
10. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
11. For the purpose of participating in a cultural ceremony or event.
12. (A) For the purpose of a middle school or high school pupil engaging in a civic or political event, as provided in subparagraph (B), provided that the pupil notifies the school ahead of the absence. (B)(i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one school day-long absence per school year. (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section

48260.

13. (A) For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died, so long as the absence is not more than three days per incident.

- (i) To access services from a victim services organization or agency.
- (ii) To access grief support services.
- (iii) To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.

(B) Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.

14. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.

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

(c) For purposes of this section, attendance at religious retreats shall not exceed one school day per semester.

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

(e) For purposes of this section, the following definitions apply:

- 1. A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
- 2. "Cultural" means relating to the practices, habits, beliefs, and traditions of a certain group of people.
- 3. "Immediate family," as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living

in the household of the pupil.

4. "Victim services organization or agency" has the same meaning as defined in paragraph (7) of subdivision (g) of Section 230.1 of the Labor Code.

## Health Services

### Immunization for Communicable Disease

SCOE is required to exclude pupils who have not been properly immunized pursuant to Health and Safety Code 120325 and 120335. SCOE must notify parents that they have two weeks to supply evidence either that the pupil has been properly immunized or is exempted from the requirement. SCOE is authorized to administer immunizing agents to pupils whose parents have consented in writing to the administration of such immunizing agent. Effective January 1, 2016, all students entering kindergarten, advancing from sixth to seventh grade, or prior to first admission to SCOE, will be required to comply with the immunization requirements of Health and Safety Code section 120335, unless the student provides SCOE with a valid exemption from a licensed physician which must be on a standardized state form if issued after January 1, 2021 and must comply with the requirements set forth in Health and Safety Code section 120372. No new personal belief exemptions will be accepted. Students with personal-belief exemptions on file with SCOE as of January 1, 2016, shall be allowed to continue enrollment until entering the next grade span. Grade spans are defined as birth through preschool, K-6, including transitional kindergarten, and 7-12. Pupils are not required to have immunizations if they attend a home-based private or independent study program and do not receive classroom-based instruction. However, parents must provide immunization records for these students. Students qualified for an individualized education program may access special education and related services as required by his or her individualized educational program. Full immunization against Hepatitis B shall not be a condition of admittance to 7<sup>th</sup> grade. All students (current, new, and transfers) entering 7<sup>th</sup> through 12<sup>th</sup> grades must be immunized with a Pertussis (whooping cough) vaccine booster called Tdap. (EC §§ 48216, 49403; Health & Safety Code §§ 120325, 120335, 120370, 120375). This affects all students – current, new, and transfers – in public and private schools. Current immunization guidelines recommend students receive full human papillomavirus (HPV) immunization before admission or advancement to the 8<sup>th</sup> grade level. HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks.

### Health Screening Examination

Before a child enters first grade, his or her parents/guardians must obtain a health screening for the child and complete the provided certificate or sign a waiver. The screening should take place before (within the prior 6 months) or during the kindergarten year. Parents/guardians are encouraged to obtain health screening simultaneously with required immunizations.

### Physical Examinations

A parent/guardian may, by written statement filed annually, refuse to consent to the physical examination of his/her child; however, a child may be sent home if, for good reasons, he or she is believed to be suffering from a recognized contagious or infectious disease (EC § 49451). School children are examined for vision, hearing, and curvature of the spine at selected grade levels. By

May 31 of the school year, pupils when first enrolled in public school are required to provide proof of an oral health assessment (conducted within 12 months prior to enrollment) by a licensed dentist or other licensed or registered dental health professional. (EC § 49452.8) Parents/guardians of 7th grade pupils must be provided information on type 2 diabetes as follows: 1) description of type 2 diabetes, 2) risk factors, 3) warning signs, 4) treatments, 5) prevention methods, 6) types of screening test available. It is recommended that students possibly suffering from type 2 diabetes or having warning signs be screened. (EC § 49452.7) Upon first enrollment in a California elementary school, and in grades 2, 5, and 8, a school nurse or other authorized person shall appraise the child's vision, unless the parent/guardian presents a certificate from an authorized medical provider with the results of a vision assessment or a written religious objection with the principal. Appraisal in the year immediately following enrollment in grades 4 or 7 shall not be required. (EC § 49455.) Every female in grade 7 and male in grade 8 may be screened for scoliosis. (EC § 49452.5)

### Psychological Testing

A parent/guardian has the right to receive information about psychological testing the school conducts involving their child and to deny permission to administer the test. (EC § 51101(a)(13))

### Pupil Medication

Any pupil who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instruction from the authorized health care provider and a written statement by the parent/guardian indicating their desire to have the school assist in administering medication. Any student who wishes to carry and self-administer prescription auto-injectable epinephrine and/or self-administered inhaled asthma medication must submit a written statement of instruction from their authorized healthcare provider that includes a statement that the student is able to self-administer such medication, and a statement from the parent/guardian consenting to the self-administration, as well as a release. Any pupil who uses auto-injectable epinephrine or inhaled asthma medication in a manner other than as prescribed is subject to discipline. (EC §§ 49423, 49423.1)

### Continuing Medication

A parent/guardian of a pupil on a continuing medication regimen for a non-episodic condition shall inform the school of the medication being taken, the current dosage, and the name of the supervising physician. With a parent's/guardian's consent, the school nurse or other designated employee may communicate with the physician with regard to the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or over dosage. (EC § 49480)

### Confidential Medical Services

Pupils enrolled in grades 7 through 12 may be excused from school-by-school authorities for the purpose of obtaining confidential medical services without the consent of the pupil's parent/guardian. (EC § 46010.1)

### Pupil Insurance

The county office may provide or make available medical or hospital services, or both, for injuries to pupils arising from school programs or activities. No pupil will be compelled to accept such services. You may obtain further information regarding availability of pupil

accident insurance by contacting the school principal. (EC § 49472)

#### Emergency Medical Care

All pupils must have an emergency information card filled out and signed by the parent/guardian at the beginning of each school year. (EC § 49407)

#### Students with Temporary Disabilities – Home/Hospital Instruction

Special individual instruction (as distinct from independent study) is available for students with temporary disabilities that make attendance at school impossible or inadvisable.

Parents/guardians should first contact the principal to determine service. (EC § 48206.3)

#### School of Residence When Hospitalized

A student with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the school district in which the pupil's parent/guardian resides, shall be deemed to have complied with the residency requirements for school attendance in the district in which the hospital is located. (EC § 48207) Notification of temporary disability/residency of student is the sole responsibility of the parent/guardian. Upon notification that a student is temporarily disabled, within SCOE jurisdiction, SCOE will determine if the student is able to receive individualized instruction and when it may commence. (EC § 48208)

#### Pupil Mental Health Services

A parent/guardian or pupil may contact a teacher or school administrator for help accessing mental health services for a pupil on the school campus, in the community, or both.

## Student Discipline

### Discipline Procedures

The Board of Education's adopted procedures governing student discipline are available in your child's school office upon request. (See Appendix H– BP 5720) These provisions include, but are not limited to: parent/guardian conferences, suspensions, removal from a SCOE program, and other educational alternatives. Special disciplinary procedures may apply to students with disabilities. (EC § 35291)

## Safety

### Child Abuse Reporting

Information on how to report suspected child abuse is available at the school site office. SCOE staff are required by law to report cases of child abuse and neglect whenever there is reasonable suspicion of abuse or neglect.

### Tobacco Free Schools

The use of all tobacco products and e-cigarettes is prohibited at any time throughout SCOE owned or leased buildings and grounds, on SCOE property, and in SCOE vehicles. (See Appendix B, BP 3513.3, Tobacco Free Facilities and Campuses)

### Drug Abuse and Prevention/Intervention

Possession, use or sale of narcotics, alcohol, or other controlled substances is prohibited and strictly enforced at all school activities. SCOE sites seek to establish an atmosphere that will promote understanding of the use, abuse, and misuse of drugs, including alcohol, tobacco products, and electronic cigarettes. Students and parents or guardians should be mindful of the dangers associated with using synthetic drugs that are not prescribed by a physician, such as fentanyl, and the possibility that dangerous synthetic drugs can be found in counterfeit pills. Drug dealers often make fake pills with the cheaper, stronger, and deadlier synthetic drug fentanyl. Fentanyl can be up to 50 times more potent than heroin and 100 times more potent than morphine. One pill can kill.

### Registration Prior to Entering or Remaining on School Property

To provide protection and to safeguard students, teachers, employees, and school property, the public (except those persons exempted) is required to register in the school office prior to entering or remaining on the school premises during school hours. School hours have been defined as one hour before classes begin until one hour after classes end. Signs are posted at each school entrance indicating the location of the school office (place of registration) and penalties for failure to comply. Should you have any questions, you are invited to contact your school's office.

While on school grounds or on the premises of a support service facility, the public is requested to not create or participate in any activity which interferes with the educational program or service being conducted.

### Vandalism/Cooperation

All parents/guardians are asked to help prevent vandalism by impressing upon their child the seriousness of destroying school property. Citizens living near the schools are requested to report any acts of suspected vandalism to the school principal or to the proper authority.

#### PLEASE HELP

At Leo A. Palmiter Jr./Sr. High School, call 916-228-2020.

At North Area Community School, call 916-228-2073.

At Nathaniel S. Colley, Sr. High School, call 916-228-2446

At Elinor Lincoln Hickey Jr./Sr. High School, call 916-228-2074.

For other Special Education schools, please contact 916-228-2380.

### Personal Property

The Sacramento County Office of Education is not responsible for personal property. Students are discouraged from bringing non-instructional items to school such as iPods, skateboards, etc. Please refer to the Student Handbook and school rules.

## Lunch, Transportation, and Health Environment

### Free or Reduced Priced Meals

Free or reduced priced meals are available for eligible students. (EC § 49500, et seq.) In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) found online at: [How to File a Complaint](#), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights



1400 Independence Avenue, SW

Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

SCOE an equal opportunity provider.

#### Asbestos Management

SCOE has a current management plan for asbestos containing materials for all SCOE portables. The plan is available for inspection at the office of the superintendent during normal business hours. (40 C.F.R. § 763.93(g)(4); EC §§ 49410 et seq.)

#### Pesticides

The name of all pesticide products expected to be applied at the school facilities during the upcoming year can be found in Appendix O, along with SCOE's integrated pest management plan. Persons wishing to be notified in advance of individual pesticide applications may register with the County Office of Education for that purpose. Contact Support Services at 916-228-2268. (EC §§ 17611.5, 17612, 48980.3)

### Miscellaneous

#### College Admission Requirements and Higher Education Information

See Appendix P for information related to higher education and college admission requirements (EC §§ 48980(l); 51229)

#### Right to Refrain from Harmful Use of Animals

Students may choose to refrain from participating in educational projects involving the harmful or destructive use of animals. (EC §§ 32255 et seq., 48980(a).)

#### Emergency Preparedness

Emergency Preparedness is addressed through the county office's comprehensive school safety plan which includes disaster procedures and plans, routines, emergency response measures, staff training programs, procedures for the use of public buildings, and notification procedures. A copy of the plan is available at the administrative offices. (EC § 32282)

#### Electronic Notice

This notice booklet is available electronically at the SCOE website. You may opt to only receive an electronic version of the notice after signing and returning an acknowledgment of receipt.

#### Sex Equity in Career Planning

Parents/guardians shall be notified in advance of career counseling and course selection commencing in Grade 7, to promote sex equity and allow parents/guardians to participate in counseling sessions and decisions. (EC §221.5(d))



### Pupil Fees

SCOE shall not charge pupils, their parents/ guardians any fees, deposits, or other charges for educational activities except as specifically authorized by law. A complaint of noncompliance with this prohibition may be filed in accordance with the Uniform Complaint Procedures. (EC § 49011.)

### Local Control and Accountability Plan (LCAP)

The Sacramento County Board of Education (Board) is required to adopt a three-year Local Control and Accountability Plan (LCAP) and to update the LCAP on or before July 1 of each subsequent year. The LCAP is required to identify annual goals, specific actions geared toward implementing those goals, and must measure progress for student subgroups across performance indicators based on eight priorities set by the State. The priorities must be aligned to SCOE's spending plan.

Once the LCAP is adopted, the State Superintendent of Public Instruction will review to ensure alignment of projected spending toward goals and services.

The following are the State priorities:

1. Providing all students' access to fully credentialed teachers, instructional materials that align with state standards, and safe facilities;
2. Implementation of and student access to state academic content and performance standards;
3. Parent/guardian involvement and participation;
4. Improving student achievement and outcomes along multiple measures;
5. Supporting student engagement;
6. Highlighting school climate and connectedness;
7. Ensuring all students have access to classes that prepare them for college and careers; and
8. Measuring other important student outcomes related to required areas of study.
9. Coordinating instruction for expelled students; and
10. Coordinating services for foster children

SCOE is required to establish an advisory committee to provide advice to the Board and the superintendent regarding the LCAP. The advisory committee shall include parents/guardians of low-income students, English learner students, and foster youth.

SCOE is required to consult with its teachers, principals, administrators, other school personnel, local bargaining units, parents/guardians, and pupils in developing the LCAP.

SCOE must present the proposed plans to the advisory committee. The advisory committee can review and comment on the proposed plan. SCOE must respond in writing to the comments of the advisory committee. SCOE is also required to notify members of the public that they may submit written comments regarding the specific actions and expenditures proposed in the LCAP.

The Board must hold at least one public hearing to solicit recommendations and comments from the public regarding expenditures proposed in the plan, and then adopt (or annually update) the LCAP

at a subsequent public hearing.

SCOE must present a report on the annual update to the LCAP and provide a local control funding formula budget overview for parents on or before February 28 of each year at a regularly scheduled meeting of SCOE's governing board.

Any complaint of noncompliance with the LCAP process may be filed using SCOE's Uniform Complaint Procedures. (EC §§ 52060-52077)

**List of Websites and Applications used in 2024-25 that Collect Personal Information from Students**  
SCOE's programs use the following websites that may collect or disclose student data for educational purposes (e.g., web-based testing services, individualized education assistance, test preparation):

- 1000 Strong
- Academic Decathlon
- Achieve 3000
- Adobe
- American Culinary Federation
- Articulate Storyline 360
- Aztec Learning
- Bridges
- Bulb
- California Assessment of Student Performance and Progress (CASPP)
- Canva
- Career Engage
- CLARA Classroom
- ClassLink
- CLEP-College-Level Examination Program
- CodeHS
- PowerSchool
- SEIS
- California Assessment of Student Performance and Progress (CASPP)
- McGraw Hill ConnectEd
- Pearson Math
- Read 180
- School Messenger
- 1000 Strong
- Unique
- Edgenuity
- Google Workspace for Education
- Microsoft Office 365

- American Culinary Federation
- Premier Food Safety eLearning Portal
- Instructure Canvas
- Safe Life Curriculum
- CLEP – College-Level Examination Program
- DriverEdToGo
- PROcess online
- Mock Trial Competition Management System
- Mathseeds
- PBIS Rewards
- RACHEL (Remote Area Community Hotspot for Education & Learning)
- Career Engage
- Nepris
- Virtual Job Shadow
- Second Step
- Academic Decathlon
- Follett Destiny
- Unite Us
- Articulate Storyline 360
- Uncharted Learning
- CodeHS
- Grackledocs, Slids, Sheets
- Stemsscopes
- ToonBoom
- Lumio
- Adobe

#### [Boy Scouts of America Equal Access Act](#)

The Boys Scouts of America Equal Access Act requires public schools to provide equal access to the use of school property to the Boy Scouts and other designated youth groups. (Title 34 of the Code of Federal Regulations section 108.6)

#### **\*\*\*PLEASE NOTE\*\*\***

Over the course of a school year, some information in this Annual Notification may change. Please read your school notices or if you have any questions, please contact your school office.

## STUDENT/PARENT/GUARDIAN NOTICE RELEASE OF DIRECTORY INFORMATION

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires the Sacramento County Office of Education (SCO6), with certain exceptions, obtain a parent's/guardian's written consent prior to the disclosure of personally identifiable information from your student's education records. However, SCOE may disclose appropriately designated "directory information" without written consent, unless you have advised SCOE to the contrary in accordance with SCOE's procedures. The primary purpose of directory information is to allow SCOE to include this type of information from your student's education records in certain school and/or SCOE publications. Examples include:

- a playbill, showing your student's role in a drama production;
- the annual yearbook;
- honor roll or other recognition lists;
- graduation programs; and
- sports activity sheets, such as for wrestling, showing weight and height of team members.
- brochures or Power Point Presentations/Reports
- Sacramento County Board of Education Meeting Minutes (e.g., names of graduates)

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local assistance agencies receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA), such as SCOE, to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents/guardians have advised the district that they do not want their child's information disclosed without their prior written consent.

If you do **not** want SCOE to disclose directory information from your student's education records without your prior written consent, please notify the school principal in writing within 30 days of receipt of this handbook. A form for that purpose is included at the end of this document. SCOE has designated the following information as directory information:

1. Name
2. Photograph
3. Mailing address & Email address
4. Telephone number
5. Date of birth
6. Major field of study
7. Participation in officially recognized activities and sports
8. Weight and height of athletic team members
9. Dates of attendance
10. Degrees and awards received
11. Most recent previous school attended

## **Appendix A**

### **PUPIL FEES BP 3260**

The Sacramento County Office of Education (SCOE) shall not charge pupils, their parents or their guardians any fees, deposits, or other charges for educational activities except as specifically authorized by law. Educational activities include any activity offered by SCOE that constitutes an integral and fundamental part of elementary and secondary education, including, but not limited to, curricular and extracurricular activities. Such pupil fees are prohibited regardless of whether an educational activity is elective, compulsory, for credit, a privilege, or above a school's minimal educational standard. This prohibition against pupil fees shall be read as conforming with the relevant portions of the Education Code, California Code of Regulations, and guidance developed by the California Department of Education.

A complaint of noncompliance with these requirements may be filed in accordance with the Uniform Complaint Procedures (5 CCR § 4600 et seq.). SCOE shall include information regarding pupil fee restrictions in the annual notification distributed under the Uniform Complaint Procedures.

#### **Legal References:**

##### **EDUCATION CODE**

8760-8773 Outdoor science and conservation programs  
17551 Property fabricated by students  
19910-19911 Offenses against libraries  
32033 Eye protective devices  
32221 Insurance for athletic team member  
32390 Fingerprinting program  
35330-35332 Excursions and field trips  
35335 School camp programs  
38080-38085 Cafeteria establishment and use  
38119 Lease of personal property; caps and gowns  
38120 Use of school band equipment on excursions to foreign countries  
39807.5 Payment of transportation costs  
39837 Transportation of students to places of summer employment  
48904 Liability of parent or guardian  
49010-49012 Pupil fees  
49091.14 Prospectus of school curriculum  
51810-51815 Community service classes  
52612 Tuition for adult classes  
60410 Students in classes for adults

##### **CALIFORNIA CONSTITUTION**

Article 9, Section 5 Common school system

##### **CODE OF REGULATIONS, TITLE 5**

350 Fees not permitted  
4600 Uniform Complaint Procedures

## COURT DECISIONS

*Driving Sch. Assn. of Cal. v. San Mateo Union High Sch. Dist.* (1993) 11 Cal.App. 4th 1513

*Arcadia Unified Sch. Dist. v. State Dept. of Ed.* (1992) 2 Cal.4th 251

*Hartzell v. Connell* (1984) 35 Cal.3d 899

11/16/12	Drafted
12/11/12	Review by Policy Committee
01/15/13	First Reading
02/05/13	Second Reading and Adoption
02/08/13	Distribution

## **Appendix B**

# **TOBACCO FREE FACILITIES AND CAMPUSES BP 3513.3**

The Sacramento County Board of Education (Board) recognizes that the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

The use of all tobacco products is prohibited at any time throughout Sacramento County Office of Education (SCOE) owned or leased buildings and grounds, on SCOE property, and in SCOE vehicles.

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or event held on or off SCOE property. Any written joint use agreement governing community use of SCOE facilities or grounds shall include notice of SCOE's tobacco-free schools policy and consequences for violations of the policy.

Prohibited products include products containing tobacco and/or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and nicotine delivery devices, such as electronic cigarettes. However, this section does not prohibit the use or possession of prescription products, or other cessation aids such as nicotine patches or nicotine gum. Student use or possession of such products must conform to laws governing student use and possession of medications on school property. Other vapor emitting electronic devices, such as electronic hookah, with or without nicotine content, that mimic the use of tobacco products, are also prohibited.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground.

Information about these policy and enforcement procedures shall be communicated clearly to SCOE personnel, parents and guardians, students, and the larger community. Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to SCOE property. Information about smoking cessation programs shall be made available and encouraged for students and staff.

### **Legal References:**

#### **EDUCATION CODE**

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

#### **HEALTH AND SAFETY CODE**

104350-104495 Tobacco use prevention, especially:

104420 California Department of Education role in local programs

104495 Prohibition of smoking and tobacco waste on playgrounds

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

6404.5 Prohibition of smoking in workplace

TITLE 20, UNITED STATES CODE

6083 Nonsmoking policy for children's services

7101-7117 Safe and Drug Free Schools and Communities Act

05/16/95 Draft 06/06/95

First Reading

06/20/95 Second Reading and Adoption

01/14/14 Reviewed by Policy Committee

03/04/14 Reviewed by Policy Committee

04/04/14 First Reading

05/06/14 Second Reading and Adoption (formerly BP 4132.1)

05/30/14 Distribution



## Appendix C

# PROHIBITION ON BULLYING BP 5131.2

The Sacramento County Board of Education (Board) recognizes the harmful effects of bullying on pupil learning and school attendance, and desires to provide safe school environments that protect pupils from physical and emotional harm. The Sacramento County Office of Education (SCOE) shall establish pupil safety as a high priority and shall not tolerate bullying of any pupil. This policy applies to all acts related to school activity or school attendance occurring within a SCOE operated school or its programs.

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

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

Strategies for bullying prevention and intervention shall be developed in accordance with the law, Board policy, and administrative regulations and shall be incorporated into comprehensive safety plans. To the extent bullying is discriminatory and based on legally protected characteristics, it is also addressed in BP/ARR 5145.3 (Prohibition on Discrimination/Harassment/Sexual Harassment; Participation of Transgender Pupils in Academic and Educational Programs and Activities).

To the extent possible, SCOE strategies shall focus on prevention of bullying by establishing clear rules for pupil conduct to establish a positive climate in SCOE schools and school activities. Pupils shall be informed, through pupil handbooks and other appropriate means, of SCOE's rules related to bullying, mechanisms available for reporting incidents or threats and the consequences for perpetrators of bullying.

SCOE may provide pupils with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior, including but not limited to cyberbullying awareness and response, and how to interact with others on social networking websites and in chat rooms.

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

Pupils are strongly encouraged to notify SCOE staff when they are being bullied, or suspect that another pupil is being victimized. In addition, the Superintendent or designee shall develop means for pupils to report threats or incidents confidentially.

SCOE staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so and shall take appropriate action to respond to the bullying.

Complaints of bullying shall be filed and resolved in accordance with SCOE's Uniform Complaint Procedures.

When a pupil is reported to be engaging in bullying of a SCOE pupil off campus, the Superintendent or designee may investigate the activity to determine the impact or potential impact on school or program activity, school or program attendance, or the targeted pupil's educational performance.

Any pupil who engages in bullying on SCOE school or program premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school or program activity and/or a school or program attendance, shall be subject to appropriate action or discipline in accordance with SCOE policies and regulations.

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other pupil affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. In addition, affected pupils may be referred to community mental health workers, other health professionals, and law enforcement when appropriate.

If any pupil involved in bullying exhibits warning signs of suicidal thoughts, the Superintendent or designee shall, as appropriate, follow SCOE's Suicide Prevention Plan, which can be found in SCOE's comprehensive safety plan (See BP/ARR 5141.52 Suicide Prevention).

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#### Legal References:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

234.4 Adoption of bullying prevention procedures

32280-32289 Comprehensive safety plan

32283.5 Bullying; online training

35181 Governing board authority to set policy on responsibilities of pupils

35291-35291.5 Rules and procedures on school discipline

44807 Duty concerning conduct of pupils

48205 Excused absences

48900-48927 Suspension and expulsion

48900.9 Bullying referral of affected pupils

51512 Prohibition against electronic listening or recording device in classroom\

## PENAL CODE

288.2 Harmful matter with intent to seduce

417.25-417.27 Crimes against pointing a laser pointer

653.2 Electronic communication devices, threats to safety

## TITLE 47, UNITED STATES CODE

254 Universal Service (e-rate discounts)

## TITLE 5, CALIFORNIA CODE OF REGULATIONS

4600-4671 Uniform Complaints Procedures

07/02/12	Drafted
07/17/12	Review by Policy Committee
08/14/12	First Reading
10/02/12	Reviewed by Policy Committee
12/11/12	First Reading
01/15/12	Second Reading and Adoption
02/04/13	Distribution
05/07/13	Reviewed by Policy Committee
06/04/13	First Reading
06/18/13	Second Reading and Adoption
07/01/13	Distribution
06/11/19	Reviewed by Policy Committee
07/09/19	First Reading
08/13/19	Second Reading and Adoption
08/30/19	Distribution

**AUTHORIZATION TO ADMINISTER MEDICATION AND FOR PARENT  
ADMINISTRATION OF MEDICINAL CANNABIS  
BP 5142**

The Sacramento County Board of Education (Board) realizes that during the school day some pupils may need to timely take medication prescribed or ordered by an authorized health care provider to be able to fully participate in the educational program.

The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

The Superintendent or designee shall make naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose.

The Superintendent or designee shall develop protocols which shall include options for allowing parents or guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and, with the pupil's authorized health care provider's approval, request permission for the pupil to self-administer a medication or self-monitor and/or self-test for a medical condition.

When allowed by law, medication prescribed to a pupil by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular pupil, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to pupils in accordance with the law, Board Policy, the protocols established by the Superintendent, and, as applicable, the written statement provided by the pupil's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training in accordance with legal requirements. Documentation of such training shall be maintained as required by law.

A parent or guardian may administer medicinal cannabis to a pupil who is a qualified patient with a physician's recommendation for its use (pursuant to California Health and Safety Code section 11362.7 et. seq.). Medicinal cannabis excludes cannabis or cannabis products in a smokeable or vapeable form.

Before administering medicinal cannabis at a school site, the parent or guardian shall provide to the principal or designee a valid written medical recommendation for the pupil to be given medicinal cannabis, which shall be kept on file at the school. The parent or guardian shall sign in at the school site before administering the medication and shall not administer the medication in a manner that disrupts the educational environment or exposes other pupils. The parent or guardian shall remove any

remaining medicinal cannabis from the school site after administering the medication. The records related to the administration of the medical cannabis will be treated as medical records.

School personnel are not authorized to administer medicinal cannabis to a pupil.

#### Legal References:

##### BUSINESS AND PROFESSIONS CODE

2727 Nursing Practice Act exceptions

##### EDUCATION CODE

49407 Liability for treatment

49414 Emergency epinephrine auto-injectors

49414.1 Medical cannabis policy

49414.5 Providing school personnel with voluntary emergency training

49414.7 Emergency medical assistance: administration of epilepsy medication

49423 Administration of prescribed medication for pupil

49423.1 Inhaled asthma medication

49480 Continuing medication regimen: notice

##### HEALTH AND SAFETY CODE

11362.7-11362.85 Medical marijuana program

##### TITLE 20, UNITED STATES CODE

1400-1482 Individuals with Disabilities Education Act

##### TITLE 29, UNITED STATES CODE

794 Rehabilitation Act of 1973, section 504

##### TITLE 5, CALIFORNIA CODE OF REGULATIONS

600-611 Administering medication to pupils

##### COURT DECISIONS

*American Nurses Association v. Torlakson*, 57 Cal.4th 570 (2013)

04/10/90	Draft
10/16/90	First Reading
11/13/90	Second Reading
11/13/90	Approved
03/04/14	Reviewed by Policy Committee
04/04/14	First Reading
05/06/14	Second Reading and Adoption
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02/18/20	Reviewed by Policy Committee
03/17/20	First Reading

04/14/20	Second Reading and Adoption
04/27/20	Distribution
11/15/22	Reviewed by Policy Committee
12/13/22	First Reading
01/17/23	Second Reading and Adoption

## **Appendix E**

# **CONCURRENT ENROLLMENT IN POSTSECONDARY INSTITUTIONS ARR 6172.1**

As set forth in Sacramento County Board of Education Policy 6172.1, Sacramento County Office of Education (SCOE) students may obtain high school credit for the successful completion of postsecondary courses while simultaneously obtaining credit from a postsecondary institution.

A principal has the authority to deny a request for dual credit for any reason, including the content of the course and/or the institution offering it.

Prior to enrolling in a postsecondary course for dual credit, the student, parent/guardian (for a student who is a minor), principal, and postsecondary institution representative shall sign a written agreement acknowledging that the student will enroll in course(s) at the postsecondary institution for dual credit and has necessary approvals. The principal shall inform the student whether the credits to be earned will be considered academic or elective credits at SCOE.

To receive high school credit for coursework completed at a postsecondary institution, the student or parent/guardian shall submit a transcript showing completion of the course with a passing grade. SCOE shall grant the student the equivalent of five (5) high school credits for the successful completion of three (3) postsecondary course units (i.e., one and two-thirds high school credits per one postsecondary unit).

Students who enroll at a postsecondary institution shall be required to undertake courses of instruction of a scope and duration sufficient to satisfy the requirements of law. (Education Code sections (EC) 48800.5, 48801.) The minimum day of attendance at SCOE's schools shall be 180 minutes for a student enrolled part-time in classes for credit at a postsecondary institution, except that fewer minutes may be approved on a case-by-case basis by the Superintendent or designee. The minimum day of attendance for a student enrolled full-time in a postsecondary institution shall be established on a case-by-case basis by the Superintendent or designee.

08/23/13	Drafted
08/28/13	Reviewed by Cabinet
09/17/13	Reviewed by Policy Committee
11/12/13	Reviewed by the Board of Education
02/07/14	Distribution

## Appendix F

# PROHIBITION ON DISCRIMINATION AND HARASSMENT BP 5145.3

The Sacramento County Board of Education (Board) is committed to providing a safe school environment that allows all pupils equal access and opportunities in the Sacramento County Office of Education's (SCOE) academic and other educational support programs, services, and activities. All individuals shall be treated equitably in the receipt of SCOE services. This policy applies to all acts related to school activity or school attendance occurring within SCOE's schools or educational programs and to those acts that occur outside of school activities but may create a hostile environment at school.

The Board prohibits, at any school, or school-sponsored or school-related activity, unlawful discrimination, harassment, intimidation, and bullying of any pupil based on the pupil's actual race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, genetic information, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics, and all other circumstances specified in law, as applicable. The term "immigration status" encompasses citizenship status and includes a prohibition against unlawful discrimination for not providing information regarding a pupil's immigration status, citizenship status, or national origin. Sexual harassment is specifically addressed in Board Policy 5145.7: Prohibition on Sexual Harassment.

Transgender and gender variant pupils shall be allowed to access SCOE programs and facilities in accordance with their gender identity, irrespective of the gender listed on their pupil records to the extent consistent with federal and state laws, policies of Probation, any court orders, and legal settlements.

Prohibited discrimination, harassment, intimidation, or bullying includes physical, verbal, nonverbal, or written conduct based on one of the categories listed above that affects a pupil's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a pupil's academic performance; or otherwise adversely affects a pupil's educational opportunities.

The Board also prohibits any form of retaliation against any pupil who files a complaint or report, testifies, or otherwise participates in the complaint process for a complaint regarding an incident of discrimination, harassment, intimidation, or bullying.

SCOE staff shall provide pupils with appropriate accommodations when necessary for their protection from threatened or potentially harassing or discriminatory behavior.

The Sacramento County Superintendent of Schools (Superintendent) or designee shall provide age-appropriate training and/or information to pupils, parents/guardians, and employees regarding discrimination, harassment, intimidation, and bullying, including, but not limited to, the Board's nondiscrimination policy, what constitutes prohibited behavior, how to report incidents, and to whom such reports should be made.



Pupils who engage in discrimination, harassment, intimidation, bullying, or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline.

When employees and volunteers provide instruction, guidance, supervision, or other services to SCOE pupils and parents/guardians, they shall carefully guard against stereotyping or inappropriately segregating pupils.

SCOE programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act.

Individuals with disabilities and/or parents/guardians shall notify the Superintendent or principal if they have a disability that requires reasonable accommodation. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

### Grievance Procedures

SCOE shall investigate and resolve complaints of discrimination, harassment, intimidation, retaliation or bullying related to school activity or attendance at SCOE's schools in accordance with SCOE's Uniform Complaint Procedures (UCP). For complaints that do not comply with the UCP formal filing requirements, SCOE has discretion to investigate the allegations and resolve appropriately.

### Notice

The Superintendent or designee shall notify pupils, parents/guardians, and applicants for admission about SCOE's nondiscrimination policy. Parents and guardians will be informed of their children's right to free public education, regardless of their immigration status, religious beliefs, or association with any other protected class. This will include dissemination of educational rights information issued by the California Attorney General or other comparable information.

Future publications of the pupil handbook and annual parent notices will clearly describe SCOE's nondiscrimination policy, procedures for filing a complaint regarding discrimination, harassment, intimidation, retaliation or bullying; and the resources that are available to pupils who believe that they have been the victim of any such behavior. SCOE's policy shall also be posted on SCOE's website or in other locations that are easily accessible to pupils.

The nondiscrimination policy and related informational materials shall be published, when required by law, in a language other than English.

### Legal References:

#### CIVIL CODE

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

1714.1 Liability of parents/guardians for willful misconduct of minor

## EDUCATION CODE

200-262.4 Prohibition of discrimination  
48900-48927 Suspension and expulsion  
48980 Notice at beginning of term  
48950 Freedom of speech  
48985 Translation of notices  
49020-49023 Athletic programs  
51007 Legislative intent: state policy  
51500 Prohibited instruction or activity  
51501 Prohibited means of instruction  
60044 Prohibited instructional materials

## GOVERNMENT CODE

11000 Definitions  
11135 Nondiscrimination in programs or activities funded by the state  
11138 Rules and regulations  
54953.2 Brown Act compliance with Americans with Disabilities Act

## PENAL CODE

422.55 Definition of hate crime  
422.6 Interference with constitutional right or privilege

## TITLE 20, UNITED STATES CODE

1400-1482 Individuals with Disabilities in Education Act  
1681-1688 Discrimination based on sex or blindness, Title IX  
2301-2415 Carl D. Perkins Vocational and Applied Technology Act  
6311 State plans  
6312 Local education agency plans

## TITLE 29, UNITED STATES CODE

794 Section 504 of the Rehabilitation Act of 1973

## TITLE 42, UNITED STATES CODE

1983 Civil action for deprivation of rights  
2000d-2000d-7 Title VI, Civil Rights Act of 1964  
12101-12213 Americans with Disabilities Act

## TITLE 5, CALIFORNIA CODE OF REGULATIONS

4600-4671 Uniform Complaint Procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs

## TITLE 28, CODE OF FEDERAL REGULATIONS

35.101-35.190 Americans with Disabilities Act  
36.303 Auxiliary aids and services

## TITLE 34, CODE OF FEDERAL REGULATIONS

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973  
106.1-106.71 Nondiscrimination on the basis of sex in education programs

07/02/12 Drafted  
07/17/12 Reviewed by Policy Committee  
08/14/12 First Reading  
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09/24/12 Distribution  
05/07/13 Reviewed by Policy Committee  
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06/18/13 Second Reading and Adoption  
07/01/13 Distribution  
11/17/15 Reviewed by Policy Committee  
12/15/15 Reviewed by Policy Committee  
02/02/16 First Reading  
02/16/16 Second Reading and Adoption  
02/24/16 Distribution  
10/04/16 Reviewed by Policy Committee  
11/15/16 First Reading  
12/13/16 Second Reading and Adoption  
12/14/16 Distribution  
04/17/18 Reviewed by Policy Committee  
06/12/18 Reviewed by Policy Committee  
06/26/18 First Reading  
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07/13/18 Distribution  
12/08/20 Reviewed by Policy Committee  
01/12/21 First Reading  
02/02/21 Second Reading and Adoption  
02/12/21 Distribution

## Appendix G

# PROHIBITION ON DISCRIMINATION AND HARASSMENT ARR 5145.3

The Sacramento County Office of Education (SCOE) prohibits, in any SCOE academic or educational program or activity, unlawful discrimination, harassment, intimidation, or bullying of any pupil as set forth in Board Policy 5145.3.

### Complaint Process/Grievance Procedure

Any school employee who observes an incident of discrimination, harassment, intimidation, retaliation, or bullying at any school, or school sponsored or school-related activity, shall immediately intervene when safe to do so or take other appropriate action.

Any pupil who believes that he/she has been subjected to discrimination, harassment, intimidation, retaliation or bullying should immediately contact the principal or any other staff member. In addition, any person who observes any such incident should report the incident to the principal. An employee who receives such a complaint shall report it to the principal or the Assistant Superintendent of the designated program.

The principal or Assistant Superintendent will report all complaints to SCOE's Title IX Coordinator/Compliance Officer. (See ARR 1312.3.) The Compliance Officer is responsible for ensuring SCOE's compliance with state and federal nondiscrimination laws, including Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act, and Title II of the Americans with Disabilities Act.

Complaints of discrimination, harassment, intimidation, retaliation or bullying related to school activity or attendance at SCOE's schools, shall be reported, filed, and resolved in accordance with SCOE's Uniform Complaint Procedures (ARR 1312.3).

SCOE prohibits any form of retaliation against any pupil who files a complaint or report, testifies, or otherwise participates in the complaint process for a complaint regarding an incident of discrimination, harassment, intimidation, or bullying.

### Transgender and Gender Variant Pupils

To ensure that transgender and gender variant pupils are afforded the same rights, benefits, and protections provided to all pupils, SCOE shall address each situation on a case-by-case basis, in accordance with the following guidelines:

#### 1. Right to Privacy

SCOE personnel will only disclose a pupil's transgender or gender variant status with the pupil's prior consent, except when the disclosure is otherwise required by law or is warranted to preserve the pupil's physical or mental well-being. Transgender and gender variant pupils have the right to openly discuss and express their gender identity and to decide when, with whom, and how much information to share.

## 2. Determining a Pupil's Gender Identity

SCOE personnel shall accept the pupil's gender identity assertion unless personnel have a credible basis for believing that the pupil's assertion is for an improper purpose. In such a case, the Superintendent or designee shall document the improper purpose and, within seven school days of receiving notification of the pupil's assertion, shall provide a written response to the pupil and, if appropriate, to the pupil's parents or guardians.

## 3. Accessibility to Sex-Segregated Facilities, Programs, and Activities

A pupil shall be entitled to access SCOE facilities, including restrooms and locker rooms, and participate in SCOE programs and activities consistent with the pupil's gender identity to the extent allowed by state and federal laws. Activities that may involve the need for accommodations to address pupil privacy concerns will be addressed on a case-by-case basis. A pupil's right to participate in a sex-segregated activity in accordance with the pupil's gender identity shall be consistent with applicable eligibility rules and laws, established for participation in the activity.

## 4. Pupil Names/Records

A pupil's legal name or gender as entered on the mandatory pupil record required pursuant to Title 5, California Code of Regulations 432 shall only be changed pursuant to a court order. However, at the written request of a pupil or, if appropriate, a parent or guardian, SCOE shall use the pupil's preferred name and pronouns consistent with the pupil's gender identity to address the pupil and on all other SCOE related documents and to verbally address the pupil.

## 5. Dress Code

A pupil has the right to dress in a manner consistent with the pupil's gender identity subject to any dress code adopted on a SCOE school site.

## Education and Training

To the extent possible, SCOE schools shall focus on the prevention of discrimination, harassment, intimidation, and bullying by establishing clear rules for pupil conduct and implementing strategies to promote a positive, collaborative school climate.

SCOE shall educate pupils about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice. (Ed. Code, § 234.7.)

SCOE will provide training to teachers and other appropriate school staff to raise their awareness about their legal duty to take reasonable steps to eliminate a hostile environment and prevent discrimination, harassment, intimidation, and bullying of SCOE pupils. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the pupil body and school community, including their varying immigration experiences;
2. Discuss bullying prevention strategies with pupils, and teach pupils to recognize the behavior and characteristics of bullying perpetrators and victims;
3. Identify the signs of bullying or harassing behavior;
4. Take immediate corrective action when bullying is observed; and
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior. (Ed. Code, § 234.7.)

05/21/13	Drafted
06/11/13	Reviewed by Cabinet
06/18/13	Reviewed by Board of Education
07/01/13	Distribution
08/31/15	Reviewed by Cabinet
11/24/15	Reviewed by Cabinet
02/16/16	Reviewed by Board of Education
02/24/16	Distribution
04/17/18	Reviewed by Cabinet
05/29/18	Reviewed by Cabinet
07/10/18	Reviewed by Board of Education
07/13/18	Distribution
01/12/21	Reviewed by Cabinet
02/02/21	Reviewed by Board of Education
02/12/21	Distribution

## **PROHIBITION OF DISCRIMINATION AND HARASSMENT**

### **In Sacramento County Office of Education Academic and Educational Programs**

Every pupil is entitled to a safe school environment free from discrimination, harassment, intimidation, and bullying.

The Sacramento County Office of Education's (SCOE) Board Policies prohibiting discrimination, harassment, intimidation and bullying in SCOE's academic and educational programs are available by request, in the Annual Notifications: Parents Rights & Responsibilities and Pupil Behavior Standards handbook, and on the SCOE website.

1. SCOE prohibits, at any school, or school-sponsored or school-related activity, unlawful discrimination, harassment, intimidation, and bullying of any pupil based on the pupil's actual race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, genetic information, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics, and all other circumstances specified in law, as applicable. This prohibition applies to all acts related to school activity or school attendance occurring within a school under SCOE's jurisdiction.
2. School personnel must immediately intervene if they witness an act of discrimination, harassment, intimidation or bullying, provided it is safe to do so or take other appropriate action.
3. Acts of discrimination, harassment, intimidation and bullying should be brought to the attention of the principal.
4. Pupils who violate SCOE's policies prohibiting discrimination, harassment, intimidation or bullying will be subject to discipline up to and including suspension or expulsion.
5. A formal complaint of discrimination, harassment, intimidation or bullying can be made by completing the attached Uniform Complaint Procedures form and returning it to SCOE's Title IX Coordinator/Compliance Officer, whose contact information is on the complaint form. The identity of the complainant will be kept confidential as appropriate.
6. If a person wishes to appeal the resolution of a complaint, he or she may file an appeal with the California Department of Education within 30 days of receiving SCOE's final decision on the complaint. An appeal may also be filed if SCOE does not make a decision on the complaint within 60 days.
7. SCOE prohibits retaliation against individuals who make complaints of discrimination, harassment, intimidation or bullying; or who provide information related to such complaints.

## **Appendix H**

### **PROHIBITION ON SEXUAL HARASSMENT BP 5145.7**

The Sacramento County Board of Education (Board) prohibits sexual harassment targeting any person at any Sacramento County Office of Education (SCOE) school, or school-sponsored or school-related activity. This policy also applies to acts that occur outside of school activities but may create a hostile environment at school.

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, under any of the following conditions:

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

The Board also prohibits any form of retaliation against any person who files a complaint or report, testifies, or otherwise participates in the process for a complaint alleging sexual harassment.

The Superintendent or designee will appoint an individual to coordinate SCOE's efforts to comply with Title IX of the Education Amendments of 1972, as well as to investigate and resolve sexual harassment complaints (Title IX Coordinator). The contact information for the Title IX Coordinator as well as the rules and procedures for resolving sexual harassment complaints are set forth in the accompanying regulation, ARR 5145.7.

#### **Grievance Procedures**

Pupils who feel that they are being or have been sexually harassed by another pupil or an adult in a SCOE setting, or who have experienced off-campus sexual harassment that has a continuing effect on campus, are strongly encouraged to immediately contact their teacher, the principal or program administrator, the Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

The Title IX Coordinator will ensure that all complaints of sexual harassment related to SCOE's schools or programs are investigated and resolved in accordance with ARR 5145.7 and applicable law. Depending on the circumstances of the complaint, the Title



IX Coordinator will follow Title IX Regulations or SCOE's Uniform Complaint Procedures to address each complaint. The Title IX Coordinator shall provide supportive measures to pupils involved in the complaint process, as set forth in ARR 5145.7.

Persons who are found to have engaged in sexual harassment or retaliation in violation of law, Board policy, or administrative regulation shall be subject to appropriate discipline.

### Prevention and Education and Training

To the extent possible, SCOE schools shall focus on the prevention of sexual harassment by establishing clear rules for pupil conduct and implementing strategies to promote a positive, collaborative school climate.

The Superintendent or designee shall ensure that all SCOE pupils receive age-appropriate information on sexual harassment and that all SCOE staff are trained on SCOE's policy.

When employees and volunteers provide instruction, guidance, supervision, or other services to SCOE pupils and parents/guardians, they shall carefully guard against stereotyping or inappropriately segregating pupils.

### Notice

The Superintendent or designee shall notify pupils, parents/guardians, and applicants for admission about SCOE's sexual harassment policy in SCOE's annual parent notices. The policy will also be posted in a prominent location on SCOE's website and be displayed in a prominent location in the main administrative building or other area where notices of SCOE's rules, regulations, procedures, and standards of conduct are posted.

### Legal References:

#### CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships  
1714.1 Liability of parents/guardians for willful misconduct of minor

#### EDUCATION CODE

200-262.4 Prohibition of discrimination  
48900-48927 Suspension and expulsion  
48980 Notice at beginning of term  
48950 Freedom of speech  
48985 Translation of notices  
49020-49023 Athletic programs  
51007 Legislative intent: state policy

51500 Prohibited instruction or activity  
51501 Prohibited means of instruction  
60044 Prohibited instructional materials

#### GOVERNMENT CODE

11000 Definitions  
11135 Nondiscrimination in programs or activities funded by the state  
11138 Rules and regulations  
54953.2 Brown Act compliance with Americans with Disabilities Act

#### PENAL CODE

422.55 Definition of hate crime  
422.6 Interference with constitutional right or privilege

#### TITLE 20, UNITED STATES CODE

1681-1688 Discrimination based on sex or blindness, Title IX

#### TITLE 42, UNITED STATES CODE

1983 Civil action for deprivation of rights  
2000d-2000d-7 Title VI, Civil Rights Act of 1964

#### TITLE 5, CALIFORNIA CODE OF REGULATIONS

4600-4671 Uniform Complaint Procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs  
4916 Sexual harassment definitions

#### TITLE 34, CODE OF FEDERAL REGULATIONS

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI  
104.1-104.39 Section 504 of the Rehabilitation Act of 1973  
106.1-106.71 Nondiscrimination on the basis of sex in education programs

12/08/20	Reviewed by Policy Committee
01/12/21	First Reading
02/02/21	Second Reading and Adoption
02/12/21	Distribution

# **PROHIBITION OF SEXUAL HARASSMENT**

## **In Sacramento County Office of Education Academic and Educational Programs**

Every pupil is entitled to a safe school environment free from sexual harassment.

The Sacramento County Office of Education's (SCOE) Board Policies prohibiting sexual harassment in SCOE's academic and educational programs are available by request, in the Annual Notifications: Parents Rights & Responsibilities and Pupil Behavior Standards handbook, and on the SCOE website.

1. SCOE prohibits sexual harassment at any school, or school-sponsored or school-related activity. This prohibition applies to all acts related to school activity or school attendance occurring within a school under SCOE's jurisdiction.
2. School personnel must immediately intervene if they witness an act of sexual harassment provided it is safe to do so or take other appropriate action.
3. Acts of sexual harassment should be brought to the attention of the principal.
4. Pupils who violate SCOE's policies prohibiting sexual harassment will be subject to discipline up to and including suspension or expulsion.
5. A formal complaint of sexual harassment can be made by completing the attached Uniform Complaint Procedures form and returning it to SCOE's Title IX Coordinator/Compliance Officer, whose contact information is on the complaint form. The identity of the complainant will be kept confidential as appropriate.
6. If a person wishes to appeal the resolution of a complaint, he or she may file an appeal to the appropriate authority indicated in SCOE's final decision. Appeals of decisions governed by UCP procedures may be filed with the California Department of Education within 30 days of receiving that decision. Appeals of decisions governed by Title IX regulations may be filed with SCOE's Title IX Coordinator within 30 days of receiving that decision.
7. SCOE prohibits retaliation against individuals who make complaints of sexual harassment or who provide information related to such complaints.

## Appendix I

# PROHIBITION ON SEXUAL HARASSMENT ARR 5145.7

The Sacramento County Office of Education (SCOE) prohibits, sexual harassment of any pupil in any SCOE academic or educational program or activity, as set forth in Board Policy 5145.7.

### Complaint Process/Grievance Procedure

The Superintendent designates the following individual as the responsible employee to investigate and resolve sexual harassment complaints under Title IX of the Education Amendments of 1972 or SCOE's Uniform Complaint Procedures (UCP):

Title IX Coordinator/Compliance Officer  
10474 Mather Boulevard, Mather CA 95655  
(916) 228-2226  
<mailto:complianceofficer@scoe.net>

SCOE shall notify students, parents/guardians, employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of SCOE's Title IX Coordinator. (34 C.F.R. § 106.8.)

Any pupil who believes that she/he has been subjected to sexual harassment should immediately contact the principal or any other staff member. In addition, any person who observes any such incident should report the incident to the principal. SCOE prohibits any form of retaliation against any pupil who files a complaint or report, testifies, or otherwise participates in the complaint process for a complaint regarding an incident of sexual harassment.

Any school employee who observes an incident or allegation of sexual harassment at any school, or school sponsored or school-related activity, shall intervene as appropriate, then directly and promptly notify the Title IX Coordinator. The principal or Assistant Superintendent will report all complaints of sexual harassment to the Title IX Coordinator.

The Title IX Coordinator will determine whether Title IX or UCP procedures will govern the complaint process:

- A. Title IX Regulations will govern complaints that meet one of the following criteria.
  - 1. Any SCOE employee conditioning the provision of a SCOE aid, benefit, or service on the student's participation in unwelcome sexual conduct.
  - 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive *and* objectively offensive that it effectively denies a student equal access to SCOE educational programs or activities.
  - 3. Sexual assault, dating violence, or stalking as defined in 20 USC 1092 or 34 USC 12291.

- B. The UCP Procedures will govern all other complaints that do not rise to the level of a Title IX complaint. Administrative Rules and Regulations 1312.3 sets forth the procedures to be taken in addressing such UCP complaints.

### Title IX Procedures

Upon receiving a report of conduct meeting one of these criteria, the Title IX Coordinator or designee shall conduct an initial meeting with the complainant and inform him or her of the process for filing a complaint. If the complainant chooses not to file a complaint, the Title IX Coordinator shall discuss possible informal resolution and potential supportive measures as set forth below.

If the complainant chooses not to file a complaint but the conduct reported presents a safety threat, the Title IX Coordinator shall file a complaint. The Title IX Coordinator may file a complaint in other situations as permitted under Title IX regulations. In these cases, the alleged victim is not a party to the complaint but will receive notices as required by Title IX regulations.

A complaint may be signed physically or digitally and may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by SCOE.

The Title IX Coordinator, investigator, decision-maker, or facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or on an individual basis. Such persons shall receive training in accordance with 34 Code of Federal Regulations part 106.45.

### Supportive Measures

Upon receipt of a report of sexual harassment, even if a complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonable burden the other party. Such measures may include, but are not limited to: counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus to the extent feasible. The Title IX Coordinator shall consider the complainant's wishes and other legal requirements with respect to supportive measures.

### Emergency Removal

On an emergency basis, SCOE may remove a student from an education program or activity, provided SCOE:

- conducts an individualized safety and risk analysis;
- determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations; and

- provides the student with notice and an opportunity to challenge the decision immediately following the removal.

This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. If a SCOE employee is the respondent, the employee may be placed on administrative leave during the pendency of the complaint process.

### Dismissal of a Complaint

The Title IX Coordinator *shall* dismiss a formal complaint if:

- the alleged conduct would not constitute sexual harassment as defined in 34 Code of Federal Regulations part 106.30 (see above) even if proved
- the conduct did not occur in a SCOE education program or activity
- the conduct did not occur against a person in the United States.

The Title IX Coordinator *may* dismiss a complaint if:

- the complainant notifies SCOE in writing that the complainant would like to withdraw the complaint or any allegations in the complaint
- the respondent is no longer enrolled or employed by SCOE
- sufficient circumstances prevent SCOE from gathering evidence sufficient to reach a determination with regard to the complaint.

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal to both parties simultaneously.

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment under Title IX, the conduct shall be addressed pursuant to UCP procedures set forth in BP 1312.3 and ARR 1312.3.

Either party has a right to appeal a dismissal under appeal procedures discussed below.

### Informal Resolution Process

When a complaint of sexual harassment is filed, SCOE may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. SCOE may facilitate informal resolution by:

1. Obtaining the parties' voluntary, written consent to the informal resolution process and
2. Providing the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the

informal process and resume the complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

SCOE shall *not* offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

SCOE shall *not* require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a complaint.

### Investigation Process

If a complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following:

1. SCOE's Complaint Process, including informal resolution (set forth in this ARR 5145.7).
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, SCOE investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is not presumed responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process.
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence.
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process.
6. The Title IX Coordinator will provide the parties with the name of the investigator, facilitator of an informal resolution process (if there is one), and decision-maker. The Title IX Coordinator shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

SCOE shall:

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding. SCOE may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to all parties.
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate.
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report.
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory, and determine credibility in a manner that is not based in a person's status as a complainant, respondent, or witness.
8. Create a report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the report in an electronic format or a hard copy, for their review.
9. After sending the report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow up questions from each party.

### Prohibited Evidence

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered:

- a) to prove that someone other than the respondent committed the conduct alleged by the complainant, or
- b) if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.



### Privacy Rights

The privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

### Written Decision

A SCOE employee shall be designated as the decision-maker to determine responsibility for the alleged conduct. This employee shall not also serve as the Title IX Coordinator or a person involved in the investigation of the matter.

Within 60 calendar days of receipt of complaint, the decision-maker shall issue and simultaneously provide to both parties a written decision as to whether the respondent is responsible for the alleged conduct. The 60-day timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 C.F.R. § 106.45.) If the parties agree to participate in the informal resolution process, the timeline may be extended by mutual agreement of the parties.

In making this determination, SCOE shall use the “preponderance of the evidence” standard for all complaints of sexual harassment. The same standard of evidence shall be used for complaints against students as for complaints against employees.

The written decision shall include the following:

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 Code of Federal Regulations part 106.30.
2. A description of the procedural steps taken from receipt of the complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence.
3. Findings of fact supporting the determination.
4. Any conclusions regarding the application of SCOE’s policies.
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, whether corrective measures have been taken, and whether SCOE will provide remedies designed to restore or preserve equal access to SCOE educational programs and activities to the complainant.
6. Appeal procedures and permissible bases for either party to appeal.

### Appeals

Either party may appeal the written decision or dismissal of a complaint or any allegation in the complaint, if the party believes that a procedural irregularity, new evidence, or a conflict of interest or bias on the part of any Title IX personnel involved in

the complaint process affected or could have affected the outcome of the complaint process.

Upon receiving an appeal, SCOE shall:

1. Notify the other party in writing and implement appeal procedures equally for both parties.
2. Ensure that the person hearing the appeal is trained in accordance with Title IX regulations and is not the same person as the investigator, Title IX Coordinator, or decision-maker in the decision that is being appealed.
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
4. Issue a written decision describing the result of the appeal and the rationale for the result.
5. Provide the written decision simultaneously to both parties.

#### Appeal Timeline

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U. S. Department of Education's Office for Civil Rights.

A written appeal decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

#### Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, SCOE shall provide remedies to the complainant. Such remedies may include the same individualized services described and provided as "Supportive Measures."

Once a determination of responsibility has been made after the completion of the complaint procedure, disciplinary sanctions or other adverse actions against a respondent are permissible as a remedy. For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. (Ed. Code, §§ 48900.2, 48915.)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

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

### Record-Keeping

SCOIE shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to Title IX regulations.

SCOIE shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process.

### Education and Training

To the extent possible, SCOIE schools shall focus on the prevention of sexual harassment by establishing clear rules for pupil conduct and implementing strategies to promote a positive, collaborative school climate.

The Superintendent or designee shall ensure that all SCOIE pupils 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.
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 SCOIE's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.
5. Providing a copy of Board Policy 5145.7 for new and continuing pupils.

6. Posting information about Board Policy 5145.7 in a prominent location on SCOE premises where notices of SCOE rules, regulations, procedures and standards of conduct are posted.
7. Posting Board Policy 5145.7 on the SCOE website in a prominent location that is easily accessible to students, parents and guardians.

The Superintendent or designee shall ensure that, to extent required by law, SCOE staff receive training and instruction in recognizing incidents of sexual harassment and their obligations under the regulations and state and federal law.

01/12/21	Reviewed by Cabinet
02/02/21	Reviewed by Board of Education
02/12/21	Distribution

**Appendix J**  
**SUPPORTING PROFESSIONAL ADULT/STUDENT BOUNDARIES**  
**SP 1010**

All adults are expected to maintain professional, moral, and ethical relationships with students that are conducive to an effective, safe learning environment. The purpose of this policy is to support positive, healthy interactions with students, while preventing inappropriate boundary-blurring and grooming behaviors that undermine the professional adult/student relationship and can lead to misconduct or the appearance of impropriety.

This policy applies to all Sacramento County Office of Education (SCOE) employees, volunteers, student teachers, and independent contractors and their employees who interact with students or are present on school grounds. For purposes of this policy, such individuals are referred to collectively as adults. As used in this policy, the term “adults” does not include SCOE students who are minors and perform services for SCOE on a volunteer or compensated basis.

For purposes of this policy, the term “legitimate educational reasons” includes matters or communications related to teaching, counseling, athletics, extracurricular activities, treatment of a student's physical injury or other medical needs, school administration, or other purposes within the scope of the adult's employment or volunteer duties.

**I. Supporting Professional Relationships with Students**

To ensure that interactions with students are appropriate and healthy for the growth and development of the child, professional interactions and behaviors should support the following:

1. Modeling high integrity, which includes valuing each student as a human being, and modeling respect, patience, honesty, kindness, and fairness.
2. Demonstrating care, support, and safety in response to the needs of each student that is culturally and age appropriate.
3. Understanding that some students may have experienced adverse childhood experiences and may express their feelings in many ways. Teaching students how to use words and images to express their feelings in a constructive manner, how to negotiate conflict, and finding ways to model appropriate interactions and communications.
4. Creating opportunities to build positive safe relationships by including culturally responsive activities within the classroom and school, modeling a growth mindset, and honoring the attributes that each student brings to the classroom and school community.

**II. Prohibited Conduct**

When interacting with students, adults shall establish and maintain appropriate personal boundaries and not engage in any behavior that is prohibited by this policy or that creates the appearance of prohibited behavior.

### ***A. Romantic or Sexually Related Conduct***

Adults are prohibited from dating, courting, entering into or attempting to form a romantic or sexual relationship with any student, regardless of the student's age. Prohibited romantic or sexual interaction involving students includes, but is not limited to:

1. Sexual physical contact.
2. Romantic flirtation, propositions, or sexual remarks.
3. Sexual slurs, leering, epithets, sexual or derogatory comments.
4. Talking explicitly about sexual topics or behaviors without a legitimate education purpose.
5. Personal comments about a student's body.
6. Sexual jokes, music, banter, innuendo, notes, stories, drawings, gestures or pictures.
7. Spreading sexual or romantic rumors.
8. Touching a student's body or clothes in a sexual way or with the intent to arouse.
9. Accepting massages or offering or giving massages other than in the course of injury care administered by an athletic trainer, coach, or health care provider.
10. Restricting a student's freedom of movement in a sexually intimidating or provocative manner.
11. Displaying or transmitting sexual objects, pictures, or depictions.
12. Any type of conduct that would be considered harassment under SCOE policies prohibiting sexual harassment or by state or federal law.

### ***B. Personal and Other Interactions***

In order to maintain professional boundaries, adults shall ensure that their interactions with students are appropriate. Prohibited conduct that violates professional boundaries or can create the appearance of impropriety includes, but is not limited to:

#### **Using Poor Judgement in Relation to a Particular Student**

1. Being alone with or intentionally secluding a student without a legitimate educational reason.

2. Giving gifts or money to a student without written approval from the school principal.
3. Touching students or initiating physical contact without a legitimate educational reason. (Legitimate reasons could include the need for assistance when injured, a student with special needs needing toileting or physical assistance, appropriate coaching instruction, appropriate music instruction, or acknowledgement of a task well done [e.g., hand shake, high-five, or fist bump]).
4. Giving a student a ride alone in a vehicle in a nonemergency situation without prior notification to and approval from both the parent/guardian and the school principal.
5. Furnishing alcohol, drugs, unauthorized medication, tobacco, or paraphernalia to a student, or being present where a student is consuming these substances.

#### Involvement in a Student's Private Life

1. Inappropriately disclosing personal, sexual, family, employment concerns or other private matters to one or more students.
2. Sharing personal secrets with a student.
3. Talking to a student about the student's personal problems to the extent that the adult becomes a confidant to the student, or failing to direct a student to appropriate help or support services in order to maintain the role of confidant with the student, when it is not the adult's role to do so.
4. Initiating or extending contact with a student beyond the school day or outside of class times without a legitimate educational reason and approval of the principal.
5. Sending or accompanying a student on personal errands.
6. Exchanging notes, emails, texts, or other communications with a student that do not support the student's best interests.
7. Taking a student on outings without prior notification to and approval from both the parent/guardian and the school principal.

#### Not Respecting Normal Professional Boundaries

1. Sharing personal information about a student with a third party, except as required by law or, as necessary, with persons legally permitted to know.

2. Unnecessarily invading a student's privacy.
3. Inviting or having a student in the adult's home.
4. Visiting a student's home without a legitimate educational reason and approval of the school principal.
5. Asking the student to keep secrets from his/her parents or other school staff.
6. Playing or interacting with students in online or mobile games without a legitimate educational reason.

#### Taking an Undue Interest in a Particular Student

1. Singling out a particular student or students for personal attention or friendship beyond the ordinary professional adult-student relationship.
2. Socializing, engaging in peer-like behavior, or spending time with students outside of school sponsored events.
3. Addressing a student or permitting a student to address the adult with personalized terms of endearment, pet names, or otherwise in an overly familiar manner.
4. Favoring certain students by inappropriately giving them special privileges.
5. Inviting or spending time alone with student(s) in the classroom during non-class times without a legitimate educational reason.
6. Taking a student out of class without a legitimate educational reason.

#### **C. Communications**

For purposes of this policy, electronic communication shall mean a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular telephone, computer, computer network, gaming system, personal data assistant, pager, or other device. Electronic communications include, but are not limited to, emails, instant messages, texts, photos, images, and communications made by means of an Internet website, chat room, social media, and other networking services.

As with other forms of communication, when communicating electronically, adults shall maintain professional boundaries with students. All electronic and other communications shall be only for legitimate educational reasons or school approved activities. Adults shall not maintain personal contact with a student outside of school by



phone, letter, electronic communication, or other means (beyond legitimate educational reasons).

SCOE email and SCOE communication devices and designated media tools or texting applications shall be used when communicating electronically with students. The use of SCOE email or other SCOE communication devices shall be in accordance with SCOE policies and procedures.

Adults shall not follow or accept requests from current students, dependent adults, or non-adult former students to be friends or connections on gaming related sites or personal social media sites (including but not limited to Snapchat, Instagram, Facebook, Twitter, LinkedIn, Spotify, and those invented in the future) and shall not create or participate in any networking site for communication with students other than those provided by SCOE for this purpose. This includes posting students' images or other personally identifiable information on an adult's personal social networking site.

#### ***D. Exceptions***

An emergency situation or a legitimate educational reason may justify deviation from professional boundaries set out in this policy. The adult shall be prepared to articulate the reason for any deviation from the requirements of this policy and must demonstrate that s/he has maintained an appropriate relationship with the student.

Under no circumstance will an educational or other reason justify deviation from the "Romantic and Sexually Related Conduct" section of this policy.

There may be circumstances where there is an appropriate pre-existing personal relationship between an adult and a student's family that exists independently of school, e.g., when their children are friends. This policy is not intended to interfere with such relationships or to limit activities that are normally consistent with such relationships. Adults shall maintain professional boundaries appropriate to the nature of the activity.

It is understood that adults may be involved in other roles in the community through civic, religious, athletic, scouting or other organizations and programs whose participants may include SCOE students. This policy is not intended to interfere with or restrict an adult's ability to serve in those roles; however, adults are expected to maintain professional boundaries appropriate to the nature of the activity with regard to all youth with whom they interact in the course of their community involvement.

### **III. Reporting Inappropriate or Suspicious Conduct**

Any person, including a student or parent, who has concerns that an adult may be engaging in conduct that violates this policy, or who is uncomfortable with a relationship or interaction between an adult and a student, shall immediately notify the principal, supervisor, or other administrator.

All SCOE employees and mandated reporters who have reasonable cause to suspect that a child is the victim of child abuse, sexual abuse or exploitation, or sexual misconduct shall also immediately report the suspected abuse to Child Protective Services or law enforcement, in accordance with applicable law and district policy. (See, e.g., Penal Code section 11166, et seq.; <http://www.dcfas.saccounty.net/CPS/Pages/Emergency-Response/GI-Suspected-Child-Abuse-Report.aspx>) Reporting suspected abuse to the school principal or supervisor does not relieve the person from their mandated reporter responsibilities and timelines.

Reporting adults are neither permitted nor responsible for investigating whether the conduct was appropriate. In addition, reporting adults are required to maintain confidentiality. Confidentiality protects both the student(s) and the adult who is the subject of the report. Failure to maintain confidentiality may impede the investigation and foster untrue and potentially harmful rumor. Nothing in this policy is intended to prevent any represented employee from consulting with the employee's exclusive representative.

The administrator to whom a boundary invasion concern is reported must document, in writing, the concern and provide a copy of the documentation to the director in charge of human resources and the program administrator.

Whenever boundary invasion concerns occur, the human resources director will review the full history of concerns relating to the person complained about and will take appropriate action.

It is a violation of this policy to retaliate against any person for reporting any action pursuant to this policy or for participating as a witness in any related investigation or hearing.

#### **IV. Investigation**

Allegations of inappropriate conduct shall be promptly investigated in accordance with the procedures utilized for complaints of harassment.

It is understood that some reports made pursuant to this policy will be based on rumors or misunderstandings. The mere fact that the reported adult is cleared of any wrongdoing will not result in disciplinary action against the reporter or any witnesses.

If as the result of an investigation any individual, including the reported adult, the reporter, or a witness is found to have intentionally provided false information in making the report or during the investigation or hearings related to the report, or if any individual intentionally obstructs the investigation or hearings, this may be addressed as a violation of this policy and other applicable laws, regulations, and employment policies.

Obstruction includes, but is not limited to, violation of "no contact" orders given to the reported adult, attempting to alter or influence witness testimony, and destroying or hiding evidence.

#### **V. Disciplinary Action**

An employee who violates this policy may be subject to disciplinary action, up to and including termination, in accordance with all applicable disciplinary policies and procedures. When the violation involves a certificated employee, the violation may also be reported to the California Commission on Teacher Credentialing.

A volunteer, student teacher, or independent contractor or an employee of an independent contractor who violates this policy may be prohibited from working or serving in SCOE schools and programs for an appropriate period of time or permanently, as determined by the Superintendent or designee.

#### **VI. Dissemination of Policy and Reporting Protocols**

The Superintendent or designee shall annually inform students, parents/guardians, and all adults of this policy through employee and student handbooks and other appropriate methods. School principals or designees shall be available to answer questions about behaviors or activities that may violate professional boundaries as defined in this policy.

Contractors doing business with SCOE whose staff have interaction with students shall receive a copy of this policy and shall ensure that their staff are informed of the provisions of this policy.

#### **Legal Reference:**

#### **PENAL CODE**

11164, et seq. Child Abuse and Neglect

02/18/20 Reviewed by Cabinet

02/18/20 Approved by Superintendent

## **Appendix K**

### **PUPIL BEHAVIOR INTERVENTION AND DISCIPLINE BP 5720**

The Sacramento County Office of Education (SCOE) is committed to providing a safe, supportive, and positive school environment which is conducive to pupil learning and to preparing pupils for responsible citizenship by fostering self-discipline, social awareness, and personal responsibility. The Sacramento County Board of Education (Board) believes that high expectations, engaging teaching practices, caring relationships, use of effective school and classroom management strategies, provision of appropriate proactive interventions and support, and parent involvement can prevent misbehavior and minimize the need for disciplinary measures that exclude pupils from instruction as a means for correcting misbehavior.

The Superintendent or designee shall develop effective, age-appropriate strategies for maintaining a positive school climate and correcting pupil misbehavior at SCOE's schools. The strategies shall focus on providing pupils with needed skills and supports, communicating clear, appropriate, and consistent expectations, and consequences for pupil conduct. The strategies will aim to help pupils develop positive behavior, reduce pupil misbehavior, and help pupils correct and repair harm caused by their misbehavior, as appropriate.

In addition, the Superintendent's or designee's strategies for promoting positive behavior or correcting pupil misconduct shall reflect the Board's preference for the use of prevention, positive interventions, and alternative disciplinary measures over exclusionary discipline measures. Disciplinary measures that may result in loss of instructional time or cause pupils to be disengaged from school, such as suspension, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed.

SCOE's staff shall enforce disciplinary rules in accordance with SCOE's nondiscrimination policies and will strive to avoid implicit bias that can lead to disproportionate suspensions.

SCOE's staff will analyze and periodically report to the Board on implementation of this policy.

#### **Legal References:**

##### **EDUCATION CODE**

1981-1981.5 Enrollment of pupils in community school

48900-48927 Suspension and expulsion

52060-52077 Local control and accountability plan

##### **TITLE 20, UNITED STATES CODE**

1415 Individuals with Disabilities Education Act – procedural safeguards

##### **TITLE 34, CODE OF FEDERAL REGULATION**

300.530-300.537 Discipline procedures

10/10/90	Draft
05/17/93	Revision
11/17/99	First Reading
12/01/99	Second Reading
12/01/99	Approval
02/21/03	Draft Revisions
03/20/03	Reviewed by Legal Counsel
04/15/03	Policy Committee
05/06/03	First Reading
05/20/03	Second Reading
05/20/03	Approval
05/22/03	Distribution
10/16/18	Reviewed by Policy Committee
11/13/18	First Reading
12/11/18	Second Reading
02/05/19	Reviewed by Policy Committee
03/19/19	First Reading
04/16/19	Second Reading and Adoption
04/19/19	Distribution

# **Sacramento County Office of Education Uniform Complaint Procedures (UCP) Annual Notice 2024-2025**

The Sacramento County Office of Education (SCOE) annually notifies SCOE students, employees, parents or guardians of its students, school and county office advisory committees, appropriate private school officials, and other interested parties of SCOE's Uniform Complaint Procedures (UCP) process.

We are primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

## **Programs and Activities Subject to the UCP**

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code, including any actual or perceived characteristic as set forth in Section 422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in juvenile court now enrolled in a school district
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
- Migrant Education

- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School Safety Plans
- Schoolsite Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing

### **Filing a UCP Complaint**

A UCP complaint shall be filed no later than one year from the date the alleged violation occurred.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by SCOE.

A pupil enrolled in any of SCOE's public schools shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee complaint may be filed with the principal of a school, the Superintendent, or SCOE's Compliance Officer.

A pupil fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

### **Responsibilities of the Sacramento County Office of Education**

SCOE includes in its Annual Notifications, Parents Rights and Responsibilities Handbook, its policy for graduation requirements, including exemptions for pupils in foster care, pupils who are homeless, pupils from military families and pupils formerly in juvenile court now enrolled in a SCOE school. The Handbook is distributed and posted on SCOE's website.

SCOE advises complainants of the opportunity to appeal SCOE's decisions regarding programs within the scope of the UCP to the California Department of Education (CDE).

SCOE advises complainants of civil law remedies, including injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

Copies of SCOE's UCP procedures shall be available free of charge.

**Contact Information**

Complaints within the scope of the UCP are to be filed with SCOE's Title IX Coordinator/Compliance Officer.

The below contact is knowledgeable about the laws and programs that they are assigned to investigate in SCOE.

Title IX Coordinator/Compliance Officer

Sacramento County Office of Education

<mailto:complianceofficer@scoe.net>

Mailing Address: P.O. Box 269003, Sacramento, CA 95826-9003

Physical Address: 10474 Mather Boulevard, Mather, CA 95655



## **Appendix L**

### **UNIFORM COMPLAINT PROCEDURES BP1312.3**

The Sacramento County Office of Education (SCOE) has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs. SCOE shall investigate and seek to resolve any complaints alleging failure to comply with such laws and/or alleging unlawful discrimination, harassment, intimidation, retaliation or bullying in SCOE educational programs in accordance with SCOE's Uniform Complaint Procedures.

Uniform Complaint Procedures shall also be used to address complaints alleging that SCOE has violated federal or state laws or regulations governing academic or educational programs, including:

- accommodations for pregnant and parenting pupils;
- after school education and safety programs;
- agricultural career technical education;
- the prohibition against charging pupil fees for participation in educational activities;
- the requirements for the development and adoption of a school safety plan;
- the requirements for Local Control and Accountability Plans;
- adult education;
- career technical education and training programs (Career Technical and Technical Education, Career Technical, Technical Training [state] and Career Technical Education [federal]);
- migrant education;
- child care and development programs;
- compensatory education;
- consolidated categorical aid programs;
- course periods without educational content;
- education of pupils in foster care;
- credit and graduation requirements for pupils who are homeless, former and current juvenile court school pupils, children of military families, pupils who are migratory children, and pupils participating in a newcomer program;
- Every Student Succeeds Act;
- physical education and instructional minutes;
- reasonable accommodations to a lactating pupil;
- regional occupational centers and programs;
- school plans for pupil achievement;
- school site councils;
- state preschool; and
- state preschool health and safety issues.

The Superintendent or designee may utilize the Uniform Complaint Procedures as appropriate to address other concerns or complaints received regarding the operation of SCOE that would not otherwise fall within the parameters of this policy.

Complaints shall be submitted in writing and investigated in accordance with Uniform Complaint Procedures set forth in ARR 1312.3.

The Board prohibits any form of retaliation for the filing of a complaint, the reporting of instances of discrimination, or for participating in the complaint procedures. Such participation shall not in any way affect the status, grades, or work assignments of the complainant. To the fullest possible extent, SCOE personnel shall ensure that complainants are protected from retaliation.

The Board encourages the early, informal resolution of complaints at the site level whenever possible. Furthermore, the Board recognizes that a neutral mediator can often suggest an early compromise that is agreeable to all parties in a dispute. In accordance with Uniform Complaint Procedures, whenever all parties to a complaint agree to try resolving their issues through mediation, the Sacramento County Superintendent of Schools (Superintendent) or designee shall initiate a mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

Annually, Uniform Complaint Procedures shall be disseminated to all pupils, employees, parents and/or guardians, school councils, advisory councils, and other interested parties and shall include information regarding allegations about discrimination, harassment, intimidation and bullying.

The *Williams* Uniform Complaint Procedures, ARR 1312.4, shall be used to investigate and resolve any complaint related to the following:

- Sufficiency of textbooks or instructional material;
- Facilities conditions that pose a threat to the health or safety of pupils or staff;
- Teacher vacancies and misassignments.

#### Legal References:

##### EDUCATION CODE

200-262.4 Educational equity

222 Reasonable accommodations; lactating pupils

8200-8498 Child Care and Development Services Act

8482-8484.65 After school education and safety

8500-8538 Adult education

32280-32289 School safety plan

35186 Complaints concerning deficiencies related to instructional materials, emergency or urgent facilities conditions, teacher vacancy or misassignments

46015 Pregnant and parenting pupils; accommodation rights

48645.7 Juvenile court school pupils, diploma and continued education options

48853-48853.5 Foster youth

48985 Notices to parents in language other than English

49010-49011 Pupil fees  
49060-49079 Pupil records  
49069.5 Timely preparation and transfer of pupil records  
51210 Course of study grades 1-6; noncompliance complaints  
51223 Physical education, elementary schools  
51225.1-51225.2 Foster youth, homeless children, former juvenile court school pupils, children of military families, pupils who are migratory child, and pupils participating in a newcomer program  
51226-51226.1 Career technical education (federal)  
51228.1-51228.3 Course periods without educational content  
52075 Complaint for lack of compliance with local control and accountability plans  
52300-52490 Career technical education (state)  
52460-52462 Agricultural career technical education  
52500-52616.24 Adult schools  
54400-54425 Compensatory education programs  
54440-54445 Migrant education  
64001 School plans for pupil achievement

#### HEALTH AND SAFETY CODE

1596.7925 Regulations for state preschool programs

#### GOVERNMENT CODE

11135 Discrimination  
12900-12996 Fair Employment and Housing Act

#### PENAL CODE

422.55 Hate crime definition  
422.6 Interference with constitutional right or privilege

#### TITLE 20, UNITED STATES CODE

1681-1688 Title IX of the Education Amendments of 1972  
6301-6576 Improving the academic achievement of the disadvantaged  
6801-7014 Language instruction for limited English proficient and immigrant pupils

#### CALIFORNIA CODE OF REGULATIONS, TITLE 5

3080 Procedural safeguard general provisions  
4600-4687 Uniform Complaint Procedures  
4900-4965 Nondiscrimination and educational equity

03/09/95	Draft
05/02/95	First Reading
05/23/95	Second Reading and Approval
03/04/03	Draft Revisions
03/12/03	Reviewed by Legal Counsel
03/18/03	Reviewed by Policy Committee

3. Inspect, upon request and before administration or use –

1. Protected information surveys of pupils;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum

These rights transfer from the parents/guardians to a pupil who is 18 years old or an emancipated minor under State law. Board policies regarding these rights may be obtained from the school or county office. (20 U.S.C. § 1232h.) Parents/guardians who believe their rights have been violated under this section may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-5901

California law also says that no test, questionnaire, survey, or examination containing any questions about a pupil's personal beliefs or practices in sex, family life, morality, and religion, or any questions about a pupil's parents/guardians' beliefs and practices in sex, family life, morality, and religion, shall be administered to any pupil in kindergarten or grades 1 to 12, unless the parent/guardian of the pupil is notified in writing that the test, questionnaire, survey, or examination is to be administered and the parent/guardian of the pupil gives written permission for the pupil to take the test, questionnaire, survey, or examination. (Ed Code section

SCOE will notify parents/guardians of surveys in advance of their occurrence.

#### **Every Student Succeeds Act**

Under the ESSA, parents have the following rights which may be subject to change as regulations and state law are modified to comply with ESSA

#### ***Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and Aides***

Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects s/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether s/he has any advanced degrees and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to your child and, if so, their qualifications.

#### **Limited English Proficient Students:**

The Act requires prior notice be given to parents of English learners regarding limited English proficiency programs, including the reasons for the identification of the student as an English learner, the need of placement in a language instruction educational program, the student's level of English proficiency, how such level was assessed, the status of the student's academic achievement, the methods of instruction used in the programs available, how the recommended program will meet the student's needs, program performance, parent options to remove a

## **Appendix M**

# **UNIFORM COMPLAINT PROCEDURES ARR 1312.3**

These Uniform Complaint Procedures shall be used to investigate and resolve complaints alleging violations of federal or state laws as specified in BP 1312.3 and discussed herein.

### **I. Compliance Officer or Designee**

The Sacramento County Office of Education (SCOE) has designated its Title IX Coordinator as its Compliance Officer to receive and investigate complaints and ensure SCOE's compliance with law: [complianceofficer@scoe.net](mailto:complianceofficer@scoe.net), 10474 Mather Boulevard, Mather, CA 95655, P.O. Box 269003, Sacramento, CA 95826-9003; (916) 228-2201.

The Compliance Officer or designee shall maintain a record of each complaint and subsequent related actions, as required by law, including all information required for compliance with California Code of Regulations, title 5, sections 4631 and 4633. (See, Ed. Code, § 234.1.) All complaints and responses are public records, unless otherwise provided by law.

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee. (Cal. Code Regs., tit. 5, § 4621.)

### **II. Notifications**

The Superintendent or designee will annually disseminate a written notice of SCOE's Uniform Complaint Procedures (Annual Notice) to all pupils, employees, parents or guardians of its pupils, school and SCOE advisory committee members, appropriate private school officials or representatives, and other interested parties as appropriate. The notice may be available on SCOE's website.

The Annual Notice will include the list of all federal and state programs within the scope of the UCP and information regarding allegations about discrimination, harassment, intimidation, or bullying. It will also include the title of the position whose occupant is responsible for processing complaints, and the identity(ies) of the person(s) currently occupying that position, if known and a statement that the occupant responsible for processing complaints is knowledgeable about the laws and programs they are assigned to investigate.

SCOE's Annual Notice shall be in English, and, when necessary, in the primary language of the pupils (if 15 percent or more of pupils enrolled in a particular school speak a single primary language other than English) or the mode of communication of the recipient of the notice. (Ed. Code, § 48985; Cal. Code Regs., tit. 5, § 4622.)

### III. Scope of Uniform Complaint Procedures

- A. SCOE has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Uniform Complaint Procedures will be used for any claim alleging noncompliance with laws relating to all programs and activities implemented by SCOE that are subject to the Uniform Complaint Procedures. All complainants are protected from retaliation.
- B. The Uniform Complaint Procedures shall be used to address complaints that allege that SCOE has violated federal or state laws or regulations governing academic and educational programs, including:
  - 1. Accommodations for pregnant and parenting pupils (Ed. Code, § 46015.)
  - 2. Adult education (Ed. Code, §§ 8500-8538, 52334.7, 52500-52616.4.)
  - 3. After school education and safety (Ed. Code, §§ 8482-8484.65.)
  - 4. Agricultural career technical education (Ed. Code, §§ 52460-52462.)
  - 5. Career technical and technical education; career technical; technical training (state) (Ed. Code, §§ 52300-52462.)
  - 6. Career technical education (federal) (Ed. Code, §§ 51226-51226.1.)
  - 7. Child care and development (Ed. Code, §§ 8200-8493.)
  - 8. Compensatory education (Ed. Code, § 54400.)
  - 9. Consolidated Categorical Aid Programs (Ed. Code, § 33315.)
  - 10. Course periods without educational content (Ed. Code, §§ 51228.1-51228.3.)
  - 11. Educational and graduation requirements for pupils in foster care, pupils who are homeless, current juvenile court school pupils, former juvenile court pupils now enrolled in a SCOE school, pupils of military families, pupil who is a migratory child, and pupil participating in a newcomer program (Ed. Code, §§ 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2.)
  - 12. Every Student Succeeds Act (20 U.S.C. § 6301 et seq.)
  - 13. Local control and accountability plans (LCAP) (Ed. Code, § 52075.)
  - 14. Migrant education (Ed. Code, §§ 54440-54445.)

15. Physical education instructional minutes (Ed. Code, §§ 51210, 51223.)
16. Pupil fees (Ed. Code, §§ 49010-49011.)
17. Reasonable accommodations to a lactating pupil (Ed. Code, § 222.)
18. Regional occupational centers and programs (Ed. Code, §§ 52300-52334.7.)
19. School plans for student achievement (Ed. Code, § 64001.)
20. School safety plans (Ed. Code, §§ 32280-32289.)
21. School site councils (Ed. Code, § 65000.)
22. State preschool (Ed. Code, § 8235-8239.1.)
23. State preschool health and safety issues in LEAs exempt from licensing (Ed. Code, §§ 8235.5, 33315; Health & Saf. Code, § 1596.7925.)
24. Any other state or federal educational programs the State Superintendent of Public Instruction (SSPI) or designee deems appropriate (Ed. Code, § 33315.)
25. Other complaints or concerns received regarding the operation of SCOE, at the discretion of the Superintendent or designee.<sup>1</sup>

C. SCOE will also use its Uniform Complaint Procedures when addressing allegations of:

1. Unlawful discrimination harassment, intimidation, retaliation, or bullying against any protected group on the basis of any actual or perceived characteristic in Education Code sections 200 and 220, Government Code section 11135, or Penal Code section 422.55 including: age, sex, sexual orientation, gender, gender identity, gender expression, genetic information, ethnicity, race, ancestry, national origin, immigration status, ethnic group identification, nationality, religion, color, or mental or physical disability; or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any program or activity conducted by an educational institution as defined in Education Code section 210.3 that is funded by, or receives or

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<sup>1</sup> SCOE does not offer all of these programs, but CDE requires the complete list to be included. The Superintendent may also choose to utilize the Uniform Complaint Procedure for other complaints that do not fall within the specific categories listed within this ARR.

benefits from, any state financial assistance. (Cal. Code Regs., tit. 5, § 4610.)

2. Violations of SCOE Board Policies prohibiting discrimination, harassment, intimidation, or bullying in SCOE educational programs.
- D. These Uniform Complaint Procedures may also be used to file complaints with SCOE or to appeal SCOE decisions that concern unlawful discrimination in SCOE's educational programs under federal law, including:
1. Section 504 of the Rehabilitation Act of 1973 or Title II of the Americans with Disabilities Act of 1990 (ADA) for charges of discrimination based on physical or mental disability.
  2. Title IX of the Education Amendments of 1972 for charges of discrimination based on sex, including charges of sexual harassment.
- E. The following complaints are not subject to SCOE's Uniform Complaint Procedures:
1. Allegations of child abuse shall be referred to the applicable County Department of Child Protective Services or to the appropriate law enforcement agency.
  2. Health and safety complaints regarding a Child Development Program shall be referred to the Sacramento County Department of Health and Human Services for licensed facilities and to the appropriate Child Development regional administrator for licensing exempt facilities.
  3. Allegations of unlawful employment discrimination shall be resolved in accordance with SCOE's employee complaint resolution procedures in SP 1006 and SP 1006.1 and may be filed with the State Department of Fair Employment and Housing (DFEH).
  4. Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in CDE. (Cal. Code Regs., tit. 5, § 4611.)

#### IV. Procedures

##### A. Step 1: Filing of Complaint

1. Any individual, public agency, or organization may file a written complaint of alleged noncompliance with federal or state laws or regulations governing educational programs, as set forth above.



Except as stated below, the complaint shall be presented to SCOE's Compliance Officer or designee not later than one year from the date the alleged violation occurred unless otherwise provided by law. The Compliance Officer shall maintain a log of complaints received, including the date of receipt.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, SCOE staff shall assist the complainant in the filing of the complaint. (Cal. Code Regs., tit. 5, § 4600.)

2. **Unlawful Discrimination, Harassment, Intimidation, Retaliation, and Bullying.** A complaint concerning unlawful discrimination, harassment, intimidation, retaliation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, retaliation, or bullying; or by a person who believes that an individual or specific class of individuals has been subjected to it; or by a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, § 4630.)

When the complainant or the alleged victim requests confidentiality, the Compliance Officer shall inform the requester that the request may limit SCOE's ability to investigate or take other necessary action. SCOE will, nevertheless, take all reasonable steps to investigate and respond to the complaint to the extent possible.

A complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, retaliation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, retaliation, or bullying. However, upon written request by the complainant, the Superintendent or designee may, for good cause, extend in writing the filing period for up to 90 calendar days. (Cal. Code Regs., tit. 5, § 4630.)

3. **Pupil Fees.** A complaint alleging noncompliance with the law prohibiting pupils to pay pupil fees must be filed within one year of the alleged violation. (Cal. Code Regs., tit. 5, § 4630.) Complaints regarding the unlawful charging of pupil fees may be filed with the school principal, Superintendent, or Compliance Officer.

Pupil fee complaints may be filed anonymously, that is, without an identifying signature, if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Ed. Code, §§ 49013, Cal. Code Regs., tit. 5, § 4630.)

4. LCAP. For complaints relating to the LCAP, the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that SCOE adopted. An LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Ed. Code, § 52075; Cal. Code Regs., tit. 5, § 4630.)

B. Step 2: Investigation of Complaint

1. The Compliance Officer or designee shall provide the complainant and/or the complainant's representative an opportunity to present any evidence, or information leading to evidence, to support the allegations in the complaint. The Compliance Officer or designee also shall collect documents and interview witnesses with information pertinent to the complaint. The Compliance Officer may implement interim measures, as appropriate, pending the outcome of the investigation.
2. A complainant's refusal to provide the SCOE Compliance Officer or designee 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. (Cal. Code Regs., tit. 5, § 4631.)
3. In accordance with law, SCOE shall provide the Compliance Officer or designee with access to records and other information related to the allegation in the complaint, shall cooperate in the investigation, and shall not in any way obstruct the investigation. Failure or refusal to comply with this requirement 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. (Cal. Code Regs., tit. 5, § 4631.)
4. Investigations of discrimination, harassment, intimidation, retaliation, and bullying complaints shall be conducted in a manner that protects the confidentiality of the parties to the extent permitted by law and the integrity of the process. (Cal. Code Regs., tit. 5, § 4630.)

### C. Step 3: Written Response

Unless extended by written agreement with the complainant, the SCOE Compliance Officer or designee shall prepare and send to the complainant a written report of SCOE's decision within 60 days of receiving the complaint unless otherwise stated herein or required by law. If the parties choose to participate in mediation, mediation will not extend the 60-day timeline to respond unless the complainant agrees in writing to the extension.

A Uniform Complaint Procedures report shall be in writing and sent to the complainant. The decision shall be written in English and in the language of the complainant whenever feasible or required by law.

For all complaints, the report shall include:

1. the findings of fact based on the evidence gathered,
2. a conclusion that provides a clear determination for each allegation as to whether SCOE is in compliance with the relevant law,
3. corrective actions if SCOE finds merit in a complaint,
4. notice of the complainant's right to appeal SCOE's decision to CDE,
5. procedures to be followed for initiating an appeal to CDE. (Cal. Code Regs., tit. 5, § 4631.)

In addition, any decision concerning a discrimination complaint based on State law shall include a notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with CDE before pursuing civil law remedies. (Ed. Code, § 262.3.)

### D. Step 4: Remedy

If a complaint alleging noncompliance with the laws regarding LCAP requirements, physical education instructional minutes (grades one through eight), course periods without educational content, and/or pupil fees is found to have merit, SCOE shall provide a remedy to all affected pupils and parents/guardians. (Ed. Code, §§ 49013, 51222, 51223, 52075.) With respect to a pupil fees complaint, corrective actions shall include a remedy where in good faith, by engaging in reasonable efforts, SCOE shall attempt to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint. (Ed. Code, § 49013; Cal. Code Regs., tit. 5, § 4600.)

For all other complaints within the scope of the UCP, the remedy shall go to the affected pupil.

E. Step 5: Appeals to the California Department of Education

If dissatisfied with SCOE's decision, the complainant may appeal in writing to CDE within 30 days of receiving SCOE's written report. (Cal. Code Regs., tit. 5, § 4632.)

When appealing to CDE, the complainant must specify the reason(s) for appealing SCOE's decision, including at least one of the following:

1. SCOE failed to follow its complaint procedures, and/or
2. SCOE's report lacks material findings of fact necessary to reach a conclusion of law, and/or
3. the material findings of fact in SCOE's report are not supported by substantial evidence, and/or
4. the legal conclusion in the report is inconsistent with the law, and/or
5. in a case in which SCOE found noncompliance, the corrective actions fail to provide a proper remedy.

The appeal must include a copy of the locally filed complaint and SCOE's report. (Cal. Code Regs., tit. 5, § 4632.)

Upon notification by CDE that the complainant has appealed SCOE's decision, the Superintendent or designee shall forward the following documents to CDE within 10 days:

1. A copy of the original complaint;
2. A copy of the report;
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the SCOE Compliance Officer or designee;
4. A report of any action taken to resolve the complaint;
5. A copy of SCOE's Uniform Complaint Procedures;
6. Other relevant information requested by CDE. (Cal. Code Regs., tit. 5, § 4633.)

## V. Civil Law Remedies

A complainant may pursue available civil law remedies outside of SCOE's complaint procedures under state or federal discrimination, harassment, intimidation or bullying laws. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

08/03/92	Draft
11/03/92	Revised
12/08/92	Reviewed
03/09/95	Revised
05/25/95	Distributed
02/28/03	Draft Revisions
05/18/03	Revised
06/08/07	Distributed to Policy Committee
06/13/07	Reviewed by Board
06/11/13	Reviewed by Cabinet
06/18/13	Reviewed by Board of Education
07/01/13	Distribution
06/18/14	Reviewed by Cabinet
06/24/14	Reviewed by Board
06/27/14	Distribution
09/29/15	Reviewed by Cabinet
09/30/15	Technical Correction and Distribution
11/22/16	Reviewed by Cabinet
12/13/16	Reviewed by Board of Education
12/14/16	Distribution
03/27/18	Reviewed by Cabinet
06/26/18	Reviewed by Board of Education
06/29/18	Distribution
01/21/21	Reviewed by Cabinet
02/04/21	Reviewed by Board of Education
02/12/21	Distribution

## UNIFORM COMPLAINT PROCEDURES FORM (NON-WILLIAMS)\*

Last Name \_\_\_\_\_ First Name/MI \_\_\_\_\_

Pupil Name (if applicable) \_\_\_\_\_

Street Address/Apt. # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Message/Work Phone \_\_\_\_\_

School/Office of Alleged Violation \_\_\_\_\_

You are filing this complaint on behalf of:

☐ yourself

☐ your child

☐ another student

☐ a group

☐ other \_\_\_\_\_ (Specify)

\*There is a separate form available for complaints regarding instructional materials, facility conditions, and teacher assignments. A written complaint will not be rejected because the form is not used.

### Section 1

**Please check the box that appropriately refers to your complaint. For complaints regarding discrimination, harassment, intimidation, and bullying, complete Section 2.**

☐ Accommodations for Pregnant and Parenting Pupils

☐ Adult Education

☐ After School Education and Safety

☐ Agricultural Career Technical Education

☐ Consolidated Categorical Aid Program

☐ Career Technical Education and Training Programs (State/Federal)

☐ Child Care and Development

☐ Civil Rights Guarantees

☐ Compensatory Education

- ☐ Course Periods Without Educational Content
- ☐ Every Student Succeeds Act
- ☐ Former/Current Juvenile Court School Education
- ☐ Foster Youth Education
- ☐ Homeless Pupil Education
- ☐ Local Control and Accountability Plans
- ☐ Military Family Pupil Education
- ☐ Migrant Pupil Education
- ☐ Newcomer Program
- ☐ Physical Education Instructional Minutes
- ☐ Pupil Fees
- ☐ Reasonable Accommodation to Lactating Pupil
- ☐ Regional Occupational Centers and Programs
- ☐ School Plans for Pupil Achievement
- ☐ School Safety Plans
- ☐ School Site Councils
- ☐ Section 504 of the Rehabilitation Act of 1973
- ☐ State Preschool (file with program administrator)
- ☐ Other \_\_\_\_\_

## **Section 2**

**Check if your complaint is regarding:**

- ☐ Discrimination
- ☐ Harassment
- ☐ Intimidation
- ☐ Bullying

**Check below the boxes that reflect the basis of your complaint.**

- ☐ Age
- ☐ Sex
- ☐ Sexual Harassment
- ☐ Sexual Orientation

- ☐ Gender
- ☐ Gender Identity
- ☐ Gender Expression
- ☐ Genetic Information
- ☐ Ethnicity
- ☐ Race
- ☐ Ancestry
- ☐ National Origin
- ☐ Immigration Status
- ☐ Ethnic Group Identification
- ☐ Nationality
- ☐ Religion
- ☐ Color
- ☐ Mental or Physical Disability
- ☐ Association with Person/Group with protected characteristics
- ☐ Other \_\_\_\_\_

Please explain the nature of your complaint. Please print or type. Give detailed information such as date, times, places, types of complaints, people involved, and if there were any witnesses. Use the reverse of this form or additional sheets, if necessary.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.



## Appendix N

### WILLIAMS UNIFORM COMPLAINT PROCEDURES ARR 1312.4

The Sacramento County Office of Education (SCOE) shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred in a SCOE operated school:

1. Textbooks and instructional materials:
  - a. A SCOE student, including an English learner, does not have standards-aligned textbooks or instructional materials or state or SCOE adopted textbooks or other required instructional materials to use in class.
  - b. A SCOE student does not have access to textbooks or instructional materials to use at home or after school.
  - c. SCOE textbooks or instructional materials are in unusable condition, have missing pages, or are unreadable due to damage.
  - d. A SCOE student was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials. (Education Code section (EC) 35186; Title 5, California Code of Regulations section (5 CCR) 4681)
2. Teacher vacancy or misassignments:
  - a. A semester begins and a SCOE teacher vacancy exists.
    - (1) 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. (EC 35186; 5 CCR 4600)
    - (2) 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)
  - b. A SCOE teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner students in the class.
  - c. A SCOE teacher is assigned to teach a class for which the teacher lacks subject matter competency.

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. (EC 35186; 5 CCR 4600, 4682)

3. SCOE Facilities:

- a. A condition in a SCOE facility poses an emergency or urgent threat to the health or safety of students or staff. Emergency or urgent threat means SCOE 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. (EC 17592.72)
- b. A SCOE school restroom has not been cleaned, maintained, or kept open in accordance with EC 35292.5.
  - 1) 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, and paper towels or functional hand dryers. (EC 35292.5)
  - 2) Open restroom means, except as necessary for student safety or to make repairs, 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. (EC 35292.5, 5 CCR 4683)

## FILING OF COMPLAINT

A complaint alleging any condition(s) specified above shall be filed with the SCOE principal or designee at the SCOE school in which the complaint arises. The principal or designee shall forward a copy of the complaint to SCOE's Deputy Superintendent in a timely manner, but not to exceed 10 working days. (5 CCR 4680)

Complaints may be filed anonymously.

## INVESTIGATION AND RESPONSE

The SCOE 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. (5 CCR 4685)

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 within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the Sacramento County Superintendent of Schools (Superintendent) or designee. (5 CCR 4680, 4685)

When 15 percent or more of the students enrolled in a particular school speak a single primary language other than English 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.

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

For any complaint concerning a SCOE facilities condition that poses an emergency or urgent threat to the health or safety of students or staff as described in Item 3.a above, a complainant who is not satisfied with the resolution provided by the principal or Superintendent or designee may file an appeal to the State Superintendent of Public Instruction within 15 calendar days of receiving the response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (5 CCR 4687)

All complaints and written responses shall be public records. (5 CCR 4686)

SCOE shall report to the Board summarized data on the nature and resolution of all complaints, including the number of complaints by general subject area and the number of resolved and unresolved complaints. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

## FORMS AND NOTICES

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

The Superintendent or designee shall ensure that SCOE'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. (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 EC 35186.

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04/15/13	Draft
06/11/13	Reviewed by Cabinet
06/18/13	Reviewed by Board of Education
07/01/13	Distribution

# WILLIAMS UNIFORM COMPLAINT PROCEDURES

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

Parents/Guardians, Pupils, and Teachers:

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

1. There should be sufficient textbooks and instructional materials in your pupil's classroom. For there to be sufficient textbooks and instructional materials, each student, including English learners, must have a textbook or instructional material, 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 at your pupil's school. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.

4. A complaint form can be obtained at the school office, or from the Sacramento County Office of Education (SCOE), or downloaded from the website: [www.scoe.net](http://www.scoe.net). You may also download a copy of the California Department of Education complaint form from the following website: [www.cde.ca.gov/re/cp/uc/](http://www.cde.ca.gov/re/cp/uc/).

## **WILLIAMS UNIFORM COMPLAINT PROCEDURES FORM\***

Education Code section 35186 creates a procedure for the filing of complaints concerning deficiencies related to instructional materials, conditions of facilities that are not maintained in a clean or safe manner or in good repair, and 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 contact information below. You need not use this form to file a complaint, so long as the complaint is submitted in writing.

Response requested? \_\_\_\_ Yes      \_\_\_\_ No

Last Name \_\_\_\_\_ First Name/MI \_\_\_\_\_

Pupil Name (if applicable) \_\_\_\_\_

Street Address/Apt. # \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Home Phone \_\_\_\_\_ Message/Work Phone \_\_\_\_\_

School/Address \_\_\_\_\_

Location of Alleged Violation \_\_\_\_\_

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

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

Only the following issues may be the subject of this Williams complaint process. If you wish to file a complaint about an issue not specified below, please use the appropriate Sacramento County Office of Education complaint procedure.

Check the specific issue(s) of the complaint below. Please check all that apply. A complaint may contain more than one allegation.

### **Textbooks and Instructional Materials: (EC 35186; 5 CCR 4681)**

**Please check the box that appropriately refers to your complaint.**

- ☐ A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state or SCOE-adopted textbooks or other required instructional materials to use in class.
- ☐ A pupil does not have access to textbooks or instructional materials to use at home or after school. (This does not require two sets of textbooks or instructional materials for each pupil.)

- ☐ Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.
- ☐ A pupil was provided photocopied sheets from only a portion of a textbook or instructional materials to address a shortage of textbooks or instructional materials.

### **Teacher Vacancy or Misassignment: (EC 35186; 5 CCR 4681)**

**Please check the box that appropriately refers to your complaint.**

- ☐ Teacher Vacancy - 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 year for an entire year or, if the position is for 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.

### **Facility Conditions: (EC 17592.72, 35186; 5 CCR 4683)**

**Please check the box that appropriately refers to your complaint.**

- ☐ A condition exists that poses an emergency or urgent threat to the health or safety of pupils or staff including: gas leaks, nonfunctional heating, ventilation, fire sprinklers or air-conditioning systems, electrical power failure, major sewer line stoppage, major pest or vermin infestation, broken windows or exterior doors or gates that will not lock and that pose a security risk, abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff, structural damage creating a hazardous or uninhabitable condition, and any other emergency conditions the school district determines appropriate.
- ☐ A school restroom has not been maintained or cleaned regularly, is not fully operational and has not been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers.
- ☐ The school has not kept all restrooms open during school hours when pupils are not in classes and has not kept a sufficient number of restrooms open during school hours when pupils are in classes. (This does not apply when temporary closing of the restroom is necessary for pupil safety or to make repairs.)
- ☐ Other \_\_\_\_\_

Please explain the nature of your complaint. Please print or type. Give detailed information such as date, times, places, types of complaints, people involved, and if there were any witnesses. Use the reverse of this form or additional sheets, if necessary.

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**Submit or mail the completed form to:**

Title IX Coordinator/Compliance Officer

Sacramento County Office of Education

<mailto:complianceofficer@scoe.net>

Mailing Address: P.O. Box 269003, Sacramento, CA 95826-9003

Physical Address: 10474 Mather Boulevard, Mather, CA 95655



## **Appendix O**



June 30, 2024

Subject: Annual Notification of Pesticide Use

Dear Parents/Guardians:

The Healthy Schools Act of 2000 requires that all schools provide parents and guardians of students with annual written notice of expected application of non-exempt pesticides on school sites, a means to request prior notification of individual pesticide applications at the school site, and the website address where information on pesticides and pesticide use reduction may be obtained.

The Sacramento County Office of Education (SCOE) employs a pest management strategy that focuses on long-term prevention and suppression of pest problems through a combination of techniques: monitoring for presence of pests, proper sanitation, and use of mechanical and physical controls. Pesticides that pose the least possible hazard to people, property, and the environment are used only after careful monitoring indicates they are needed. The following pesticides may be used at Sacramento County Office of Education school sites:

Dow AgroSciences Dimension 2EW (Dithiopyr) Preemergent  
Dupont Advion Ant Gel  
Gowan Sedgehammer – Halosulfuron Methyl  
Lesco Prosecutor (Glyphosate)  
2 MD Weed & Feed  
Spectracide Weed & Grass Killer with Extended Control Concentrate

Should the need arise, any application of these or other needed products will be posted 24 hours before and 72 hours after application. Parents or guardians may request prior notification of individual pesticide applications at the school site. If you would like to be notified 72 hours before pesticides are applied, please complete and return the attached form to your school.

Information regarding pesticides may be obtained at <http://www.cdpr.ca.gov>.

Sacramento County Office of Education  
PO Box 269003 Sacramento CA 95826-9003  
10474 Mather Blvd, Mather CA 95655

Sal Lorta  
Sacramento County Office of Education  
IPM Coordinator

(916) 628-7222  
Phone Number

slorta@scoe.net  
Email Address

It is the goal of the Sacramento County Office of Education (SCOE) to implement IPM by focusing on long-term prevention or suppression of pests through accurate pest identification, by frequent monitoring for pest presence, by applying appropriate action levels, and by making the habitat less conducive to pests using sanitation and mechanical and physical controls. Pesticides that are effective will be used in a manner that minimizes risks to people, property, and the environment, and only after other options have been shown ineffective. The Sly Park Environmental Education Center is under direct supervision by United States Forest Service, USFS. Written approval from USFS is required prior to use of pesticides.

Our pest management objectives are to:

- Focus on long term prevention through non-chemical means
- Eliminate threats to health and safety of students, staff, and the public
- Prevent loss or damage to structures and other property
- Protect environmental quality inside buildings, on grounds, storm drain systems, the community, and ecosystem

In addition to the IPM Coordinator, other individuals who are involved in purchasing, making IPM decisions, applying pesticides, and complying with the Healthy Schools Act requirements, include:

Name and/or Title	Role in IPM program
Coordinator, Support Services	Procures for services for application of approved products by licensed, professional applicators. Ensures applicators are properly licensed, and that they meet all Department of Pesticide Regulations and other requirements. Reports all pesticide application to IPM Coordinator.
Maintenance and Custodial Staff	General maintenance and repair of water leaks, building envelope, grounds upkeep. Remove pests and pest debris. Cleans and sanitizes.
All Staff	Maintain workspace free of food, water, rubbish, garbage, and clutter. Report at first sighting of pests and/or evidence of pests.
Professional Applicator	Pest identification, pesticide application.

Pest management services are contracted to the following licensed pest control businesses:

Pinnacle Pest Control  
Koby Pest Control

Prior to entering into a contract, Sacramento County Office of Education has confirmed that the pest control business understands the training requirement and other requirements of the Healthy Schools Act.

## **Pest identification, monitoring and inspection**

Pest Identification is performed by professional pest control businesses and Sacramento County Office of Education Staff.

Monitoring and inspection tasks for pests and conditions that lead to pest problems are performed by Facility, Maintenance, Custodial, and other Program Staff. Results are communicated to the appropriate supervisors.

Monitoring and Inspection techniques include:

- Visual inspection for presence of pests and pest habitat
- Visual inspection for pest debris
- Visual inspection for pest damage
- Sticky monitoring boards for pest presence and activity

## Non-chemical pest management practices

Sacramento County Office of Education has identified the following pests and routinely uses the following non-chemical practices to prevent pests from reaching the action level:

Pest	Remove food	Fix leaks	Seal cracks	Install barriers	Physical removal	Traps	Manage irrigation
Ants	x	x	x		x		x
Wasps and Hornets	x		x			x	
Other Insects	x		x		x	x	x
Rodents	x	x	x	x	x	x	x

## Chemical pest management practices

If non-chemical methods are ineffective, Sacramento County Office of Education will consider pesticides only after careful monitoring indicates that they are needed according to pre-established action levels and will use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property and the environment.

The following pesticides may be applied during the year.

- Dow AgroSciences Dimension 2EW (Dithiopyr) Preemergent
- Dupont Advion Ant Gel
- Gowan Sedgehammer – Halosulfuron Methyl
- Lesco Prosecutor (Glyphosate)
- 2 MD Weed & Feed
- Spectracide Weed & Grass Killer with Extended Control Concentrate

## Healthy Schools Act (HAS)

Sacramento County Office of Education complies with the notification, posting, recordkeeping, and all other requirements of the Healthy Schools Act. (Education Code Sections 17608 - 17613, 48980.3; Food & Agricultural Code Sections 13180 - 13188)

## Training (commenced July 1, 2016)

Every year school employees who make pesticide applications receive the following training from their supervisor prior to pesticide use:

Pesticide specific safety training (Title 3 California Code of Regulations 6724)

School IPM training course approved by the Department of Pesticide Regulation (Education Code Section 17614; Food & Agricultural Code Section 13186.5).

## Submittal of pesticide use reports

Reports of all pesticides applied by Sacramento County Office of Education employees during the calendar year, except pesticides exempt<sup>1</sup> from HSA recordkeeping, are submitted to the Department of Pesticide Regulation at least annually, by January 30 of the following year. Licensed applicators submit required reports pursuant to Section 13186 of the Food and Agricultural Code.

## Notification

Sacramento County Office of Education has made this IPM plan publicly available by posting on its website:

This IPM plan can be found online at the following web address: [www.scoe.net](http://www.scoe.net)

## Review

This IPM plan will be reviewed (and revised, if needed) at least annually, to ensure that the information provided is still true and correct.

Date of next review: May 2022

*I acknowledge that I have reviewed this school district's IPM Plan and it is true and correct.*

Signature: Sal Lorta

Date: \_\_\_\_\_, 2024

<sup>1</sup> These pesticides are exempt from all Healthy Schools Act requirements, except the training requirement: 1) products used in self-contained baits or traps, 2) gels or pastes used as crack and crevice treatments, 3) antimicrobials (sanitizers and disinfectants), and 4) pesticides exempt from U.S. EPA registration. (Education Code Section 17610.5)

## Appendix P

### Guidance Counseling [EC§ 51229 and § 48980(1)]

Student may meet with a school counselor by reaching out to one at their school site to obtain assistance in selecting courses that will meet college admission requirements or to enroll in career technical education or both.

### College Admissions Requirements

The University of California (UC) has two minimum admission requirements for incoming freshmen:

- Completion of 15 college preparatory courses (“a through g” courses) with 11 of them completed by the end of the junior high school year and with a letter grade of C or better.
- Minimum grade point average (GPA) of 3.0 or better in the 15 college preparatory courses with no grade lower than a C.

If a prospective student meets these admission requirements but does not get admitted to the requested campus, UC may offer an alternative campus option where space is available and if the student ranks in the top 9% of California high school students or the top 9% of the student’s high school graduation class.

The following website links provide more information regarding UC admission requirements, including high school courses that satisfy admission requirements:

<http://admission.universityofcalifornia.edu/> and

<https://admission.universityofcalifornia.edu/admission-requirements/freshman-requirements/>

The California State University (CSU) system has standards that must be met in each of the following areas:

- Specific high school courses (a through g courses)
- Grades in specified courses
- Graduation from high school

Additionally, several CSU campuses have supplemental admission criteria, and many CSU campuses also have local admission criteria. The following website links provide more information regarding the CSU admission requirements: <https://www.calstate.edu/apply> [https://www.calstate.edu/apply/freshman/getting\\_into\\_the\\_csu/Pages/admission-requirements.aspx](https://www.calstate.edu/apply/freshman/getting_into_the_csu/Pages/admission-requirements.aspx) and [http://www.csmentor.edu/planning/high\\_school/](http://www.csmentor.edu/planning/high_school/).

### Career Technical Education

Career Technical Education is a program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. For more information visit the California Department of Education's website at <http://www.cde.ca.gov/ci/ct/>.

## **CALIFORNIA COLLEGE GUIDANCE INITIATIVE DATA SHARING (Education Code section 60900.5(d))**

The California College Guidance Initiative (CCGI) works with California school districts to make applying for college and student financial aid a more streamlined experience for students. The CCGI currently receives enrollment data for all public school students in grades 6-12 from the California Department of Education (CDE). For more information about the CCGI, visit their website at <https://www.californiacolleges.edu/#/>

## **Appendix Q**

### **PARENT INVOLVEMENT BP 6120**

The Sacramento County Board of Education recognizes that parents/guardians are their children's first and most influential teachers and that continued parental involvement in the education of children contributes greatly to student achievement and a positive school environment.

All schools and programs operated by the County Office are encouraged to communicate frequently with parents/guardians in order to develop skills which support classroom learning. Administrators and teachers should initiate effective two-way communication between the home and school so that parents/guardians remain well informed about school expectations and advise them when or how they can assist their children in support of classroom learning.

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#### Legal References:

#### EDUCATION CODE

1150-11506

04/18/07	Policy Committee
04/25/07	First Reading
05/09/07	Second Reading and Approval

## **Appendix R**

### **GRADUATION REQUIREMENTS BP 6146.1**

#### I. Sacramento County Office of Education (SCOE) High School Diploma Requirements:

- A. To obtain a high school diploma, SCOE pupils will complete all of the following coursework in grades 9-12 (unless subject to the course exemptions and waivers described in section I.B. below):

#### Subject; Number of Years; Semesters; Credits

English; 4 years; 8 semesters; 40 credits

Mathematics (Must include Algebra I or Integrated Math Level I); 2 years; 4 semesters; 20 credits

At least one course or a combination of the two courses in mathematics shall meet or exceed the rigor of the content standards for Algebra I or Mathematics I.

Completion of such course prior to grade 9 will satisfy the Algebra I or Mathematics I requirement, but it will not exempt a pupil from the requirement to complete two mathematics courses in grades 9-12.

Physical Education (Unless exempted by law); 2 years; 4 semesters; 20 credits

Biological Science; 1 year; 2 semesters; 10 credits

Physical Science; 1 year; 2 semesters; 10 credits

US History/ Geography; 1 year; 2 semesters; 10 credits

World History/Culture/Geography; 1 year; 2 semesters; 10 credits

Economics; 1 half year; 1 semester; 5 credits

American Government/Civics; 1 half year; 1 semester; 5 credits

Visual or Performing Arts or World Language (including American Sign Language);  
1 year; 2 semesters; 10 credits

Health Education/Life Skills; 1 half year; 1 semester; 5 credits

Career Technical Education (CTE); 1 half year; 1 semester; 5 credits

Technology; 1 half year; 1 semester; 5 credits or pass SCOE technology assessment

Other electives as necessary to meet the minimum credit requirements.

To successfully complete the requirements for graduation and to earn a high school diploma through SCOE, a pupil will need to have a total of 220 semester credits unless exempt or deemed to have satisfied the requirement pursuant to the Education Code.

All pupils who enroll in SCOE's juvenile court and community schools will be placed at the appropriate grade level based on course credit completion in order to provide them with opportunities to successfully complete high school.

## B. Course Exemptions and Waivers

In accordance with law, the Superintendent or designee shall exempt or waive SCOE's course requirements that exceed the minimum statewide graduation requirements for pupils who fall within the categories listed below, as those categories are defined by law:

1. a foster youth, homeless youth, former juvenile court school pupil, child of a military family, or child eligible for migrant education services (i.e., migratory child) who transfers between schools any time after the completion of the pupil's second year of high school; and
2. a pupil participating in a program designed to meet the academic and transitional needs of newly arrived immigrant pupils (i.e., a newcomer program) who is in the third or fourth year of high school.

A qualifying pupil will be eligible for the exemption unless the pupil is reasonably able to complete the graduation requirements by the end of the pupil's fourth year of high school. The education rights holder or pupil (if 18 or over) may decline the exemption, and the pupil shall be permitted to attend a fifth year of high school if SCOE determines the pupil is reasonably able to complete SCOE's graduation requirements within that fifth year.

The Superintendent or designee shall also exempt or waive the SCOE specific course requirements for:

3. a pupil who completes the statewide graduation requirements while attending a juvenile court school. The education rights holder or pupil (if 18 or over) may defer or decline the issuance of a high school diploma in order to continue to take coursework, but SCOE shall issue the diploma if it is later requested.
4. an individual with exceptional needs whose individualized education program provides the pupil will 1) take the state's alternate assessment aligned to alternative achievement standards in grade 11; and 2) complete state standards aligned coursework to meet the state's coursework requirements specified in Education Code section 51225.3.

## II. Alternative Credits



Because the prescribed course of study may not accommodate the needs of some pupils, the Board recognizes the following alternative means for the completion of prescribed courses in accordance with law:

- practical demonstration of skills and competencies,
- supervised work experience or other outside school experience,
- career technical education classes offered in high schools,
- courses offered by regional occupational centers or programs,
- interdisciplinary study,
- independent study, and
- credit earned at a postsecondary educational institution.

### III. Certificate or Document of Educational Achievement and Honorary Diplomas

If a pupil with a disability is not on a high school diploma track per their individual education program (IEP), he or she may be awarded a certificate or document of educational achievement or completion provided the pupil has met one of the requirements of Education Code 56390.

The Board may confer an honorary high school diploma on a pupil who is terminally ill. The honorary diploma will be clearly distinguishable from SCOE's regular graduation diploma.

### IV. Retroactive Diplomas

Any pupil who completed grade 12 in school years 2003-04 through 2014-15 and met all applicable graduation requirements other than the passage of the high school exit examination is eligible for a high school diploma.

The Board may retroactively grant a high school diploma to a former pupil who was interned by order of the federal government during World War II or who is a honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that the former pupil was enrolled in a school district immediately preceding the internment or military service and did not receive a diploma because the person's education was interrupted due to the internment or military service.

The Board may retroactively grant a high school diploma to a person who unwillingly departed from California as set forth in law while enrolled in grade 12 if the person was in good academic standing and did not receive a school diploma because the departure interrupted the person's education. SCOE may consider any coursework that the pupil may have completed outside of the United States or through online or virtual courses.

The Board also may retroactively grant a diploma to a deceased former pupil who satisfies the above conditions. The diploma may be received by the deceased pupil's next of kin or other appropriate person.

In addition to the individuals referenced above, the Board may grant a diploma to a veteran who entered the military service of the United States while he/she was a SCOE pupil in grade 12 and who had completed the first half of the work required for grade 12.

Legal Reference:

EDUCATION CODE

35160, 35160.2 Authority of governing boards  
48070-48070.5 Promotion and retention of pupils  
48645.5 Completion of statewide requirements in court school  
48645.7 Juvenile court school diploma  
49701 Provisions of Interstate Compact on Educational Opportunity for Military Children  
51220 Courses of study, grades 7 to 12  
51224.5 Mathematics and algebra in grades 7 to 12  
51225.1 Exemption from local graduation requirements  
51225.3 Requirements for graduation  
51225.31 Exemption for individuals with exceptional needs  
51225.5 Honorary diplomas  
51241 Exemption from physical education  
51413 Diplomas  
51430 et seq. Retroactive high school diplomas  
51880 et seq. Comprehensive health education  
56390 Individuals with exceptional needs; certificate or document of educational achievement or completion

TITLE 5, CALIFORNIA CODE OF REGULATIONS

1600-1651 Graduation of pupils from grade 12 and credit toward graduation

01/24/91 Draft  
08/30/93 First Reading,  
11/12/93 Reviewed by Legal Counsel  
01/18/94 Second Reading  
01/18/94 Adopted by Board  
12/21/00 Draft Revisions  
02/06/01 Policy Committee  
02/20/01 First Reading  
03/06/01 Second Reading/Approval  
05/27/03 Draft Revisions  
06/15/04 Policy Committee  
06/15/04 Adopted by Board  
10/20/09 Policy Committee  
11/03/09 First Reading  
11/17/09 Second Reading and Adoption  
11/19/09 Distribution  
03/03/15 Reviewed by Policy Committee

04/21/15 Reviewed by Policy Committee  
06/09/15 Reviewed by Policy Committee  
07/14/15 First Reading  
08/18/15 Second Reading and Adoption (formerly BP 6150)  
08/25/15 Distribution  
03/20/18 Reviewed by Policy Committee  
04/17/18 First Reading  
05/01/18 Second Reading and Adoption  
05/14/18 Distribution  
12/11/18 Reviewed by Policy Committee  
02/05/19 Reviewed by Policy Committee  
03/19/19 First Reading  
04/16/19 Second Reading and Adoption  
04/19/19 Distribution  
11/15/22 Reviewed by Policy Committee  
12/13/22 First Reading  
01/17/23 Second Reading and Adoption

# Appendix S

## California Law Regarding Safe Storage of Firearms Superintendent Memo



Sacramento County Office of Education

10474 Mather Boulevard  
P.O. Box 269003  
Sacramento, CA 95826-9003  
(916) 228-2500 • [www.scoe.net](http://www.scoe.net)

## Memorandum

**To:** Parents and Guardians of Students in **SACRAMENTO COUNTY OFFICE OF EDUCATION (SCOPE) Instructional Programs**

**From:** **SUPERINTENDENT DAVID W. GORDON**

**Subject:** **California Law Regarding Safe Storage of Firearms**

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

To help everyone understand their legal responsibilities, this memorandum spells out California law regarding the storage of firearms. Please take some time to review this memorandum and evaluate your own personal practices to assure that you and your family are in compliance with California law.

- With very limited exceptions, California makes a person criminally liable for keeping a loaded firearm, loaded or unloaded, within any premises that are under their custody and control, where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian and the child obtains access to the firearm and thereby: (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes a firearm to others.<sup>1</sup>
  - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a minor **never** actually accesses the firearm.<sup>2</sup>

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under this California laws faces prohibitions from possessing, controlling, owning, receiving, or purchasing a firearm for 10 years.<sup>3</sup>

Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.<sup>4</sup>

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

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

Sincerely,

A handwritten signature in black ink, reading "David W. Gordon". The signature is fluid and cursive, with the first name "David" and last name "Gordon" clearly legible.

**DAVID W. GORDON, SUPERINTENDENT**  
Sacramento County Office of Education

Date published: 08/02/23

<sup>3</sup> See California Civil Code Section 29805

<sup>4</sup> See California Civil Code Section 1714.3

## **Appendix T**

### **STUDENT USE OF TECHNOLOGY ARR 6130**

Sacramento County Office of Education (SCOE) provides Internet access for educational purposes for their students, ensuring that students develop global communication and 21 century skills. SCOE strongly believes in the educational value of such electronic resources and recognizes their potential to support curriculum and student learning. SCOE's goal in providing this service is to promote educational excellence by facilitating resource sharing, innovation and communication.

SCOE will make every effort to protect students from any misuses or abuses as a result of their experiences with an information or communication service. SCOE provides technology protection measures (filters). Used in combination with teacher supervision and appropriate student use, the filters ensure safe access to the Internet. In addition, it is expected that all students will participate in training about appropriate online behavior, including interacting with other individuals on social networking sites and in chat rooms.

#### **Privileges and Liabilities**

Classroom computers and network resources are the property of SCOE and are therefore subject to inspection by the administration at any time. The use of the network and Internet resources is a privilege, not a right, and inappropriate use will result in a cancellation of the privilege. Administration, staff or faculty of SCOE may request that the system administrator deny, revoke or suspend a specific user account.

When using the network, users agree to take full responsibility for their actions. SCOE is not liable for the actions of anyone connecting to the Internet through its network. Therefore, all users shall assume full liability, legal, financial, or otherwise, for their use of the network. Violations of the Technology Acceptable Use Policy (AUP) can carry serious consequences and could result in the immediate suspension of the student's computer and network use privileges. Disciplinary actions will be tailored to meet specific concerns related to the violation. These disciplinary actions may include suspension or expulsion from school.

The site principal, administrator or designee shall be responsible for the maintenance of each school's program or classroom's technological resources and may establish guidelines and limits on its use.

#### **Technology Services: Obligations and Responsibilities**

##### **A. SCOE Responsibilities**

1. The Director of the Computer, Network and Telecommunications Support Department (CNTS) will oversee access to the network and will establish processes for network and firewall management, Internet filtering, virus protection, authorization for software installation, back-up and archiving of data. CNTS will use industry standard protocols for the protection of students to block or filter Internet access to pictures that are (a) obscene; (b) pornographic; (c) harmful to minors; or (d) otherwise inappropriate matter on the Internet.
2. Each site principal, administrator or designee will maintain signed Acceptable Use Agreements and be responsible for enforcing the AUP.
3. When using the Internet for class activities, teachers will preview and select material appropriate to the students and relevant to the course objectives.

4. Teachers will provide guidelines and resources to assist their students in developing the necessary critical thinking skills to access online information, interacting with other individuals on social networking websites and in chat rooms, and will provide cyberbullying awareness and response training.
5. Teachers or their designees shall ensure that all students using these resources receive training
6. in their proper uses as well as copies of policies and procedures governing the use of these resources.
7. Teachers or their designees shall monitor the students' use of technology to ensure that students are using appropriate Internet behavior to keep the students safe and secure when using electronic mail, chat rooms, social media, or other forms of direct electronic communications.

## B. STUDENT Responsibilities

Students will not use computers/Internet for any purpose that is not consistent with the educational purpose intended. Students are permitted to use SCOE's online services within the prescribed student use obligations and responsibilities specified below:

1. The student, in whose name an online services account is issued, is responsible for its proper use at all times. Students shall keep personal account numbers or email addresses, home addresses and telephone numbers private. Students shall not disseminate passwords, codes, or account numbers to unauthorized persons. Students shall not disclose, use, or disseminate anyone's personal information at any time (including their own).
2. Students shall use classroom computers and the Internet only for the purposes defined by the classroom instructor or program staff and limited to educational or vocational education uses. Commercial, political and/or personal use of SCOE's computers or network resources by the student is strictly prohibited. SCOE reserves the right to monitor any online communications at any time.
3. Students shall not use SCOE computers or network resources to encourage the use of drugs, alcohol or tobacco, nor shall they promote illegal or unethical practices or any activity prohibited by law or SCOE policy.
4. Students shall not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language on the computers or online system.
5. Students shall not access or transmit material that is threatening, obscene, disruptive, profane, or sexually explicit. Furthermore, students shall not use the network to access or send material that could be construed as advocating illegal acts, violence or discrimination and/or harassment or disparagement of others based upon their actual or perceived race, religious creed, color, national origin, nationality, ethnicity, ethnic group identification, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, gender, gender identity, gender expression, sex, or sexual orientation. Students shall not engage in personal attacks, including prejudicial or discriminatory attacks.

6. Students shall not knowingly or recklessly post false or defamatory information about a person or organization or post information that could cause damage or disruption. Additionally, students shall not post or broadcast messages or other actions that cause congestion on the network or interfere with the work of others.
7. Students may not plagiarize works found on the Internet. Copyrighted material may not be used or accessed without the copyright owner's express written permission. Students may download authorized copyrighted material for educational use only and this material shall not be republished or duplicated electronically or in any printed format.
8. Damaging or vandalism of computers, computer systems, computer networks or technology resources will result in the immediate cancellation of student computers or network user privileges. Vandalism includes, but is not limited to, uploading, downloading or the creation of  
  
computer viruses, "hacking" into computer systems, and/or malicious attempts to harm or destroy SCOE equipment, network resources, or the data files of any other user.
9. Students shall not intentionally waste resources, such as paper, ink cartridges, storage space, etc.
10. Students shall not change in any way the configuration of a computer or network without permission of instructional staff. Students shall not install or download unauthorized software.
11. Students shall not attempt to go beyond their authorized access, make deliberate attempts to disrupt system performance or destroy data (by spreading computer viruses or by any other means), or engage in other illegal activities.
12. Students shall not subscribe to or use any type of electronic mail (email), communication, or collaboration service (social media) without permission of instructional staff. When using any of these services, students are expected to keep messages brief and use appropriate language at all times. Students' training will include information on maintaining the safety and security of students and student information when using email, chat rooms, social networking and other forms of direct communication.
13. Students shall not trespass into others' folders, work or files or use another's password. Students shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail.
14. Students shall not use computers or the Internet to play non-educational games or other non-academic activities.
15. Student users shall immediately report any security problem or misuses of the network or computer systems to the classroom teacher, instructor, site principal, administrator or designee.



16. Students will immediately lose the privileges of using SCOE's computer and network services for violating of any of the obligations and responsibilities specified above.
17. Prior to the use of SCOE's computer and network services, student users shall complete and sign the Internet Acceptable Use Policy Agreement, noted as Attachment A.

SCOE makes no warranties of any kind, either express or implied, that the functions or the services provided by or through its network will be error-free or without defect. SCOE will not be responsible for any damages users may suffer including, but not limited to, loss of data or interruptions of service, or personal physical, psychological, or monetary damages. SCOE is not responsible for the accuracy or quality of the information obtained through its network or stored on its servers or information systems.

These Administrative Rules and Regulations are subject to continuous review, modification and major changes consistent with law and the policies of the Sacramento County Board of Education.

11/24/97	Drafted
02/12/98	Reviewed by Legal Counsel
02/17/98	Reviewed by Cabinet
02/18/98	Distribution
03/02/98	Revision
06/26/12	Review by Board as Informational Item
07/19/12	Distribution
05/19/15	Reviewed by Cabinet
07/14/15	Reviewed by Board of Education
07/21/15	Distribution

## **Attachment A**

### **Sacramento County Office of Education Internet Acceptable Use Policy Agreement**

I have received training on SCOE's technology use policy. I understand the policy and I agree to comply with it. I understand that any violations of the policy may result in disciplinary action, the revoking of my computer and network use privileges, and appropriate legal action. I also agree to report any misuse of the information system to my teacher or school principal. All of the rules of conduct described in Student Use of SCOE Technology as noted in Board Policy 6130 and the supporting Administrative Rules and Regulations apply when I am on the network.

Student Name (print) \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

## ADVANCE NOTIFICATION OF INDIVIDUAL PESTICIDE APPLICATIONS

(Please complete a separate form for each student attending our schools or programs and return it to the student's teacher.)

I understand that, upon request, the Sacramento County Office of Education is required to supply information about individual pesticide applications at least 72 hours before application. I would like to be notified before each application at this school. Please print clearly:

School Site: \_\_\_\_\_ Date: \_\_\_\_\_

I prefer to be contacted by: \_\_\_Email \_\_\_Phone

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

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

Phone: Day (     ) \_\_\_\_\_ Evening: (     ) \_\_\_\_\_

Email: \_\_\_\_\_

Please check appropriate status of signer:

- ☐ (a) Parent/Guardian of Student Age 17 or Younger  
☐ (b) Student of age 18 or Older

=====

### REQUEST FOR NON-PARTICIPATION IN COMPREHENSIVE SEXUAL HEALTH, HIV PREVENTION EDUCATION, OR RELATED ASSESSMENTS

I do not want my son/daughter (name) \_\_\_\_\_ to participate in

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

Please check appropriate status of signer:

- ☐ (a) Parent/Guardian of Student Age 17 or Younger  
☐ (b) Student of age 18 or Older

## DO NOT RELEASE DIRECTORY INFORMATION REGARDING MY SON OR DAUGHTER

Student's Name \_\_\_\_\_

Parent's Signature \_\_\_\_\_

Parent's Name (Printed) \_\_\_\_\_

Date \_\_\_\_\_

Please check appropriate status of signer:

☐ (a) Parent/Guardian of Student Aged 17 or Younger

☐ (b) Student of age 18 or Older

***If you do not wish to have directory information about your son or daughter released without your prior approval, please complete the above form and return it to your son or daughter's principal within 30 days of receipt.***

### RECEIPT OF ANNUAL NOTIFICATION

#### Student/ Parent / Guardian Acknowledgment

I hereby acknowledge receipt of information required by California Education Code, section 48980, regarding Annual Notification to Parents and Guardians of Rights & Responsibilities, and a copy of the "Student Behavior Standards," which are related to certain school programs and activities,

Student's Name \_\_\_\_\_ Grade Level \_\_\_\_\_

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

Program Site: \_\_\_\_\_ Date: \_\_\_\_\_

Student's Signature \_\_\_\_\_

Parent's/Guardian Signature \_\_\_\_\_

Please check appropriate status of signer:

☐ (a) Parent/Guardian of Student Aged 17 or Younger

☐ Student of age 18 or Older

***(This page is to be signed and returned to your Sacramento County Office of Education school staff representative and filed in the student's file.)***

## Sacramento County Office of Education CAL GRANT OPT-OUT FORM

A Cal Grant pays for tuition, room and board, books and other supplies for California colleges. Cal Grant gives funds to every eligible senior student who meets the Cal Grant requirements. For more information, including other deadlines related to application requirements, visit: <http://www.csac.ca.gov>.

Unless a student or parent opts-out during their 11<sup>th</sup> grade academic year, Sacramento County Office of Education (SCOE) will submit a Cal Grant high school grade point average (GPA) for every SCOE senior in the following academic year to the California Student Aid Commission so he/she may be considered for a Cal Grant award.

If you are 1) a parent of a minor student in their 11<sup>th</sup> grade academic year and do **not** want your student's GPA submitted electronically during their 12<sup>th</sup> grade academic year, or 2) a student over 18 in your 11<sup>th</sup> grade academic year and you do **not** want your GPA submitted during your 12<sup>th</sup> grade academic year, complete the opt-out information below and return this completed form to **your high school office by January 31, 2025**.

No later than October 1, 2024, SCOE will submit GPAs to the California Student Aid Commission for all twelfth-grade students who do not opt out.

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

Student Birth Date: \_\_\_\_\_

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

### Student Opt-Out:

By signing this form, I am electing **NOT** to have SCOE report my GPA to the California Student Aid Commission for use in the Cal Grant application.

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

### Parent/Legal Guardian Opt-Out:

I am the parent or legal guardian of the above-named minor, and I do **NOT** authorize the release of the minor's GPA to the California Student Aid Commission for use in the Cal Grant application.

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

Print Parent Name: \_\_\_\_\_