



# **Folsom Cordova Unified School District**



## **Parent's Rights and Responsibilities 2017-2018**

### **Board of Education**

Zak Ford, President

JoAnne Reinking, Vice President

Edward Short, Clerk

Sarah Aquino, Member

Christopher Clark, Member

Deborah Bettencourt, Superintendent

Folsom Cordova Unified School District

1965 Birkmont Drive

Rancho Cordova, CA 95742

Phone (916) 294-9000

FAX (916) 294-9020

Website: [www.fcusd.org](http://www.fcusd.org)

The information contained in this document is important for you and your child(ren). Please review each section to familiarize yourself with Education Code 48900 pertaining to your rights, responsibilities, and important policies of the Folsom Cordova Unified School District.

You are invited to share your comments and/or request additional information regarding District policies related to these programs, activities, and services from the office of your child's school, or by contacting the District Education Services Center at 294-9000.

The Board of Trustees, Superintendent, and staff wish you a most enjoyable and successful year.

## **CAMPUS SAFETY**

### **Protection of Students and Staff**

To provide for the protection and the safety of 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. 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, please contact the school's office.

### **Civility and Mutual Respect**

Folsom Cordova Unified School District staff will treat parents and other members of the public with respect and expect the same in return. The Superintendent is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school grounds.

Board policy 1313 promotes mutual respect, civility and orderly conduct among Folsom Cordova Unified School District employees, parents, and the public. This policy is not intended to deprive any person of his/her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace

for our students and staff. In the interest of presenting Folsom Cordova Unified School District employees as positive role models to the children of district programs, as well as the community, the Superintendent encourages positive communication, and discourages volatile, hostile or aggressive actions. The Superintendent seeks public cooperation with this endeavor. Any individual who disrupts or threatens to disrupt school operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on school property, will be directed to leave school property promptly by the Superintendent or designee.  
EC 44811

### **Privacy Rights Regarding Student Records**

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

Please be informed that you have the right to inspect your child's records, but only a parent/guardian having legal custody may challenge the content of those 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. Education Code (EC) 49061

Beginning January 1, a school district will have exactly 10 business days to transfer records to a new school district upon the district's request.

### **Transcripts/Immunizations**

Transcripts will include immunization information unless otherwise requested. Parents can request a customized transcript without the immunizations, but the District's graduation requirement for Differentiated Course will not show (new graduation requirement for 2017).

### **Noncustodial Parents**

School officials shall presume that both parents/guardians have equal rights regarding their child, including, but not limited to, picking the student up after school or otherwise removing the student from school, accessing student records, participating in school activities, or visiting the school. When a court order restricts access to the child or to his/her student information, a parent/guardian shall provide a copy of the certified court order to the principal or designee upon enrollment or upon a change in circumstances. In the event of an attempted violation of a court order that restricts access to a student, the principal or designee shall contact the custodial parent and local law enforcement officials and shall make the student available only after one or both of these parties consent. Board Policy (BP) 5021

### **Reporting to Parents**

Individual teachers are to communicate in writing to students and parents at the beginning of the school year the classroom grading policy, which includes homework requirements, make-up procedures, and the weighting of course work as it pertains to the calculation of the final grade. Course expectations shall be provided at this time.

Federal law allows you to ask for certain information about your child's classroom teachers and paraprofessionals, and requires the District to give you this information if you ask for it. You may ask about the type of state credential a teacher has and the grades and subjects the teacher is licensed to teach. You may also ask about the teacher's college major and any advanced degrees. If a paraprofessional is assigned to assist your child, you may ask about his/her qualifications.

### **Parental Notification Regarding Paraprofessionals**

At the beginning of each year, parents/guardians shall be notified that they may request information regarding whether their child is provided services by a paraprofessional and, if so, the paraprofessional qualifications.

### **Personal Property**

The District is not responsible for loss or theft of personal property. Students are discouraged from bringing non-instructional items to school, such as CD players, cell phones, radios, or skateboards, etc. Refer to the student-parent handbook at each school for more specific rules.

## **Vandalism**

All parents and 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 authorities - in Rancho Cordova call 874-5115, or in Folsom call 355-7230.

Note: The 911 emergency telephone number will quickly summon *emergency service in a crisis situation*. This number may be used to contact the local fire department, sheriff's office, police department, or the highway patrol. Parents of students who vandalize school property may be charged for the damage incurred.

## **Substance Abuse**

### **Education/Prevention/Intervention**

The intent of the District policy is to establish an atmosphere that will promote understanding of the use, abuse, and misuse of drugs, alcohol, and tobacco. Curricula shall be course-specific, as well as appropriately infused into various content areas.

For the protection of students, school employees will make every effort to prohibit the flow of drugs in the school. When substance abuse incidents occur, school staff will:

1. Provide emergency medical assistance.
2. Require parental involvement.
3. Enforce the laws regarding use and distribution of illegal substances.
4. Discipline students.
5. Provide assistance to student seeking help, according to established rules and regulations.

Anonymous, voluntary, and confidential research and evaluation tools to measure pupils' health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the pupil's attitudes or practices may be administered to any pupil in grades 7-12 inclusive. The parent or guardian is given the opportunity to review the test, questionnaire or survey, and to request that his or her child not participate. The California Healthy Kids Survey is administered to students every other year, beginning with the odd year, for students in grades 5, 7, 9, and 11. A pupil may not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent/guardian declines to permit pupil participation, and an alternative educational activity shall be made available. EC 51937, 51938, 51939

## **Tobacco-Free School Policy**

The use of tobacco products or any products containing tobacco or nicotine are prohibited at all times on District property and in District vehicles. This prohibition applies to all parents, employees, students, visitors, and other persons.

## **YOUR RIGHTS AND EDUCATIONAL SERVICES**

### **Intra-District School Choice**

Students who reside within the District attendance area may apply for enrollment in any District school, providing the school of choice has space available. A student who currently attends a school and resides within that school's attendance area shall not be displaced by another student who transfers from outside of the attendance area.

EC 35160.5(c)

### **Absences**

Excused absences shall be for health reasons, family emergencies, and justifiable personal reasons, such as an appearance in court, observance of a holiday or ceremony of his or her religion, participation in religious exercises or instruction away from the school site, and attendance at religious retreats. For these justifiable personal reasons, the parent/guardian must submit a request in writing to the school authorities for prior approval. EC 46014 and 48205(7).

No student may have his or her grade reduced or lose academic credit for any absence or absences excused if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. EC 48205

Students in grades K-12 shall not be absent from school without their parents'/guardians' knowledge or consent except in cases of medical emergency or confidential medical appointments. BP 5113

School administrators may excuse any student in grades 7 through 12 from school to obtain confidential medical services without the consent of the student's parent or guardian. EC 46010.1.

### **Students with Disabilities**

If your child is temporarily or permanently disabled, he/she has the right to be educated in facilities and receive services comparable to those provided to students without disabilities, to the maximum extent appropriate. Without discrimination, Section 504 of the Rehabilitation Act provides for qualified students to receive reasonable accommodations allowing for equal access.

### **Americans with Disabilities Notice**

The Folsom Cordova Unified School District welcomes those with disabilities to participate fully in the programs, services, and activities involving their child. If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in any program, service, or activity involving your child, please contact the principal of the school where your child attends at least 48 hours before the scheduled event, so that we may make every reasonable effort to accommodate you. Government Code Section 54953.2; Americans with Disabilities Act of 1990, Section 202 (42 U.S.C. Section 12132)

### **Race/Ethnicity Re-Identification**

On October 19, 2007, the United States Department of Education (ED) published its final guidance to states on maintaining, collecting, and reporting race and ethnicity data. Changes in how race and ethnicity data are collected and maintained will affect schools and districts. While re-identification of race/ethnicity using the final guidance is not mandatory, educational institutions are required to provide students who enter an educational institution or program on or after the implementation deadline the opportunity to re-identify.

### **Homeless Student Services**

McKinney-Vento Homeless Education Act was created to eliminate barriers that transition students (homeless students) were facing in terms of enrollment, attendance, and success in school.

The McKinney-Vento Homeless Education Act defines homelessness as an individual who lacks a fixed, regular, and adequate nighttime residence which includes:

- Students who share the housing of other persons due to loss of housing, economic hardship, or a similar reason
- Students who are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations
- Students who reside in emergency or transitional shelters
- Students who are abandoned in hospitals
- Students who are waiting for foster care placement
- Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily use as a regular sleeping accommodation for human beings; or
- Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- Any homeless child will be immediately admitted to school even if the child or child's parent or guardian is unable to produce records normally required to establish residency as provided in Board Policy 6173.

If a parent or student feels that the law applies, contact the Liaison for Homeless Children and Youth, (916) 635-4301 x162

## **Married/Pregnant/Parenting Students**

The Governing Board recognizes that early marriage, pregnancy, or parenting may disrupt a student's education and increase the chance of a student dropping out of school. The Board, therefore, desires to support married, pregnant, or parenting students to continue their education, attain strong academic and parenting skills and to promote the healthy development of their children. The district shall not discriminate against any student on the basis of the student's marital status, pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery. BP 5146 (Ed Code 230; 20 USC 1681-1688)

## **Animal Use**

The provision for animal use requires that the District observe a student's right to refrain from harmful or destructive use of animals, such as dissecting or experimenting on animals. The student must notify the teacher of his/her objection. Education Code 32255.1

## **Pupil Fees**

No student shall be required to pay any fees, deposits, or other charges for his/her participation in an educational activity offered by a school or District that constitutes an integral fundamental part of elementary and secondary education, including but not limited to, curricular and extracurricular activities. As necessary, the Board may approve fees, deposits, and other charges which are specifically authorized by law. For such authorized fees, deposits, and other charges, the district shall consider students' and parents/guardians' ability to pay when establishing fee schedules and granting waivers or exceptions (BP/AR 3260). Parents may file a complaint of noncompliance under this section with the principal of the school alleged to be in noncompliance per the Uniform Complain Procedure (Education Code 49013).

## **Submission of Student GPA to California Student Aid Commission**

State law, AB 20160, requires all public schools to electronically submit Grade Point Averages (GPAs) for Grade 12 students to the California Student Aid Commission, which uses the information for Cal Grant award consideration.

Parents and guardians may request that the Folsom Cordova Unified School District **NOT** submit a student's GPA to the California Student Aid Commission by completing an opt-out form and returning it to the student's school office. Forms can be requested from your school registrar's office.

Note: Opting out does NOT exclude a student from applying for the Cal Grant, but it could delay the process.

## **School Accountability Report Cards (SARC)**

California public schools annually provide information about themselves to the community allowing the public to evaluate and compare schools for student achievement, environment, resources and demographics. **School Accountability Report Cards (SARC)** represent extensive profiles of every school with information on per pupil and staffing expenditures, textbooks and instructional materials, special programs, support personnel, teacher credentialing, demographics, standardized test scores, intermediate and high school dropout rates, curriculum, staff development, facility conditions, instructional time, school discipline, and high school SAT scores.

**School Accountability Report Cards** are available through your school office and are posted on the District's website at [www.fcusd.org](http://www.fcusd.org).

## **HEALTH**

### **Physical Examination**

A physical examination may not be required of a child whose parent has filed an objection for that specified school year. However, the child may be sent home if, for good reason, he or she is believed to be suffering from a recognized contagious or infectious disease, until the school authorities are satisfied that any contagious or infectious disease does not exist. EC 49451

Insofar as class participation is an integral part of students' learning experiences, parents/guardians and students are encouraged to schedule medical appointments during non-school hours.

## **Medication**

Prescribed medication that is required during the school day may be administered by a school nurse or other designated school personnel, according to physician orders. EC 49423. Written orders from a physician and written consent by the parent or guardian are required on FCUSD form, *Parent/Physician Release for Medication at School*. BP 5141.21

Over-the-counter medication, required during the school day, may also be administered following a written request by the parent or guardian on FCUSD form, *Parent Release for Non-Prescription Over-the-Counter Medication in School*. BP 5141.21

All medication must be in its original pharmacy or manufacturer's container. Prescription medication must be properly labeled with the name of the student, name of the prescribing physician, name of the dispensing pharmacy, name of the drug, strength of the medication, dosage, method of administration, frequency of administration, duration of administration, and expiration date. Over-the-counter medication must be labeled with the name of the student, name of the medication, dosage, method and frequency of administration, and expiration date. BP 5141.21

## **Consent to Immunize**

A parent or guardian may consent in writing for their student to be immunized for communicable diseases, including pertussis, by a licensed physician or registered nurse, acting under the direction of a supervising physician. EC 49403  
Immunization information is included on official transcripts.

## **Accident Insurance**

The District does not insure students for injury sustained while at school. The District provides a voluntary student insurance application, available at school sites at the beginning of each school year. EC 49472. If students wish to participate in athletics (grades 7-12), they must show evidence of medical insurance, as well as having had a physical exam within the last twelve months.

## **Nutritious Meals are Served Each School Day**

Breakfast is served at selected schools. Lunches will be provided free or at a reduced cost for those students who are determined to be in need. EC 49510. Applications may be obtained at your school office.

## **Home and Hospital Instruction**

Services may be provided to students who are temporarily disabled, unable to attend regular classes or alternative education programs, and are confined to their residences due to verified physical, mental, or emotional disability. Parents may apply in writing for Home Hospital Instruction. EC 48206.3. Parental consent, medical verification, and authorization for exchange of information are required, and may be obtained at the student's school site. BP 6183

For students who have a disability qualifying them for Special Education services, home and hospital instruction may be considered through the IEP process. When a student is hospitalized or in a residential health facility located outside the school District, it shall be the primary responsibility of the parent to apply for instruction at the School District in which the hospital is located. EC 48207, 48208

## **Mandated Screening**

Pursuant to Education Code Section 49452, the District will provide testing for the sight and hearing of students. The District may provide for the screening of the condition known as scoliosis. A report of abnormal screening results will be sent to the parent. A parent/guardian may submit a request annually in writing, to the principal of the school, that his/her child be excluded from any of these screening programs.

## **Administration of Emergency Epinephrine Auto-Injectors for Anaphylactic Reactions**

Pursuant to Education Code Section 49414, effective January 1, 2015, the District shall provide for each school site, emergency epinephrine auto-injectors. School nurses or trained personnel who have volunteered may use epinephrine auto-injectors to provide emergency medical aid to persons suffering or reasonably believed to be suffering from an

anaphylactic reaction. Anaphylaxis is a rapid, severe allergic response triggered by insect stings, foods, medications, latex materials, and other unknown causes. It is life-threatening and requires immediate treatment. In the event that an epinephrine auto-injector is administered, Emergency Medical Services will be called to provide continuing care. All students who have had a prior allergic reaction or have a medical prescription for epinephrine must provide an auto-injector for their personal use per the District's Administering Medication and Monitoring Health Conditions, Board Policy 5141.21.

## Family Life

The District is required at the beginning of each school year, or at the time of enrollment for a new student, to inform each parent about instruction in comprehensive sexual health education and HIV/AIDS prevention education planned for the coming year. The Family Life program includes a comprehensive sexual health education and HIV/AIDS prevention education program taught by District personnel in which reproductive organs and their functions are described, illustrated, and discussed. Written and audiovisual materials are available for inspection.

*A parent or guardian of a pupil may request in writing that his or her child be excused from all or part of the comprehensive sexual health education, HIV/AIDS prevention instruction, and any assessments related to that education. A pupil may not be subject to disciplinary action, academic penalty, or other sanction if the pupil's parent/guardian declines to permit pupil participation, and an alternative activity shall be made available. The parent or guardian may request a copy of Chapter 5.6 of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act. EC 51937, 51938, 51939*

## Pesticide Application and Notification

The Healthy Schools Act of 2000 requires that parents be provided with written notification of expected use of pesticides or herbicides on school sites during the school year. The following may be used at school sites:

Name of Pesticide	Active Ingredient(s)
Photoxin (Rodent Bait)	Aluminum Phosphide
Roundup/Ranger Pro (Weed Control)	Glyphosate
Surflan (Weed Control)	Oryzalin
Merit (Insect Spray for trees/shrubs)	Imidacloprid
Rodent Bait (Gophers)	Chlorophacinone
Tempe SC Ultra (Landscape Insect Spray)	Cyfiuthrin Cyano

Parents/guardians may request prior notification of each application at their child's school site. Upon completion of the *Request for Individual Pesticide Application Notification*, you will be contacted 72 hours prior to the intended application. In an emergency, pesticides may be applied without prior notice, but you will be provided notice following any such application. The form requesting notification is available in your child's school office.

## PRIVACY NOTIFICATION AND TESTING

### Student Use of the Internet and Online Services

The District provides student access to the Internet as an educational tool. Because the Internet is uncensored and can be misused, no student shall be allowed to use the District's access to the Internet unless the student and the student's parent/guardian first sign the District's *Student Technology Use Agreement*. As part of that agreement, parents will have the option of electing not to allow their students to use the Internet at school. If such election is made and an assignment is due that requires Internet use, an appropriate alternative assignment will be provided to the student with no penalty. Students who use District resources agree to abide by all District policies and guidelines for their legal use. BP 6163.4

The District will provide reasonable supervision of students using its access to the Internet, and will attempt to do what is technologically reasonable with filtering software to prevent students from obtaining access to pornographic or harmful matter as defined by state and federal law.

Students using the District's Internet access and technology resources shall have no right of privacy in their use of those systems. Staff may monitor or examine all system activities a student takes part in to ensure proper use of the system. Students who fail to abide by District policies and guidelines may be subject to disciplinary action, revocation of their privilege to use the systems, or legal action as appropriate.

## **Promotion, Acceleration and Retention**

Decisions to promote students shall be made on the basis of achievement of grade-level standards, test scores, and other indicators of academic achievement designated by the Board of Education.

Retention will be considered for students who do not meet minimum grade-level standards in reading/language arts, and math. Principals and teachers will determine which students must be retained. EC 48070.5 Students who have special needs or whose teachers have determined that retention is not the appropriate intervention may be exempt if so determined by a team of the student's parents/guardians and educators.

In special situations, acceleration may be appropriate when the decision is in the best interest of the student. Considerations for the decision to accelerate will depend on academic grades, achievement test scores, social and emotional development, teacher's opinion, and the parents/ guardian recommendation.

## **Privacy Notification**

This District is participating with the California Longitudinal Pupil Achievement Data System (CALPADS) Program in the electronic transfer of student data for state reporting to the California Department of Education and to Districts and/or public postsecondary institutions to which the student is transferring or applying for admission. All data maintained by the CALPADS Program is in compliance with federal and state privacy and confidentiality requirements. The data being transferred is specific to the state reports and records transfer requirements, and no additional data is reported.

The benefits of participation to the student and parent are that student records can be transferred much more promptly, and that information about student assessment and academic placement will be available at the time of transfer. Schools and Districts will benefit from the streamlining and reduction of required state reporting.

## **Student Testing**

Parents/guardians may request in writing that their student not participate in the statewide tests. EC 60615. In addition, parents/guardians have the right to be notified of their child's performance on standardized and statewide tests and the school's ranking on these tests. EC 60640

## **POLICY & PROCEDURES FOR STUDENT SAFETY & DISCIPLINE**

### **Nondiscrimination**

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. (EC 200, 220)

### **Bullying**

The Governing Board believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation. Prohibited student conduct includes, but is not limited to harassment of students or staff, including bullying, intimidation, cyberbullying, hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause bodily harm or emotional suffering. BP 5131

### **Sexual Harassment**

The Governing Board is committed to maintaining a learning environment that is free of harassment. Board Policy 5145.7 prohibits the unlawful sexual harassment of any student by any employee, student, or other person at school or at any school-related activity. The District is committed to taking serious, immediate, and appropriate action with respect to violations of sexual harassment policy. Students shall be assured that they need not endure any form of



sexual harassment. They shall further be assured that they need not endure, for any reason, any harassment that impairs the educational environment or a student's emotional well-being at school. Should a student believe that he/she has been subjected to sexual harassment, he/she shall file a complaint in accordance with the guidelines outlined under the Uniform Complaint Procedures. Students can be assured that the District will not tolerate retaliation as a result of the filing of a complaint. Any student who engages in the sexual harassment of anyone at school or a school related activity shall be subject to disciplinary action.

## **Uniform Complaint Procedure**

Folsom Cordova Unified School District has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The uniform complaint procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying. A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying. However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 days. (5 CCR 4630)

The following compliance officer shall receive and investigate complaints and shall ensure district compliance with law:

Assistant Superintendent, Human Resources  
1965 Birkmont Drive  
Rancho Cordova, CA 95742  
(916) 294-9025

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five business days, file his/her complaint in writing with the Board.

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

If dissatisfied with the district's decision, the complainant may appeal in writing to the CDE. (Education Code 49013; 5 CCR 4632)

The complainant shall file his/her appeal within 15 calendar days of receiving the district's decision and the appeal shall specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally-filed complaint and a copy of the district's decision. (5 CCR 4632)

A complainant may pursue available civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

The district's Williams uniform complaint procedures, AR 1312.4, shall be used to investigate and resolve any complaint related to the following:

1. Sufficiency of textbooks or instructional materials
2. Emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff. Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of pupils 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 pupils or staff; or structural damage creating a hazardous or uninhabitable condition. (Education Code [17592.72](#))
3. Teacher vacancies and misassignments

A notice of the Williams Act complaint rights to parents, guardians, pupils and teacher is posted in all District classrooms and available on the District's website at [www.fcusd.org](http://www.fcusd.org).

Folsom Cordova Unified School District's Uniform Complaint policy and procedures are available free of charge and are posted on the District's website at [www.fcusd.org](http://www.fcusd.org), and available in English, Spanish, and Russian.

This notice is provided to students, employees, parents or guardians of students, school and district advisory committees, appropriate private school officials or representatives, and other interested parties.

### **Discipline Procedures**

In accordance with California Education Code, section 35291, the Board of Education's adopted procedures governing student discipline are available in your child's school office upon request. These provisions include, but are not limited to: detention, parent conferences, suspension, behavior contract, transfer, expulsion, and other educational alternatives. EC 48900(a-t). The *Student Conduct Code* shall be available to all students at the beginning of each school year, and may be distributed in print version for discussion in individual classes at each site. Parents may also access the *Student Conduct Code* online at your school website or at [www.fcusd.org](http://www.fcusd.org).

### **Parent Liability**

Parents or guardians are liable for all damages caused by the willful misconduct of their minor children which result in injury or death to other students or school personnel, or damages caused to school property. Parents are also liable for any school property loaned to a student and willfully not returned. The District may withhold the grades, diplomas, or transcripts of the student until such damages are paid or the property returned, or until completion of a voluntary work program in lieu of payment of money. EC 48904; Civil Code 1714.1

### **Causes for Suspension**

A student may be suspended or expelled for acts which are enumerated below, and are related to school activity or attendance which occur anytime, including but not limited to: 1) while on school grounds; 2) while going to and from school; 3) during the lunch period, whether on or off campus; and 4) during, or while going to or coming from a school sponsored activity.

- a. 1.) Caused, attempted to cause, or threatened to cause physical injury to another person; or  
2.) Willfully used force or violence upon the person of another, except in self-defense.
- b. Possessed, sold, or furnished any firearm\*, knife, explosive, bomb or other dangerous object.
- c. Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance\*, as defined in Section 11053 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- d. Unlawfully offered, arranged, or negotiated to sell any controlled substance, as defined in Chapter 2, Section 11053, of Division 10, of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material, and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- e. Committed or attempted to commit
  - 1.) Robbery\*, defined as the taking of property in possession of another, from his person or immediate presence, and against his will, accompanied by means of force or fear.
  - 2.) Extortion, defined as the obtaining of property from another, without his consent, accompanied by means of force or fear.
- f. Caused or attempted to cause damage (vandalism) to school property, student property, or employee property.
- g. Stole or attempted to steal school property, student property, or employee property.

- h. Possessed or used tobacco or any products containing tobacco or nicotine products, including, but not limited to cigarettes, cigars, miniature cigars, clove cigarettes, electronic cigarettes, smokeless tobacco, snuff, chew packets, and betel.
  - i. Committed an obscene act or engaged in habitual profanity and vulgarity.
  - j. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
  - k.
    - 1.) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties including but not limited to racial slurs, violation of closed campus, falsification/forgery of parent notification/ verification, or defiant/disruptive behavior.
    - 2.) Engaged in any activity, behavior, or display which, when evaluated individually and/or cumulatively and collectively, denotes group affiliation that threatens a safe and orderly environment, or which is likely to cause a disruption of school activities.
  - l. Knowingly received stolen school property, student property, or employee property.
  - m. Possessed an imitation firearm (a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm).
  - n. Committed or attempted to commit a sexual assault, as defined in Section 261, 266 (c), 286, 288, 288 (a), or 289 of the Penal Code or committed sexual battery as defined in Section 243.4 of the Penal Code.
  - o. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that student from being a witness or retaliating against that student for being a witness, or both.
  - p. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
  - q. Engaged in, or attempted to engage in, hazing as defined in EC 32050.
  - r. Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel.
  - s. A pupil may not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal, or occurring within any other school District. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
    - 1.) While on school grounds.
    - 2.) While going to or coming from school.
    - 3.) During the lunch period whether on or off the campus.
    - 4.) During, or while going to or coming from, a school sponsored activity.
  - t. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury on another person may suffer suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed or aided/abetted in a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
  - u. As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- 48900.2 Committed sexual harassment, as defined in EC, Article 4, Section 212.5.
- 48900.3 Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in subdivision (e) of EC, subdivision, Section 233.
- 48900.4 Students enrolled in grades 4-12 who intentionally engaged in harassment, threats, or intimidation, directed against a student or group of students, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading the rights of that student or group of students by creating an intimidating or hostile educational environment.
- 48900.7 Threatened to carry out an act of terrorism against school officials or school property, or both. An act of terrorism is defined as any statement, written or oral, by a person who willfully threatens to commit a crime that will result in death or bodily injury to another person, or property damage.

\*Requires a police report.

Legal References: EC 48900.2, 48900.3, and 48900.4

## **Imposition of Suspension**

Suspension shall be imposed only when other means of correction fail to bring out proper conduct. However, a student shall be suspended for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons.

## **Suspension by Principal**

Suspension by the principal or designee shall be preceded by an informal conference. At that conference, the student shall be informed of the reasons for the disciplinary action and the evidence against him/her. In addition, the student shall be given the opportunity to present his/her version and evidence in his/her defense. At the time of the suspension,

the principal or designee shall make a reasonable effort to contact the student's parent or guardian in person or by telephone. Whenever a student is suspended from school, the parent or guardian shall be notified in writing of the suspension. The notice shall contain a statement of the facts leading to the decision to suspend; date and time when the student will be allowed to return to school; and a request that the parent or guardian attend a conference with school officials, including notice that state law requires parents or guardians to respond to such request without delay. The vice principal shall serve as the principal's designee, and will assist with disciplinary procedures. EC 48911

## **Appeal Process**

The student, parent, or guardian may appeal the suspension by requesting a meeting with the superintendent's designee. The meeting shall be held within five school days of the time the request is received by the superintendent or designee.

## **Suspension by Teacher**

A teacher may suspend any student from the class for the day of the suspension and the day following, for any act stated in EC 48900. (Secondary day is defined as an instructional period; elementary day is defined as a calendar day.) If the student has more than one teacher, the student is only precluded from attending the suspending teacher's class. Prior to excluding a student from the classroom, the teacher must inform the student which District policy the student has violated, that the teacher intends to suspend, and that the student has the opportunity to respond to the charges. As soon as possible, the teacher shall request a parent/guardian conference, at which time the circumstances of the suspension and the data will be presented. EC 48910 (a)(b)

## **Make-up Work During Suspension**

The teacher of any class from which a pupil is suspended may require the suspended pupil to complete any assignments or tests missed during the suspension. EC 48913

## **Classroom Visitations**

Current state law authorizes teachers to provide time for a parent or guardian of a student who has been suspended for reasons stated in EC 48900.1 to attend a portion of a school day in the student's classroom. The principal will provide appropriate notification to a parent or guardian regarding classroom visitation. EC 48900.1

## **Teacher Referral**

A teacher may refer a student, for any of the acts stated in District policy, to the principal or to a certificated employee designated by the principal, for consideration of the suspension from school. EC 48910 (c)

## **Emergency Suspension**

A principal or designee may suspend a student without affording that student an opportunity for a conference only if the principal or designee determines that an emergency situation exists. EC 48911

## **Release of Student to Peace Officer**

If a school official releases your child from school to a peace officer for the purpose of removing him/her from school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of a suspected child abuse. In those cases, the peace officer will notify the parent or guardian. EC 48906

## **Student Search**

The District reserves the right to conduct searches and seizures of students in accordance with the law. By way of illustration and not limitation, this includes the right to search a student and his/her belongings when a District official has a reasonable suspicion that the student to be searched has engaged in, or will engage in, unlawful activity or a violation of school rules.

Desks and lockers are joint-use property issued by the District, and students have no expectation of privacy in desks and lockers. As a result, the District may search desks and lockers at any time without reasonable suspicion.

Automobiles parked on school property are equally accessible to students and school officials. As a result, students have a diminished expectation of privacy in the contents of their automobiles.

## **Expulsion**

The principal or superintendent of schools may recommend expulsion for the acts enumerated in District Policy (Causes for Suspension) or in EC 48900, 48900.2, 48900.3, 48900.4 and 48900.7: *EC 48915(a)*

The principal or superintendent of schools shall recommend expulsion for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent determines that expulsion should not be recommended under the circumstances or that an alternative means of correction would address the conduct:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the student.
3. Unlawful possession of any controlled substance listed in Chapter 2, commencing with Section 11053 of Division 10 of the Health and Safety Code, except for the first offence for the possession of not more than one (1) avoirdupois ounce of marijuana, other than concentrated cannabis; or (2) The possession of over-the-counter medication for use by the pupil for medical purposes or medication prescribed for the pupil by a physician.
4. Robbery or extortion
5. Assault or battery, as defined in sections 240 and 242 of the Penal Code, upon any school employee.

*EC 48915(c)*

The principal or superintendent of schools shall immediately suspend, pursuant to EC 48911, and shall recommend expulsion of a pupil if it is determined that the pupil has committed any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or principal's designee. This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of the District.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance (listed in Chapter 2, commencing with Section 11053 of the Health and Safety Code).
4. Committing or attempting to commit a sexual assault or sexual battery as defined in subdivision (n) of EC 48900, or committing a sexual battery as defined in subdivision (n) of EC 48900.
5. Possession of an explosive.

## **Expulsion of Special Education Students**

The procedures for expelling a student with a disability may include additional and/or different requirements/consequences to meet the provisions of the Education Code.

## **Safe School Environment**

As required by law, the Folsom Cordova Unified School District must allow a student attending a "*persistently dangerous*" school, or who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, to attend a safe public elementary or secondary school within the District's jurisdiction. (20 USC 791{a})

## **Tardiness/Truancy**

California law mandates that each child 6 years of age or older, and younger than 18 years of age, attend school every day and on-time. California law further requires that any child who has been absent without valid excuse and/or a tardy in excess of 30 minutes on each of the three or more days in one school year, may be reported as a truant to the Office of Attendance and Due Process. EC 48262

Any student is deemed to be a habitual truant who has been reported as a truant three or more times in a school year. No student shall be considered a habitual truant unless an appropriate school official has made a conscientious effort to hold at least one conference with the student and the student's parent or guardian. Any student considered a habitual truant, or who is irregular in school attendance, or who is habitually insubordinate or disorderly during school attendance, may be referred to a School Attendance Review Board (SARB) which will require the attendance of both the parent or guardians and the student.

The primary responsibility for school attendance is assigned to the parent or guardian. As students grow older, they too may be assigned by the SARB some responsibility for regular school attendance. If after a SARB meeting a student's truancy continues, then the parent may be referred to the District Attorney's office for prosecution for Contributing to the Delinquency of a Minor (PC272), or both the parent and the student may be referred to the Sacramento County Truancy Court.

Parents or guardians with difficulties at home that are preventing the regular and on-time school attendance of their students may contact the administration at the school where their student(s) are enrolled, or contact the FCUSD Office of Attendance and Due Process at (916) 294-9012 for social service referrals and other family support assistance.

## **Excessive Absences**

Students experiencing excessive school absences may be referred to the School Attendance Review Board (SARB) or may receive a home visit from the school resource officer and/or the Director of Attendance and Due Process. The SARB is designed to assist the student and parent in reducing school attendance problems by maximizing use of school and coordinated community resources.

## **Alternative Schools**

California state law authorizes all school Districts to provide for alternative schools. EC 58501 defines alternative school as a school or separate class group within a school that is operated in a manner designed to:

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

In the event any parent, student, 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 school have copies of the law available for information. This law authorizes interested persons to request the governing board of the District to establish alternative school programs in each District.

The following alternative programs may be provided for students in the District:

- Adult Education classes, with approval of the unit administrator
- Adolescent Parenting Program
- Independent Study Programs
- Continuation High Schools
- Elementary Opportunity Classes
- Mather Youth Academy

Other Educational Opportunities Include:

- Newcomer Programs
- Advanced Placement
- Online Learning
- Courses through community colleges/universities
- Course Challenging
- Gifted And Talented Education
- Gateway Academy for Advanced Learning
- Junior Kindergarten Program
- Special Education\*
- Home and Hospital Instruction
- Drop-out Recovery Program
- Regional Occupational Programs\*\*



\*Parents have the right to call or write their student's school and request an assessment from the school psychologist.

\*\* Please contact your school counselor if your son or daughter is interested in ROP classes and is handicapped, disadvantaged, or enrolled in special education. Additional assistance is available to provide equal access and opportunity for success.

## **DIRECTORY INFORMATION**

Federal and state law allows the District to disclose directory information to outside organizations, without written consent, unless you have advised the District that you do not want directory information released. The District has designated the following information to be directory information: student name, address and phone number. The District may release directory information, upon request, to outside organizations including the following entities: parent/school organizations, military recruiters, prospective employers or colleges and universities. Directory information may be released to other public agencies providing services to current students. The District will deny the release of specific categories of directory information to any public or private non-profit organization if the District believes that the release of such information is contrary to the best interest of the student.

In addition, the *No Child Left Behind Act* of 2001, §9528 (20 U.S.C. §7908), requires that we release secondary school students' names, addresses, and telephone listings to military recruiters upon their request, unless a parent has "opted out" of providing such information.

### **Usage of Student Names/Photos/Videos for Public Release**

The Folsom Cordova Unified School District is proud of the many accomplishments of our students and staff. These accomplishments may draw the attention of newspapers, television stations, or other media who visit our schools to photograph or film students and staff during various activities. In addition, the District uses photographs and video footage of students and/or their names in District-produced materials including printed publications, television productions, web sites, and official District social media platforms to promote their achievements. These photographs and videos may also include displays of student work. This usage does not include school yearbooks—if you do not want your child's photo used in a yearbook, contact your child's principal.

### **Photos & Video of General Education Students**

Unless notified in writing of an objection by a parent, legal guardian, or student of age 18, photographs and video footage of students and/or names may be used in District-produced materials including printed publications, television productions web sites, and official District social media platforms. If parents do not want photographs or videos of their student(s) to be used in these materials, they should complete a Request to Restrict Use of Photos, Videos, and/or Name of Student form available at school offices or via the District's website.

Please be aware that these requests are valid for the current school year and must be renewed at the start of the next school year. The requests will not prohibit usage in student-produced materials such as yearbooks and newspapers. Please contact your school office or the Office of Communication and Community Engagement at 294-9000 ext. 104530 if you have any questions.

### **Photos & Video of Students with Individualized Education Programs**

It is the District's policy to require written permission from parents/guardians before using photos of video footage that identifies students with Individualized Education Programs. Consent forms can be obtained from school offices, from the Office of Communication and Community Engagement, or by visiting the District's website. Forms are stored at the student's school and are good for the current school year.

### **Receipt of Notice**

The Board of Education is required by law to notify parents/guardians of certain rights/responsibilities. This annual notification of Parents' Rights and Responsibilities contains a summary of these rights/responsibilities. You may contact the principal of the school your child attends if you have questions regarding this information.