

# 2021-2022

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

# PARENT STUDENT HANDBOOK



1108 BISSELL AVE. RICHMOND, CA 94801  
510-231-1100 | [WWW.WCCUSD.NET](http://WWW.WCCUSD.NET)



Dear WCCUSD Families,

The West Contra Costa Unified School District is a community of learners. Everyone from the teachers leading the classrooms to the support staff working behind the scenes to WCCUSD's students, the future leaders of society, are all learners. Together, we are eager to start another exciting school year. The Board of Education, District staff and administrators, and I continue to focus on ensuring all WCCUSD students, including our historically underserved, are prepared for college, career, and beyond.

Two years ago, WCCUSD's Board of Education adopted Roadmap 2.0 that lays the foundation for ensuring student success by focusing on third grade reading, English Language Learners, African-American student outcomes, and college and career readiness. To reach our goals requires us to think differently in the way we design and run our classrooms, schools, and district. Over the past two years, we have worked to support the Roadmap by making sure employees, especially those closest to WCCUSD students are thriving; that students are achieving in and out of the classroom; and by creating environments where you, parents and families, feel engaged, excited, and invested on what is happening within every school. This year we must continue to engage, empower, and challenge students throughout their K-12 journey, and to do that we need your help.

As parents and guardians, you are the District's number one partner. We know that educating children cannot be done alone. Our mission is to serve the whole child and ensure that WCCUSD students are ready for their futures. It takes the whole community to accomplish that. This handbook provides a brief overview of WCCUSD. A more detailed look at the Roadmap and where we are headed as well as all the programs available to you and your child can be found at [www.wccusd.net](http://www.wccusd.net). You can also stay up to date on everything that is happening around the District by following us on social media (Facebook, Twitter, Instagram, and YouTube). We are also excited to launch our app, which can be found in the Google Play Store or the Apple App Store by searching for WCCUSD. Our goal is to provide access to all the information essential to your child's education.

Lastly, I invite you to join us on your child's educational journey. There are a number of ways to get involved both at home and within the District. I encourage you to stay in touch with your child's teacher and principal as well as our Board, and District administration staff. We have volunteer opportunities at your child's school as well as others around the District. At home, we encourage you to read with your children and ask questions about their day. There are also Parent/family education classes, including Parent University, a program that is designed to foster parent engagement, and leadership.

More than anything, we ask that you ensure your student is at school every day. Attendance matters and every day in school counts a lot. Please do all that you can to make sure your child comes to school each and every day.

If you have any questions, please do not hesitate to reach out to your child's teacher, principal, school staff or me. Have a great year. I look forward to seeing you in the community.

Access to free public education is both a right and a privilege. A positive learning environment can only be sustained through adherence to basic rules and regulations that provide the necessary measures to ensure an orderly and creative learning environment and, at the same time, respect individual rights and differences. To that end, the West Contra Costa Unified School District Board of Education asks students, parents and staff to adhere to the following District Basic Commitment Program and join in the effort to guarantee that a rewarding educational experience will be provided to every student at each individual school site.

## **DISTRICT MISSION STATEMENT**

### **Our Mission**

We provide the highest quality education to enable all students to make positive life choices, strengthen our community, and successfully participate in a diverse and global society.

We provide excellent learning and teaching experiences; safe, student-centered learning environments; and support for all students and employees. We develop and maintain productive community partnerships and individual and collective accountability.

### **WCCUSD ADMINISTRATION**

Office of the Superintendent  
**Dr. Kenneth C. Hurst Sr., Ed.D.**  
 Superintendent of Schools

1108 Bissell Avenue, Richmond, CA 94801 · (510) 231-1101

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## DISTRICT ANNOUNCEMENT OF NON-DISCRIMINATION

### Non-Discrimination Statement:

The West Contra Costa Unified School District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived ancestry, color, disability, gender, gender identity, gender expression, immigration status, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

For questions or complaints, contact Equity Compliance Officer/Title IX Coordinator: Rhonda Haney, 1108 Bissell Avenue Richmond, CA 94801, 510-307-4538, [rhaney@wccusd.net](mailto:rhaney@wccusd.net) and Section 504 Coordinator: Darlene Almeida, 1108 Bissell Avenue Richmond, CA 94801, (510) 307-4535, [dalmeida@wccusd.net](mailto:dalmeida@wccusd.net).

### NON-DISCRIMINATION POLICY CONTACTS

Title IX	Title II, Title V, Title VI	504
<a href="#">Rhonda Haney</a> Director, Office of Educational Equity	<a href="#">Lyn Potter</a> Director, State and Federal Programs	<a href="#">Darlene Almeida</a> Coordinator, 504 (Student Services) Coordinator Special Education Low Incidence Programs
<b>Office Location:</b> 1108 Bissell Avenue Richmond, CA 94801	<b>Office Location:</b> 3400 MacDonald Ave., Building H Richmond, CA 94805	<b>Office Location:</b> 3000 Parker Rd. Richmond, CA 94806
<b>Phone:</b> (510) 307-4538	<b>Phone:</b> (510) 307-4505	<b>Phone:</b> (510) 307-4535 Ext: 23319

## DISTRICT BOARD OF EDUCATION

The five members of the West Contra Costa Unified School District Board of Education are elected by voters in the community for a term of four years. Board elections take place in November every other year. New board members are sworn in on or after the first Friday of December following elections. The board elects its president and clerk each year in December.

Regular Board meetings are held in the LoVonya DeJean Middle School Multipurpose Room, 3400 Macdonald Ave., Richmond. Public session begins at 6:30 p.m. Live television broadcast of regularly scheduled Board meetings is available by the City of Pinole on PCTV Channel 26/28, the City of Richmond KCRT Channel 28 and the City of Hercules Cable Channel 28. Please check the city websites for local listings of broadcast schedules. You may also find the complete meeting available on a tape-delay basis through the Richmond City Web Page at: <http://www.kcrt.com> within a few days of the recording date.

## BOARD OF EDUCATION MEMBERS

Jamela Smith-Folds	Trustee Area 1	Email: <a href="mailto:jamela.smith@wccusd.net">jamela.smith@wccusd.net</a>
Otheree Christian, President	Trustee Area 2	Email: <a href="mailto:ochristian@wccusd.net">ochristian@wccusd.net</a>
Mister Phillips	Trustee Area 3	Email: <a href="mailto:mister.phillips@wccusd.net">mister.phillips@wccusd.net</a>
Demetrio Gonzalez-Hoy, Clerk	Trustee Area 4	Email: <a href="mailto:dgonzalez@wccusd.net">dgonzalez@wccusd.net</a>
Leslie Reckler	Trustee Area 5	Email: <a href="mailto:leslie.reckler@wccusd.net">leslie.reckler@wccusd.net</a>

## 2021-22 PARENT—STUDENT HANDBOOK ACKNOWLEDGEMENT FORM

Parent/Guardian: The West Contra Costa Unified School District has a Parent-Student Handbook, which reflects important policies for our schools. Those policies are designated to guide our students through successful school experiences by governing attendance, tardiness, classwork, homework, discipline, dress, grading, promotion, and retention.

**Detach, sign, and return this page to your child’s school indicating you have received a copy of the Parent / Student Handbook. Also, where specified on this page, indicate whether you have a child on continuing medication and if you do not wish directory information to be released.**

Student’s Name: \_\_\_\_\_

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

Student is on a continuing medication program: (Please check one) YES \_\_\_\_\_ NO \_\_\_\_\_

If YES, you have my permission to contact student’s physician:

Physician’s Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Medication: \_\_\_\_\_ Dosage: \_\_\_\_\_

Medication: \_\_\_\_\_ Dosage: \_\_\_\_\_

If the West Contra Costa Unified School District decides to release directory information, the West Contra Costa Unified School District shall provide an annual notice to parents and guardians, and “eligible students” in attendance, of the West Contra Costa Unified School District’s directory information policy that includes:

1. The categories of information that the West Contra Costa Unified School District has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code section 49061, subdivision (c).
2. A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where the West Contra Costa Unified School District receives consent as required under state law).
3. The recipients of the directory information.
4. A description of the parent’s or guardian’s abilities to refuse release of the student’s directory information, and how to refuse release.
5. The deadline in which the parent, guardian or student must notify the school in writing that he or she does not want the information designated as directory information.

If you do not wish directory information released, please sign where indicated below and return to the school office within the next 30 days. Note that this will prohibit the District from providing the student’s name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

Do NOT release directory information regarding \_\_\_\_\_  
(Pupil’s Name)

Check if an exception may be made to include student information and photos in the yearbook.

I hereby acknowledge that I have received and read a copy of the Parent-Student Handbook of the West Contra Costa Unified School District.

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

*This form will be kept on file at the school office.*

## 2021-22 PARENT—STUDENT HANDBOOK ACKNOWLEDGEMENT FORM

Parent/Guardian: The West Contra Costa Unified School District has a Parent-Student Handbook, which reflects important policies for our schools. Those policies are designated to guide our students through successful school experiences by governing attendance, tardiness, classwork, homework, discipline, dress, grading, promotion, and retention.

**Detach, sign, and return this page to your child’s school indicating you have received a copy of the Parent / Student Handbook. Also, where specified on this page, indicate whether you have a child on continuing medication and if you do not wish directory information to be released.**

Student’s Name: \_\_\_\_\_

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

Student is on a continuing medication program: (Please check one) YES \_\_\_\_\_ NO \_\_\_\_\_

If YES, you have my permission to contact student’s physician:

Physician’s Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Medication: \_\_\_\_\_ Dosage: \_\_\_\_\_

Medication: \_\_\_\_\_ Dosage: \_\_\_\_\_

If the West Contra Costa Unified School District decides to release directory information, the West Contra Costa Unified School District shall provide an annual notice to parents and guardians, and “eligible students” in attendance, of the West Contra Costa Unified School District’s directory information policy that includes:

6. The categories of information that the West Contra Costa Unified School District has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code section 49061, subdivision (c).
7. A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where the West Contra Costa Unified School District receives consent as required under state law).
8. The recipients of the directory information.
9. A description of the parent’s or guardian’s abilities to refuse release of the student’s directory information, and how to refuse release.
10. The deadline in which the parent, guardian or student must notify the school in writing that he or she does not want the information designated as directory information.

If you do not wish directory information released, please sign where indicated below and return to the school office within the next 30 days. Note that this will prohibit the District from providing the student’s name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

Do NOT release directory information regarding \_\_\_\_\_  
(Pupil’s Name)

Check if an exception may be made to include student information and photos in the yearbook.

I hereby acknowledge that I have received and read a copy of the Parent-Student Handbook of the West Contra Costa Unified School District.

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

*This form will be kept on file at the school office.*

## DIRECTORY OF SCHOOLS

### ELEMENTARY SCHOOLS

School	Phone
Bayview	231-1401
Cameron	231-1445
Chavez	231-1418
Collins	231-1446
Coronado	231-1419
Dover	231-1420
Downer	231-1435
Ellerhorst	231-1426
Fairmont	231-1448
Ford	231-1421
Grant	231-1422
Hanna Ranch	231-1441
Harding	231-1413
Highland	231-1424
Kensington	231-1415
King	231-1403
Lake	231-1451
Lincoln	231-1404
Lupine Hills	231-1411
Madera	231-1412
Michelle Obama	231-1456
Mira Vista K-8	231-1416
Montalvin K-8	231-1405
Murphy	231-1427
Nystrom	231-1406
Ohlone	231-1443
Olinda	231-1452
Peres K-8	231-1407
Riverside	231-1409
Shannon	231-1454
Sheldon	231-1414
Stege	231-1425
Stewart K-8	231-1410
Tara Hills	231-1428
Valley View	231-1455
Verde K-8	231-1408
Washington	231-1417

West County Mandarin School 231-1457

### MIDDLE SCHOOLS

School	Phone
Betty Reid Soskin	231-1447
DeJean	231-1430
Helms	231-1423
Hercules	231-1429
Korematsu	231-1449
Pinole	231-1436

### HIGH SCHOOLS

School	Phone
De Anza	231-1440
El Cerrito	231-1437
Hercules	231-1429
Kennedy	231-1433
Middle College	215-3881
Pinole Valley	231-1442
Richmond	231-1450

### ALTERNATIVE & ADULT EDUCATION

#### Alternative School

School	Phone
Greenwood Academy	231-1402
Vista	231-1431
Gateway to College	215-3835

### ADULT SCHOOLS

School	Phone
Alvarado	231-1453

To view our School Day Start-End Times, School Location Maps, the Resident School Directory, please visit our website: [www.wccusd.net](http://www.wccusd.net)

# West Contra Costa Unified School District School Calendar

## 2021-2022 (August 16-June 8)

July '21							January '22							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
				1	2	3							1	
4	5	6	7	8	9	10	2	3	4	5	6	7	8	
11	12	13	14	15	16	17	9	10	11	12	13	14	15	
18	19	20	21	22	23	24	16	17	18	19	20	21	22	
25	26	27	28	29	30	31	23	24	25	26	27	28	29	
							30	31						
5 – Independence Day Holiday							3 – Class Reconvene after recess 14 – End of 2 <sup>nd</sup> Quarter 17 – Martin Luther King Holiday 18 – Secondary Work Day (No School Middle & High Schools) 28 – 100 <sup>th</sup> day							
School Days 12							School Days 20E 19S							
August '21							February '22							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
										1	2	3	4	5
1	2	3	4	5	6	7	6	7	8	9	10	11	12	
8	9	10	11	12	13	14	13	14	15	16	17	18	19	
15	*16	17	18	19	20	21	20	21	22	23	24	25	26	
22	23	24	25	26	27	28	27	28						
29	30	31												
10 – New Teacher Orientation 11-12 – Professional Development 12 – In-Service Training Day 13 – Teacher Work Day 16 – First Day of School Min. Day 23 – Terence Martin Day (Memorial Day)							21-25 – Presidents' Week Recess (District Holidays)							
School Days 12							School Days 15							
September '21							March '22							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
			1	*2	3	4			1	2	3	4	5	
5	6	7	8	9	*10	11	6	7	8	9	10	11	12	
12	13	14	15	16	17	18	13	14	15	16	17	*18	19	
19	20	21	22	23	*24	25	20	21	22	23	24	*25	26	
26	27	28	29	30			27	28	29	30	31			
2 – Back to School Night-Elementary Schools (Min. Day) 6 – Labor Day (District Holiday) 9 – Back to School Night-Middle Schools 10- Middle Schools Only- Min. Day 23 – Back to School Night-High Schools 24- High Schools Only-MIN day							1 – End of Trimester 2 17 – Open House-Middle Schools 18 – Middle Schools Only-MIN day 24 – Open House- High Schools- 25 – High Schools Only- MIN day 31 – End of 3 <sup>rd</sup> Quarter							
School Days 21							School Days 23							
October '21							April '22							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
					1	2						1	2	
3	4	5	6	7	8	9	3	4	5	6	7	8	9	
10	11	12	13	14	15	16	10	*11	12	13	14	15	16	
17	18	19	*20	21	22	23	17	18	19	20	*21	22	23	
24	25	26	27	28	*29	30	24	25	26	27	28	29	30	
31														
11 – No School (reserved day1) 19 – End of 1 <sup>st</sup> Quarter 20 – Minimum Day Middle/High Schools (Mark Report Cards) 29 – End of Trimester 1 29 – Minimum Day, K-8							1 – No School (reserved day1) 4-8 – Spring Recess (No School) 4 – District Holiday 11 – Middle & High School MIN (Mark Report Cards) 21 – Open House Elementary Schools -Minimum Day							
School Days 20							School Days 15							
November '21							May '22							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	*2	*3	*4	*5	6	1	2	3	4	5	6	7	
7	*8	9	10	11	12	13	8	9	10	11	12	13	14	
14	15	16	17	18	*19	20	15	16	17	18	19	20	21	
21	22	23	24	25	26	27	22	23	24	25	26	27	28	
28	29	30					29	30	31					
1 – Elementary Conference Day (No School, Elementary Only) 2,4,5,6-Elementary Conference (Min. Days, Elementary) 2-Minimum Day Middle & High 11 – Veterans' Day Holiday 19 – Minimum Day All Schools 22-26 – No School 25-26 – Thanksgiving Holiday							27 – No School (reserved day 3) 30 – Memorial Day - Holiday							
School Days 15E 16S							School Days 20							
December '21							June '22							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	
			1	2	3	4				1	2	3	4	
5	6	7	8	9	10	11	5	6	7	8	9	10	11	
12	13	14	15	16	*17	18	12	13	14	15	16	17	18	
19	20	21	22	23	24	25	19	20	21	22	23	24	25	
26	27	28	29	30	31		26	27	28	29	30			
*17 – Minimum Day All Schools 20-31 – Winter Recess (No School) 23-24 & 31 – District Holidays							8 – Last day of School (Noon Dismissal)							
School Days 13							School Days 6							

<ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #d3d3d3; border: 1px solid black; margin-right: 5px;"></span> Holiday</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #e0e0e0; border: 1px solid black; margin-right: 5px;"></span> No School</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #d3d3d3; border: 1px solid black; margin-right: 5px;"></span> Teacher Workday</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #d3d3d3; border: 1px solid black; margin-right: 5px;"></span> Professional Development</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #d3d3d3; border: 1px solid black; margin-right: 5px;"></span> New Teacher Orientation</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #d3d3d3; border: 1px solid black; margin-right: 5px;"></span> 8/23 Terence Martin Day</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #d3d3d3; border: 1px solid black; margin-right: 5px;"></span> First/Last day of school</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #d3d3d3; border: 1px solid black; margin-right: 5px;"></span> 100<sup>th</sup> Day</li> </ul>	<p><b>Total School Days 180</b>  <b>Total Teacher Workdays 184</b>                      *(2 Self-Directed Learning Days)</p> <p>*MIN-Minimum Day      First Semester 93                         Second Semester 87</p> <p style="color: #c00000;">End-Trimester 1 -56                      End-Trimester 2 - 62                      End-Trimester 3 - 62</p> <p style="color: #c00000;">No School Reserved Days to be utilized for a foreseen circumstance</p>	<p style="text-align: right;">Board Approved 5.20.20</p>
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## 1. ATTENDANCE

### 1.1 COMPULSORY ATTENDANCE

Compulsory attendance is mandated by the State of Education Code 48200. For admission into kindergarten, a child must have his/her 5th birthday on or before September 1 of the current year. The legal age for leaving school prior to graduation is eighteen (18) years; students cannot voluntarily quit before age eighteen (18). Full time school attendance is compulsory for California students between the ages of six (6) and sixteen (16). Minimum attendance standards require students who are at least sixteen (16) years of age, but less than eighteen (18) years of age who are not enrolled in a traditional program attend a Continuation High School or Regional Occupational Program. If students are employed, a minimum schedule program is permitted. Students sixteen (16) years of age or older or who have completed the tenth grade can be exempted from compulsory attendance by passing the California High School Proficiency Examination.

**Truant:** A student is classified as a truant upon his/her third unexcused absence or tardy in excess of thirty (30) minutes or any combination of the two within one school year.

**Chronic Truant:** Any student who is absent from school without a valid excuse for ten percent (10%) or more of the school days in one school year, from the date of enrollment to the current date.

**Habitual Truant:** The law further requires that after a student has been reported as a truant three or more times in one school year and after an appropriate school em

ployee has made a conscientious effort to hold at least one meeting with the parent and the student, the student is deemed a *habitual truant*.

**Board Policy 5113 (b):** Indicates that medical verification may be requested by the principal and/or District Administrator for students with continued excessive absenteeism.

**Actual Attendance:** School districts do not receive funding from the State of California for pupils who are absent from school. This includes all absences, even those related to illness, medical or dental appointments, or for the purpose of attending funeral services of a member of the immediate family.

In other words, schools will receive State funding only for students who actually attend school. If you find it necessary to keep your child out of school for reasons other than illness, you are encouraged to send your child to school for at least part of the day; then your child will not be counted absent for the day and will not miss important school assignments.

You are also encouraged not to take vacations or family trips during school days. If you must keep your child out of school, please contact the school regarding a temporary "Independent Study" contract.

**Communication:** The Education Code requires parents to communicate with school by phone, email, or note as to the reason for a student's absence. Although the school district will receive no funding for all-day absences, the following are considered excused absences for the purpose of Compulsory Attendance laws (see number 1 above) and laws related to CalWorks:

- a. Illness or quarantine
- b. Medical, dental, optometric or chiropractic appointments
- c. Jury Duty
- d. Funeral services for one's immediate family (one (1) day if services are in California, three (3) days if out of state)
- e. Exclusion from school for immunization needs, up to five (5) days
- f. Appearance in court
- g. Observance of a holiday or ceremony for religious reasons. Religious Holidays or retreats must have prior Administration approval.
- h. Conference in regard to employment
- i. Conference with a lawyer
- j. Interview for college or university
- k. Approved extra-curricular activities, including athletics

## 1. Extenuating circumstances

Absences must be cleared within five (5) school days of the date of the absence. After five (5) school days, an un-cleared absence will be counted as unexcused. Unexcused absences include suspension or absences not verified by a parent according to the above criteria.

**Make-Up Work:** Students with excused absences may be allowed to complete all missed assignments and tests that can be reasonably provided. Upon satisfactory completion and within a reasonable time limit as determined by the teacher, the student shall receive credit.

The teacher of any class from which a student is suspended may require the suspended student to complete all assignments and tests missed during the suspension which can reasonably be provided. Upon satisfactory completion and within a reasonable time limit as determined by the teacher, the student shall be given full credit.

**SART:** School Attendance Review Teams, Student Study Teams and Student Success Teams (SSTs) are school site teams which include the parent and the student, teachers, counselors, and other appropriate professionals on the specific needs of at-risk students, including attendance and truancy issues. The goal of this team is to identify possible solutions to improving the students' attendance and/or behavior. At this meeting the student and their family agree to abide by the directions of the School Attendance Review Team (SART).

**SARB:** The mission of the School Attendance Review Board (SARB) is to help students stay in school, attend school regularly and graduate. SARB is a community-based effort to bring together resources to assist families with attendance, truancy and behavior issues and is not merely a punitive body but rather serves as another safety net to help students stay in school. The SARB's challenge is to use the expertise and resources of the entire board to diagnose the problem and collaborate with the student and family to remedy the factors that led to truancy. The SARB level is the last chance to keep students and families out of the court system.

**SWAT:** The Student Welfare and Attendance Team (SWAT) Department focuses on prevention and reduction of truancy. The truancy technicians may refer chronic absentees and truants to critical support services and interventions which will help them get back on track with their education.

### Students' Responsibilities:

1. Attend school daily unless a valid excuse, considered an excused absence, is presented to the school.
2. Present a note to school personnel verifying the absence immediately upon return to school.
3. Make-up homework and class assignments as requested by the teacher for excused absences. Ask the teacher if work missed during an unexcused absence may be made up.
4. Complete the Independent Study Contracts.

### Parent/Guardians' Responsibilities:

1. Make certain that the student is in school unless a valid excuse prevents that student from attending. The student should not arrive on campus earlier than fifteen (15) minutes before classes convene. (When supervision begins).
2. Send a note or make a personal phone call to verify an excused absence as soon as possible.
3. Submit a written request, whenever possible, to the Principal or designated representative at least five (5) days before a proposed acceptable absence to allow for Independent Study approval. Supervise the make-up of all homework and class assignments.
4. Should the student be found to be a chronic or habitual truant, attend all scheduled school meetings and hearings to correct the problem.
5. Absence Note: The absence note must be signed by the parent/guardian. It should contain the following:
  - Student's name and grade level
  - Days and dates of absence (for example, Monday – Tuesday, September 9-10)
  - Partial day or whole day
  - Reason for absence
  - Date the note is written
  - Parent/Guardian's signature and phone number
6. Parents/Guardians must come to the office to sign a student into or out of school after the school day begins.

**Teachers' Responsibilities:**

1. Keep an accurate record for attendance in the standard roll book or on the District required attendance card or sheet.
2. Consider unverified absences as unexcused.
3. Notify the parent/guardian of any student who has three (3) or more unexcused absences, or has been tardy in excess of thirty (30) minutes on each of more than three (3) days in one school year. Document this notification and submit it to the principal.
4. Refer any student who is a chronic truant to the principal.
5. Give make-up work for excused absences.
6. Initiate and complete the Independent Study Contract procedure.

**Administrators' Responsibilities:**

1. Make a conscientious effort to notify the parent/guardian of any student who has been absent or tardy from school for three (3) days without a valid excuse.
2. Keep a copy of each teacher's grading system and method of informing students and parents on file in the office for reference in a conference.
3. Make a conscientious effort to inform parents, students, and teachers of the function of SART, SARB, and SWAT.
4. Maintain a comprehensive attendance file that outlines corrective measures taken to eliminate attendance problems on truant students.
5. Refer through the School-Attendance Review Team (SART) continuous attendance behavior problems to the District School Attendance Review Board (SARB). The SARB will then explore the resolutions to the student's truancy and explain alternatives available to the student and parent/guardian in a conference.
6. Supervise the implementation of this policy.

**1.2 TARDY POLICY****Students' Responsibilities:**

1. Be seated in the classroom or at the designated workstation with the necessary materials when the bell rings.
2. Recognize that any unexcused tardy will result in disciplinary action by the teacher.
3. Recognize that four (4) or more unexcused incidents of tardiness per quarter in a class will result in disciplinary action by the administration.

**Parent/Guardians' Responsibilities:**

1. Encourage promptness. Send a note to class to inform the school about the reason for the student's tardiness.
2. Recognize that excessive tardiness will result in disciplinary action.

**Teachers' Responsibilities:**

1. Follow the established policy
2. Keep an accurate record of unexcused tardiness.
3. Take preventive and/or corrective action, such as assigning detentions, notifying parents/guardians, etc.
4. Refer to the administration any student after the third unexcused tardy within a quarter.

**Administrators' Responsibilities:**

1. Take disciplinary action when a student is referred.
2. Provide positive incentives for students to encourage good attendance.
3. Supervise implementation of this policy.

**School Site Responsibilities:**

1. Develop, communicate and implement tardy procedures contained within the school-wide Discipline Plan that define student, parent, teacher and administrator responsibilities, expectations, and consequences.

## 2. CURRICULUM

### 2.1 CHILD FIND SYSTEM/POLICIES AND PROCEDURES

Any parent suspecting that a child has exceptional needs may request an assessment for eligibility for special education through their school or school of attendance if they are not enrolled in the public school system. The school then sets up an SST to review the request for assessment. Policy and procedures shall include written notification to all parents of their rights pursuant to Education Code section 56300 et seq. (Ed. Code, §56301, 34 C.F.R. § 104.32(b))

### 2.2 CLASSWORK POLICY

#### Students' Responsibilities:

- Attend class regularly with an academic mindset.
- Respect the rights of other students to learn by not being disruptive.
- Come to class prepared with materials required to participate in the daily lessons.
- Seek assistance from the teacher when having difficulty understanding the class work.

#### Parent/Guardians' Responsibilities:

- Be aware of the student's progress in class by reviewing daily classwork, checking homework, and reviewing progress on Powerschool.
- Contact the teacher for a conference regarding any questions about the curriculum or the student's progress.
- Contact the counselor (secondary schools only) for a special report on the student's progress when concerned that the student is not achieving.
- Attend Back-to-School Night in the fall to learn about the course outline (syllabus), class procedures and expectations, and Open House in the spring, where student work is displayed.
- Be aware that Progress Reports are issued 15 days before the close of the marking period by teachers to students who may fail. Inquire to see if the student received a report.
- Review the report cards that are issued at the end of each quarter/trimester:  
Elementary: 3 Trimesters  
Secondary: 4 Quarters

#### Teachers' Responsibilities:

Provide an orderly culturally responsive learning environment based on the criteria outlined in the California Standards for the Teaching Profession (CSTP). Develop a syllabus outlining the expected topics to be covered. Provide major written assignments and grading criteria based on CA Content Standards and Next Generation Science Standards.

- Assign class work assignments that are aligned to grade level content standards, differentiated, and meaningful to the student's educational development.
- Maintain daily lesson plans. Explain course requirements and the way these requirements will be evaluated to students and to parents at Back to School Night.
- Explain the class work and due dates.
- Make appropriate comments and marks on assignments and return them in a timely manner to students or communicate achievement level to students.
- Keep a record of assignments and marks for the entire school year for each student. Assignments and marks are to be maintained in the PowerSchool system or a gradebook that must be turned in at the end of the school year.
- Provide assistance to students who have not mastered the content of the material adequately.
- Respond to requests for assignments missed because of absence and establish a due date for return of the make up work.
- Respond to a parent's concerns regarding the student's progress within 48 hours.
- For each class maintain seating charts and daily lesson plans in sufficient detail so that a substitute teacher can maintain continuity of instruction. In the event of an absence, teachers shall provide written lesson plans to the substitute teacher to assure continuity of instruction. These lesson plans could be special lesson plans created for the absence, the teacher's regular lesson plans, or emergency lesson plans. Teachers are to leave lesson plans in their classroom. Teachers will provide an electronic copy of emergency lesson plans to the principal at the beginning of each school year.

#### Administrators' Responsibilities:

- Supervise implementation of this policy.
- Assist teachers in providing an orderly learning environment.
- Monitor teacher records including Powerschool, grades, progress reports, seating charts, and lesson plans.

**2.3 COLLEGE AND CAREER PATHWAYS**

College & Career Pathways programs offer high school students a choice among several different multi-year, thematic Pathways.

Pathways organized using an Academy model provide an integrated academic and technical program of study organized around a broad industry theme (e.g. health sciences; media, education, advanced manufacturing/engineering, technology, etc.) and students attend courses as a cohort. The Academy model operates as a small learning community where students learn both technical skills and academic content through the lens of the selected industry theme.

Other Pathways are organized using an elective sequence model. In this model, a student completes a series of elective courses that focus on building industry-specific technical skills in an identified industry sector. Pathways designed with this model are designated below using an asterisk (\*).

All College and Career Pathways programs that prepare high school students for a range of postsecondary options, including 2-and 4-year colleges or universities, apprenticeships, the military, formal postsecondary employment training and quality careers.

College/Career Pathways thematic academies serve students in grades 9-12 or 10-12. During open enrollment, students interested in a Pathway that is not in their resident high school can apply to attend a district high school that does.

**Course Sequences**

The chart below is an example of course sequences for a Health and Engineering Pathway

Engineering Pathway Richmond High School			
<b>9th Grade</b> English 1 Intro to Engineering Design	<b>10th Grade</b> English 2 World History Biology or Chemistry Principles of Engineering	<b>11th Grade</b> English 3 US History Chemistry or Physics Computer Science Principles	<b>12th Grade</b> English 4 US Government/Economics Physics Computer Integrated Manufacturing
Health Pathway De Anza High School			
	<b>10th Grade</b> English 2 World History BioMedical Sciences	<b>11th Grade</b> English 3 US History HS Science Emergency Medicine	<b>12th Grade</b> CSU Expository US Government/Economics Medical Terminology (Dual Enrolled) Emergency Health Records & Computer Applications (Dual Enrolled)

**Current College & Career Pathways/Courses**

College & Career Pathways/Courses are located at the following schools:

<b>De Anza High School</b> <ul style="list-style-type: none"> <li>Health (Emergency and Medical Focus) (gr. 10-12)</li> <li>Information &amp; Communication Technologies (gr. 10-12)</li> <li>Law and Justice (gr. 10-12)</li> </ul>	<b>El Cerrito High School</b> <ul style="list-style-type: none"> <li>Information &amp; Communication Technologies (gr. 10-12)</li> <li>Multimedia (gr. 10-12)</li> </ul>
<b>Greenwood Academy</b> <ul style="list-style-type: none"> <li>Health (Public Health focus)*</li> </ul>	<b>Hercules High School</b> <ul style="list-style-type: none"> <li>Health (Pre-Med Biotechnology focus)*</li> <li>Information &amp; Communication Technologies*</li> </ul>
<b>John F. Kennedy High School</b> <ul style="list-style-type: none"> <li>Information Technology (gr. 10-12)</li> <li>Advanced Manufacturing &amp; Welding*</li> <li>Woodworking*</li> </ul>	<b>Pinole Valley High School</b> <ul style="list-style-type: none"> <li>Health ( Biomedical focus) (gr. 10-12)</li> <li>Law and Justice (gr. 10-12)</li> <li>Engineering</li> </ul>

**Richmond High School**

- Engineering (gr. 9-10)
- Education - (social justice focus)\*
- Health (public health focus) (gr. 9-10)
- Law and Justice (social justice focus) (gr. 9-10)
- Multimedia & Communications (gr. 9-10)

**2.4 COURSE ASSIGNMENTS**

A school district is prohibited from assigning a student enrolled in any of grades 9 through 12 to any course period without educational content for more than one week in any semester, except under specified conditions. Under no circumstances can a district assign a student enrolled in any of grades 9 through 12 to a course period without educational content because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.1)

A school district is prohibited from assigning a student enrolled in grades 9 through 12 to a course that the student has previously completed and received a grade determined by the district to be sufficient to satisfy the requirements and prerequisites for admission to the California public post-secondary schools and the minimum high school graduation requirements, except under specified conditions. Under no circumstances can a district assign a student enrolled in any of grades 9 through 12 to a course the student has previously completed and received a sufficient grade, as specified, because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.2)

These sections do not apply to students in alternative schools, community day schools, continuation high schools or an opportunity school. A district may continue to authorize dual enrollment in community college, to run evening high school programs, to offer independent study, work experience education, and other specified courses.

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 51228.3)

**2.5 DISSECTION OF ANIMALS**

If a student has a moral objection to dissecting or otherwise harming or destroying animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil’s parent or guardian. If the pupil chooses to refrain from participating in such a project, and if the teacher believes that an adequate alternative education project is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. [Ed. Code § § 32255- 32255.6]

**2.6 EXPANDED LEARNING PROGRAMS**

West Contra Costa Unified School District (WCCUSD) operates 28 school-based Expanded Learning Programs throughout the District. The school-based Expanded Learning Programs are supported by the WCCUSD Expanded Learning Office. The programs are open to all students at the host school at no cost to families. In some cases, schools may determine specific criteria for priority student enrollment, such as low academic performance or social emotional needs

<b>Elementary Sites</b>		<b>Middle School Sites</b>	
Bayview	Highland	Peres	Betty Reid Soskin
Chavez	King	Riverside	DeJean
Coronado	Lake	Sheldon	Helms
Dover	Lincoln	Stege	Korematsu
Downer	Mira Vista	Tara Hills	
Fairmont	Montalvin	Verde	
Ford	Murphy	Washington	
Grant	Nystrom	Wilson	

The WCCUSD Expanded Learning Programs begin at the end of the traditional school day and operate until 6:00 p.m. every day throughout the school year. Each program offers 3 daily components, Academic Support, Enrichment Activities, and Supper. The academic component includes skill building activities, English Language Development, targeted interventions, tutoring, and homework support. The enrichment component includes Visual and Performing Arts, organized sports, leadership activities, social and emotional learning activities, and technology. All students participating in the WCCUSD Expanded Learning Programs receive a meal provided by the WCCUSD Food Services Department before going home for the day.

## **2.7 EXTRA–CURRICULAR AND CO–CURRICULAR ACTIVITIES POLICY**

### **Philosophy of Student Code of Behavior**

Students who are selected for the privilege of participating in school extracurricular and co-curricular activities should conduct themselves as responsible representatives of their schools. The use of drugs, alcohol and tobacco is detrimental to the health of the participants and interferes with their performance. It is the intent of the Student Code of Behavior to encourage participating students to be drug, alcohol and tobacco free all of the time; however, student discipline or restrictions on extracurricular activities or co-curricular activities may be based only upon conduct of the student which occurs while on school grounds, going to or going from school, during lunch period (whether on or off campus), or during or while going to or going from a school-sponsored activity. [Ed. Code 48900 and Ed. Code 48901]

### **Definition of Extracurricular, Co-curricular Activity**

Extracurricular or co-curricular activities include any activities that require the student to participate outside the regular school hours. Fine Arts classes that require performance as part of district curriculum standards are not considered co-curricular. Extracurricular activities include athletics, spirit squad, student government, pep squad/marching band, forensics, drama performances, and competitions. Co-curricular activities include specialty performances and competitions. Education Code 48900

Students are not to use, possess, distribute or be under the influence of alcohol beverages, unlawful drugs, controlled substances, hallucinogens or items purporting to be any of the foregoing while on school grounds, going to or going from school, during lunch period whether on or off campus, or during or while going to or going from a school-sponsored activity. Education Code 48901. No school shall permit the smoking or use of tobacco, or any product containing tobacco or nicotine products, by pupils of the school while the pupils are on campus or while attending school-sponsored activities or while under supervision and control of school district employees.

### **Disciplinary Action**

Students who violate Education Code 48900 are subject to suspension from school for three (3) to five (5) days, and shall be required to attend a series of educational classes and/or shall be subject to expulsion. Refer to the WCCUSD Positive School Climate Resolution and Discipline Matrix for guidance with progressive discipline.

### **ELIGIBILITY POLICY FOR STUDENT ACTIVITIES**

In compliance with Education Code 35160.5, West Contra Costa Unified School District students must earn twenty-five (25) credits in high school or pass a minimum of five (5) classes in Junior/Middle school and have earned a grade point average (G.P.A.) of 2.0 on a 4.0 scale for the most recent marking period in order to participate in extra/co-curricular activities.

#### **Determination of Eligibility:**

- All classes must be used in computing the G.P.A. except classes that earn less than 2.5 credits per quarter.
- The quarter mark will be used to compute the G.P.A.
- Eligibility must be declared on the district report card issue date.
- Summer school marks/credits shall be counted toward making up scholastic deficiencies incurred in the fourth quarter. A maximum of twenty (10) summer school credits may be applied to determine eligibility for the fall quarter. Credit for summer school courses for the purpose of determining eligibility will be calculated as follows (N.C.S. 2094):
- The grade in a summer school course that is identical or equivalent in title and content to a course taken in the preceding grading period will replace the previous grade and the grade point average will be recalculated using the same number of courses as the divisor.
- The grade in a summer school course that is different in title and content from the courses taken in the preceding grading period will be added and the grade point average will be recalculated using all grades of the previous courses plus the new grade from the summer school course(s).

- Opportunity for Probation - One probationary period of one quarter shall be granted to students who fail to meet the eligibility requirements during their four years of high school. Middle school students shall be granted one probationary period.
- In order to qualify for probation, a student must have passed at least four (4) classes the previous marking period.
- The probationary period also applies to the following student groups:
- Student New to State
- Freshmen
- Middle School 6th Grade Students
- Middle School 7th Grade Students
- It is the intent of this policy to emphasize to each student that the student’s primary responsibility is to meet the academic challenge of learning. School staff will work with students who, because of academic difficulties, lose eligibility.

## 2.8 EVERY STUDENT SUCCEEDS ACT (ESSA)

The Every Student Succeeds Act (ESSA) took full effect in 2018 to replace the No Child Left Behind Act in modifying the Elementary and Secondary Education Act of 1965 (ESEA). If updates are provided by the California Department of Education, the following parent notice requirements may change and new notice requirements may be added.

- **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 he/she teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the major or field of discipline for any degrees or certifications held by the teacher, and whether any instructional aides or paraprofessionals provide services to the parents’ child and, if so, their qualifications. In addition, parents have a right to notice when the parent’s child has been taught for four or more weeks by a teacher who is not highly qualified. (ESEA § 1111(h)(6) (as amended by ESSA))
- **Information Regarding Individual Student Reports on Statewide Assessments:** Upon request, parents have a right to information on the level of achievement of their student on every State academic assessment administered to the student. (ESEA § 1111(h)(6) (as amended by ESSA))
- **School Identified for Comprehensive Support and Improvement/Additional Targeted Support and Improvement:** Section 1111(d) of the ESSA requires the State to notify each LEA that serves schools that meet the criteria for CSI. Upon receiving notification from the State, and in partnership with stakeholders and for each school that meets the criteria, the LEA shall:
  - Locally develop and implement a plan for the school to improve student outcomes
  - Approve each plan
  - The Plan must:
    - Be informed by all State indicators, including student performance against State-determined long-term goals;
    - Be based on a school-level needs assessment;
    - Include evidence-based interventions; and
    - Identify resource inequities, which may include a review of LEA- and school-level budgets, and address those inequities through implementation of the plan.
- **Limited English Proficient Students:** The Act requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, not later than 30 days after the beginning of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student’s level of English proficiency and how such level was assessed; the status of the student’s academic achievement; the methods of instruction used in the available programs (including content, instructional goals, and the use of English and native language); how the recommended program will meet the student’s educational strengths and needs; how the program will specifically help the student learn English and meet age-appropriate academic achievement standards; the exit requirements for the program; how the program meets the objectives of the student’s IEP, if applicable; and, parent options for removing a student from a program, declining initial enrollment and/or choosing another program. (ESEA § 1112(g)(1)(A) (as amended by ESSA)) In addition, the notice shall include whether the student is a long-term English learner or English learner at risk of becoming a long-term English Learner and the manner in which the program will meet

the needs of a child identified as either a long-term English learner or English learner at risk of becoming a long-term English Learner. (Ed. Code, § 313.2)

The information provided above is available upon request from each student’s school or the district office. Additional notices that may be required shall be sent separately. (20 U.S.C. § 6301 et seq.)

## 2.9 GIFTED AND TALENTED EDUCATION (GATE): IDENTIFYING GIFTED AND TALENTED STUDENTS

The district’s identification procedures are equitable, and comprehensive. Ed Code requires the use of multiple sources of information in identifying a GATE student. Formal identification for GATE placement is done district-wide for all students in 3rd grade.

### Grade 3

- Students are screened using several tools, including a teacher rating score, when appropriate and the California Standards based Assessment (SBA) scores
- Scores are reviewed by State and Federal Programs staff using an establish GATE qualification matrix
- Based on review of these scores, a decision is made to certify (or not) or to conduct further testing using the WASI assessment with parent consent.
- Parents/guardians and the school are notified of GATE placement. A mini-GATE information handbook is included in the notification packet.

Lists of identified GATE students are sent to schools annually and are available upon request.

### Grades 4-11

All new 4th graders – 11th graders may also be referred to the GATE program via the following process:

- A written request from a teacher or parent for referral for GATE consideration is submitted to the principal
- Teacher completes the Teacher Rating Scale; at the High School level, at least 3 teachers must complete the Teacher Rating Scale.
- A school team (as determined by the principal) reviews the referral and teacher rating scale(s) and determines if it should be sent to the State and Federal Programs Department for placement review
- State and Federal Programs staff review the referral, teacher rating scale(s) and academic performance data. A decision to certify (or not) or to conduct further testing (using the WASI) is made
- Notification of certification (or not) is sent to the parent/guardian, the referring adult, and the school site
- Official placement and parent notification is made per the standard process described above.

## 2.10 GRADING AND MARKING POLICY

**District Policy:** All Students are learning every day, but students learn at different rates and in different ways. Supporting all of our students needs teachers and parents working together to ensure grade level mastery of standards and content and provide additional support where necessary.

### ELEMENTARY

**Time Sequence** – A student who transfers from a school outside the District fifteen (15) days or less before the end of the trimester will not receive a report card for that trimester.

**Grades K-6** – Report cards are issued three times a year to students in elementary school. Parent conferences are held in November. Parents will be notified of report card distribution and conference dates.

#### 1. Elementary Report Cards:

- a. Grades will reflect a child’s learning and progress toward grade level standards rather than timeliness or other factors which may be the result of circumstances outside a student’s control.
- b. Students will be allowed to redo assignments for full credit.
- c. Elementary Report Cards will continue with strengths-based narratives to describe what students can do and their next steps toward the mastery of skills and grade level standards. The strength based narratives will include:
  - i. STAR Reading score (PR, GE, IRL, and/or SS), 3 specific skills that will be worked on in the coming weeks, and ways the parent can support student

learning. STAR Math score (PR, GE, and/or SS), 3 specific skills that will be worked on in the coming weeks, and ways the parent can support student learning.

- ii. The STAR parent report may be included for reference.
  - iii. For grade levels and/or where STAR scores are not available, share appropriate data, 3 specific skills that will be worked on in the coming weeks and ways the parent can support student learning.
  - d. District leaders, site administrators, teachers and community will work together over the course of the year to better understand and define mastery based grading, developing a more refined, equity focused report card for use in the 2022-2023 school year. A committee will be established with members from UTR, WCCAA, and other stakeholder groups to guide the creation of a standards aligned report card.
2. **Progress Reports:** In grades K-3 teachers have the option of sending a progress report for students performing below proficient in Language Arts or Mathematics. In grades 4-6, students deemed far below proficient Language Arts or Mathematics may receive a progress report. The progress report will be issued at least fifteen (15) school days before the end of the marking period. A copy of the progress report will be filed in the student’s cumulative folder.
3. **English Learners:**
- a. English learners (EL) are given M(Emerging), X (Expanding), or B (Bridging) on report cards and progress reports indicating their progress in work based on the Content Area Standards just as Standard English learners are. In the comments section, teachers should include an explanation that the student is an English learner and specific classroom activities are used in an effort to facilitate and expedite progress toward English proficiency.
  - b. If the teacher is able to assess a student in the primary language, this information can be used to inform the report card mark.
  - c. EL students receive marks based on the English Language Development (ELD) Standards indicating their progress in ELD in two places on the report card: the “Other Subject Areas” and on the back page.
4. **Special Education Students:** A student’s IEP includes a statement of how the student’s progress toward the annual goals will be measured and how the student’s parents will be regularly informed of the student’s progress toward those goals (by such means as periodic report cards) as often as parents are informed of their non-disabled student’s progress.
5. **Section 504 Students:** The student’s Educational Plan will determine the modifications necessary in grading. These modifications will be reflected on the student’s Report Card.

#### Students’ Responsibilities:

1. Deliver the progress report and/or the report card to the parent/guardian.
2. Return the progress report signature form and/or the signed report card response form to the teacher within one week of issuance.

#### Parent/Guardians’ Responsibilities:

1. Review and sign the progress report signature form, if one has been issued, and see that the student returns it to the teacher within one week of issuance.
2. Request a conference or assistance in developing a plan to assist the student who is functioning below grade level.
3. Know when report cards are issued.
4. Meet with the teacher if a conference is requested.
5. Discuss the progress report and/or the report card with the student.
6. Take appropriate action to help the student.

#### Teachers’ Responsibilities:

1. Evaluate student achievement and maintain records of student progress.
2. Consider issuing a progress report for students who are performing below proficiency. Place a copy of the Progress Report in the student’s cumulative folder.

3. Issue report cards three (3) times a year.
4. Maintain returned progress report signature forms and report card response forms.
5. Schedule and make a reasonable effort to have a conference with the parent/guardian of each student in the class.
6. Maintain ongoing contact with the parent/guardian of the student as needed.

**Administrators’ Responsibilities:**

1. Review and sign all progress reports.
2. Review all grades and marks for students in grades K-8.
3. Supervise the implementation of this policy.

**SECONDARY**

Report card marks given on a quarter and semester basis will be used to inform the parent/guardian and student of the academic progress of the student. In high school, marks will be used to earn credits toward graduation and to compute grade point averages.

- Each school decides on the manner in which report cards are distributed (in person, electronically, by mail, etc.) and shares this with parents at walk-through registration and/or back to school night.
- Report cards are distributed within ten (10) school days after the last day of quarter or semester. Exact dates of distribution will be provided to parents by each secondary school.
- Each quarter is approximately forty-five (45) days in length.

**Eligibility for Report Card:** Any student who is enrolled for a minimum of fifteen (15) school days of any quarter must receive marks at time of leaving. Those enrolled for fourteen (14) or fewer school days will not receive report card marks. Their marks come from the sending school.

- **Report Card Marks:**

A = Outstanding Achievement  
 B = Good Achievement  
 C = Satisfactory Achievement  
 D = Minimum Achievement  
 F = Failure Due to Unsatisfactory Achievement

- **Progress Reports:** A progress report is a written report issued prior to the report card informing the parent/guardian of the student’s progress to that date. Students receiving a mark of “D” or “F” must receive a progress report. The progress report will be issued at least fifteen (15) school days before the report is completed. A copy of the progress report will be filed in the student’s cumulative folder.
  - **Interim Action:** After the issuance of the progress report, should a student’s mark change from a passing mark to an “F”, the teacher must issue another progress report signed by the principal or designee no later than ten (10) days before the end of the marking period.
  - **Timeline:** Progress reports indicating failure must be marked no later than twenty (20) school days prior to the end of the quarter and issued to students/parents no later than fifteen (15) days before the end of the quarter.
  - **Purpose:** The purpose of the “D” or “F” progress report is to provide a warning for the student of possible failure in sufficient time to notify the student and parent of the need to improve prior to the end of each marking period. At least three (3) comments should be made on a “D” or “F” progress report.
  - **“F” Mark Requirement:** A student cannot receive an “F” mark on the report card without being given a “D” or “F” progress report.
- **Quarter and Semester Reviews and Final Examinations:** All students will take semester final exams. A test of larger than average scope, covering material for a quarter, semester, or entire year, may be given but will not determine the major portion of a student’s report card mark. Refer to “Teacher Responsibilities, #3” for all elements that make up a student’s quarter/semester mark.
- **Repeat Course Credit:** If a student wishes to improve his/her GPA (from a D to a B, in Geometry for example), the student may repeat the course only once with prior approval from the counselor. If a student does not receive a “C” or better in a

selected sequential course, i.e., Spanish 1 to Spanish 2, (See Section 7.0) the student may only repeat the course ONCE for graduation requirement credit. If a student does not receive a “C” or better the second time, the student may repeat the course to ensure sequence, but with elective credit only. The Superintendent’s designee must approve any exceptions. Students who fail a quarter or semester of a course need repeat only the quarter/ semester, which they failed.

- **Special Education Students:** A student’s IEP includes a statement of how the student’s progress toward the annual goals will be measured and how the student’s parents will be regularly informed of the student’s progress toward those goals (by such means as periodic report cards) as often as parents are informed of their non-disabled student’s progress.

#### **Students’ Responsibilities:**

1. Deliver progress reports, if any and the report cards upon issuance to the parent/guardian.

#### **Parent/Guardians’ Responsibilities:**

1. Review the progress report and call the school within one (1) week of the issuance to discuss concerns.
2. Be aware that report card marks will be issued usually in early November, early February, mid April, and late June. Find out if report cards are mailed or issued to students to bring home.
3. Check PowerSchool website for your child’s most recent report cards. Contact your child’s school to receive login access.
4. Call the school to request the report card if one has not been received by the expected date.
5. Make any appeal about a quarter or semester mark by the end of the subsequent quarter.

#### **Teachers’ Responsibilities:**

1. Complete progress reports with comment(s) about those students who are achieving at the D or F level no later than twenty (20) days before the end of the quarter and issued to parents no later than fifteen (15) days before the end of the quarter. All coaches/sponsors of extra-curricular activities will circulate rosters to classroom teachers at progress report time for posting of D or F marks.
2. After the issuance of the progress report, should a student’s mark change from a passing mark to an F, the teachers must issue another progress report signed by the principal or designee no later than ten (10) days before the end of the marking period.
3. Issue a report card mark after considering the following:
  - a. Performance on tests, quizzes, major exams, and projects
  - b. Completion of homework assignments
  - c. Attendance in class
  - d. Make up work for absences is required
  - e. Classroom participation
  - f. Requirements, which are unique to the subject area, i.e., art-music project, wood project, science laboratory experiment, etc.
4. Recognize that a student who does not demonstrate appropriate achievement in one or more of the above components listed in (a) to (f) may fail.
5. Keep all marked papers and/or projects not returned to the student for a period of time no less than one quarter beyond the end of a marking period in the event that a mark is challenged.

#### **Counselors’ Responsibilities:**

- Maintain a file of the progress reports issued to his/her students.

#### **Administrators’ Responsibilities:**

1. Supervise implementation of this policy.
2. Hold local Review Board/SST meetings on a quarterly basis to review the programs of students with two or more “F” marks and recommend adjustments in student programs to improve academic progress.
3. Respond during the school year to any parental appeal about a mark as soon as possible but no later than within ten (10) school days.
4. Should a student’s mark be lowered to an “F” because of missing or incomplete work during the last twenty (20) days of the marking period, and if the student has not received a progress report, sign the progress report if issued ten (10) days before the end of the quarter. Should the teacher issue a progress report after ten (10) days before the end of the quarter, do not sign the progress report unless there are valid, extenuating circumstances

## 2.11 GRADUATION REQUIREMENTS

**High School Graduation Requirements: Courses and credits required by the District in order to graduate from high school and to satisfy the UC/ CSU admission requirements as follows:**

Graduation Requirements Subjects and credits	CSU/UC Admission Requirements
<b>English Language Arts - 40 credits</b>	Meets <b>B</b> Requirements 4 Years required
<b>Mathematics - 30 credits</b> <ul style="list-style-type: none"> <li>● Including 10 credits of Algebra I or above</li> <li>● 10 credits may be for an A-G approved computer science course in category "C"</li> </ul>	Meets <b>C</b> Requirements 3 years required (e.g., Algebra, Geometry and Calculus), 4 years recommended
<b>Science - 20 credits</b> Biological Science (10) Physical Science (10)	Meets <b>D</b> Requirements 2 years required (e.g., Biology, Chemistry and Physics with a lab component), 3 years recommended
<b>Social Science - 30 Credits</b> <ul style="list-style-type: none"> <li>● World History (10)</li> <li>● U.S. History (10)</li> <li>● Government (5)</li> <li>● Economics (5)</li> </ul>	Meets <b>A</b> Requirements 2 years required
<b>Physical Education - 20 credits</b>	Does Not Meet Any Requirements
<b>Fine Arts - 10 credits</b> (Fine Arts, World Language or CTE Course with 10 credits each in 2 of the 3 areas for an alternative transcript)	Meets <b>F</b> Requirements
<b>World Language - 10 credits</b>	Meets <b>E</b> Requirements 2 years required, 3 years recommended
<b>Electives</b> Electives (A - G) 10 credits Electives 55 credits	Meets <b>G</b> Requirements 1 year required
<b>Other Requirements</b>	Does Not Meet Any Requirements
<b>TOTAL 225 credits</b>	

**Career Technical Education (CTE):** CTE may be offered by the District as career and workforce preparation for high school students, preparation for advanced training, and the upgrading of existing skills. CTE provides high school students who are 16 years of age or older with valuable career and technical education so students can: (1) enter the workforce with skills and competencies to be successful; (2) pursue advanced training in postsecondary educational institutions; or (3) upgrade existing skills and knowledge. A CTE course may also satisfy a graduation requirement and a subject matter requirement for admission to the UC and CSU. To learn more about the District's career technical education classes, please visit the District's website at: [College and Career Pathways](#)

Students are encouraged to meet with school counselors to help them choose courses at their school that will meet college admission requirements or to enroll in career technical education courses, or both.

**Diploma Requirements:** Effective July 1, 2007 the prescribed course of study for students in grades 9 through 12 shall include [BP. 6146.1]: Students transferring within the district must complete the last semester in the school in order to obtain a diploma from that school.

### High School Honor Graduation Requirements:

High School Honor Graduation Status may be conferred to students who have earned a cumulative GPA of 3.5 or more with no grade lower than a "C" as listed in the weighted ranked GPA printout at the end of the first semester.

The weighted GPA is to be used as the official GPA for determining class ranking, honors, etc. The GPA includes credit earned in all courses taken in grades 10 through 12, including repeats.

#### Note:

1. Grades from ninth grade are not to be included for the purpose of honor graduates.
2. "No grade lower than a "C" is a change. "C" includes C, C- and C+.

## 2.12 HOMEWORK POLICY

Homework extends learning in the classroom. Team teachers will coordinate the amount of work assigned. In addition, all students are expected to engage in a reading activity apart from homework assignments.

### Students' Responsibilities:

- Be aware of the homework assignment and the due date.
- Complete the assignment neatly and by the date due.

- Seek assistance from the teacher when having difficulty completing the assignment.

#### **Parent/Guardians' Responsibilities:**

- Establish a time and a quiet place to study.
- Be aware of student's homework and progress.
- Insist that homework assignments be completed neatly, on time, and returned the following school day.
- Assist the student if he/she needs help. Check to see if the student has a library or classroom library book to read when homework is completed.
- Urge that the child seek assistance from the teacher when needed.
- Contact the school for a conference when homework problems persist.
- Contact the teacher to request assignments in the event of a prolonged illness and insist that these assignments be completed.
- Encourage reading for enjoyment on a daily basis. Daily family reading time is a predictor of academic success.

#### **Teachers' Responsibilities:**

- Select homework assignments that are appropriate, challenging and meaningful to the student.
- Explain the assignment and the due date.
- Assign work that the student can complete independently or with parent support.
- Acknowledge the homework by collecting it, reviewing it in class, and/or keeping a record of work completed.
- Supervise homework correction if done by students in class.
- Return homework in a reasonable amount of time giving appropriate feedback and/or marks.
- Communicate homework procedures to parents early in the year.

#### **Administrators' Responsibilities:**

- Supervise implementation of this policy.
- Provide information about the school's Homework Policy to parents and teachers if it elaborates on the district's homework policy.

### **2.13 LANGUAGE ACQUISITION PROGRAM**

If a school district implements a language acquisition program pursuant to Education Code section 310, it must do the following:

1. comply with the kindergarten and grades 1-3, inclusive, class size requirements specified in Education Code section 42238.02
2. provide the parent or legal guardian of a minor pupil annually, or upon the pupil's enrollment, with information on the types of language programs available to pupils enrolled in the school district, including, but not limited to, a description of each program.

#### **In WCCUSD, we have Developmental DLI programs at the following Elementary schools:**

- Chavez Grant
- Coronado Lake
- Dover Lincoln
- Ford

All Elementary English Learners have priority enrollment at these schools.

At The Secondary Level, we have the Internationals Program at Helms MS and Richmond HS. Newcomer ELS have priority enrollment in these programs.

In addition, all WCCUSD sites offer integrated and designated ELD.

### **2.14 MILITARY PARENT OPT-OUT FORM**

Our high schools may be requested to provide the names, addresses, and telephone numbers of high school students to military recruiters. You do not have to participate in this program. If you do not wish to have your child's name, address, and phone number disclosed to the groups that may request it, you must complete the Military Parent Opt-Out Form for Release of Student Name, Address, and Phone Number. Forms are available in the back of this booklet or at your high school's main office and on the district's website.

## 2.15 NOTICE OF ALTERNATIVE SCHOOLS

California State Law authorizes all school districts to provide for alternative schools. Section 58500 of the Education Code defines an 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 the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity and responsibility, and joy.
- b. Recognize that the best learning takes place when the student learns because of his or her desire to learn.
- c. Maintain a learning situation maximizing student self-motivation and encouraging the student in his or her own time to follow his or her own interests. These interests may be conceived by him or her totally and independently or may result in whole or in part from a presentation by his or her teachers of choice or learning projects.
- d. Maximize the opportunity for teachers, parents and students cooperatively to 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 continuously to react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for parent information.

## 2.16 PE INSTRUCTIONAL MINUTES

The adopted course of study for grades 1 through 8 in an elementary school must include physical education for not less than 200 minutes each ten school days, exclusive of recesses and the lunch period. (Ed. Code, §§ 51210, 51223)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

## 2.17 PREGNANT AND PARENTING PUPILS

All schools are required to provide parents and guardians with annual written notice of pregnant and parenting pupils. (Ed. Code, § 222.5) Pregnant and parenting pupils are entitled to accommodations that provide them with the opportunity to succeed academically while protecting their health and the health of their children. "Pregnant or parenting pupil" means a pupil who gives or expects to give birth or a parenting pupil who has not given birth and who identifies as the parent of the infant.

A pregnant or parenting pupil is entitled to, but not required to take, eight weeks of parental leave. This leave may be taken before the birth of the pupil's infant if there is a medical necessity and/or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. A pregnant or parenting pupil is entitled to additional leave if deemed medically necessary by the student's physician. (Ed. Code, §§ 46015)

The person holding the student's educational rights (i.e. the pupil if over 18 or the parent if under 18) may notify the school of the student's intent to exercise this right. Leave may still be taken even if notice was not provided.

During the leave, the student's absences shall be deemed excused, but the student shall not be required to complete academic work or other school requirements.

A pregnant or parenting pupil may return to the school and the course of study in which he or she was enrolled before taking parental leave. Upon return to school after taking parental leave, a pregnant or parenting pupil is entitled to opportunities to make up work missed during his or her leave, including, but not limited to, makeup work plans and re-enrollment in courses.

A pregnant or parenting pupil may remain enrolled for a fifth year of instruction in the school in which the pupil was previously enrolled when it is necessary in order for the pupil to be able to complete state and any local graduation requirements, unless the local educational agency makes a finding that the pupil is reasonably able to complete the local educational agency's graduation requirements in time to graduate from high school by the end of the pupil's fourth year of high school.

A student who chooses not to return to the school in which he or she was enrolled before taking the leave is entitled to alternative education options offered by the local educational agency to include educational programs, activities, and courses equal to those he or she would have been in if participating in the regular education program.

A student will not incur any academic penalties as a result of using the accommodations in this section. (Ed. Code, § 46015)A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

## **2.18 PROMOTION AND RETENTION POLICY**

The existing Promotion and Retention Policy, BP 5123, was adopted August 20, 2008. Copies are available at your student’s school or at the District Office, 1108 Bissell Avenue, Richmond, CA 94801.

Students need to proceed through school at a pace that allows them to acquire the basic grade level skills necessary for mastery of standards in all four (4) CORE areas, Language Arts, Math, Science, and Social Science.

**Student Success Team or Subcommittee of the SST:** This is the school site committee that reviews concerns about individual students. The SST serves as a regular education problem-solving process and is a forum to support classroom teachers in their efforts to provide quality classroom experience for all of their students. Parents shall be involved in this committee when their child’s progress is discussed.

### **Promotion Policy**

It is the policy of the WCCUSD that factors determining promotion decisions shall include report card marks, other district measures of academic achievement and other factors. \*Age: Regarding chronological age, students may be considered for grade placement in:

Kindergarten if at least 5 years as of September 1

Grade 1 if at least 6 years as of September 1

Grade 2 if at least 7 years as of September 1

Grade 3 if at least 8 years as of September 1

Grade 4 if at least 9 years as of September 1

Grade 5 if at least 10 years as of September 1

Grade 6 if at least 11 years as of September 1

Grade 7 if at least 12 years as of September 1

Grade 8 if at least 13 years as of September 1

Grade 9 if at least 14 years as of September 1

Grade 10 if at least 15 years as of September 1

Grade 11 if at least 16 years as of September 1

Grade 12 if at least 17 years as of September 1

Acceleration Policy (grade placement outside of the structure listed above)

### **Retention Policy**

West Contra Costa Unified School District’s retention policy focuses on placement of students in instructional settings where they will be successful. When a student in the regular classroom is being considered for retention, that decision shall be based on many factors including core academic performance, maturity, and the success of interventions.

For Elementary students being considered for retention, a SST meeting must be held formally and a Response to Intervention (RTI) Plan recommending academic interventions must be developed by November or at the earliest possible time during the school year.

**For Middle School Students,** a Local Review Board (LRB) meeting must be held to develop an intervention program at the end of the first semester for academically unsuccessful middle school students.

**English learner (EL)** students, considered for retention, are not to be considered based solely on their English language skills: understanding, speaking, reading and writing.

**In Kindergarten grade 1 -3,** retention consideration will be made based on report card marks and performance on district reading multiple measures per WCCUSD retention criteria deadlines.

**In grades 4-6**, retention considerations will be made based on report card marks and Standards Based Assessment (SBA) results in English Language Arts and Math, and performance on district multiple measures per WCCUSD retention criteria guidelines.

**In Grades 6-8**, any student who receives three (3) or more semester F's during a school year shall be considered for grade failure. Dates and data used for retention decisions must be reported to State and Federal Programs staff. Decisions to retain a student must be reported to State and Federal Programs staff.

**Special Education:** Placement recommendation for Special Education students should be made in an I.E.P. meeting based on student progress.

To determine the retention status of academically unsuccessful students, the SST or LRB will meet to review student data and make one of three decisions:

- The student should be promoted with intervention requirements that are mandated.
- The student should attend Extended Learning during summer.
- The student should be retained. There is no provision for retaining a student more than one time.

Retention recommendation for the Special Education students should be made in an I.E.P. meeting based on student progress.

**Parents' Responsibilities:**

1. Attend parent/teacher conferences.
2. Assist the child to improve in the areas needing remediation and provide other special assistance.
3. Attend the SST meetings. (This is a requirement)
4. Parents may appeal the decision to retain their child. Appeals are to be sent to the State and Federal Program office.

**High School Credits**

A student will earn five (5) credits for every passing semester mark, A to D. A student who earns the minimum number of credits will be promoted or, if a senior, graduate in June of that year.

Number of credits needed for each grade:

Grade 10 - 55 credits

Grade 11 - 110 credits

Grade 12 - 165 credits

Graduation (includes passing required subjects): 225 credits

**2.19 REVIEW OF CURRICULUM**

A prospectus of curriculum, including titles, descriptions, and instructional aims of every course offered by each public school, is available at the school site for parent review upon request. Copies are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code, §§ 49063, 49091.14)

**2.20 SCHOOL ACCOUNTABILITY REPORT CARD**

The School Accountability Report Card (SARC) provides parents and the community with important information about each public school. The SARC can be an effective way for a school to report on its progress in achieving goals. The public may also use a SARC to evaluate and compare schools on a variety of indicators. Since November 1988, state law has required all public schools receiving state funding to prepare and distribute a SARC. A similar requirement is also contained in the federal Elementary and Secondary Education Act (ESEA).

[Ed. Code § 35256] School Accountability Report Cards are also available on our district webpage (<https://www.wccusd.net/Page/11801>) and on the California Department of Education's webpage (<http://sarconline.org/>). Home language versions of SARCs have been produced for schools with 15% or more English Learners with that home language. A hard copy of the SARC is available upon request.

**2.21 SECTION 504**

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a federal law that prohibits discrimination against individuals with disabilities in programs and activities that receive financial assistance from the U.S. Department of Education. Discrimination/harassment in any form toward individuals on the basis of their actual or perceived disability is unacceptable and will

not be tolerated. The District will promptly investigate all complaints of disability-based discrimination/harassment and take reasonable actions to stop future incidents of discrimination/ harassment.

Section 504 also requires that eligible students with disabilities be provided a free and appropriate public education. For students who are not eligible for special education services, but meet the federal definition of a person with a disability under Section 504, a Section 504 Plan is developed which indicates the accommodations, supplementary aids and/or services which can be provided through the general education program. Parents or guardians will be notified in writing of any District decisions which concern the identification, evaluation, and/or educational placement of students and their right to participate in, and/or appeal these decisions under Section 504.

**SECTION 504 CHILD FIND** (34 CFR § 104.32(a); 34 CFR § 300.111; and EC§§56300, 56301): The District has a duty under both Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA) to identify, locate and assess children with disabilities who are in need of regular or special education and related aids and services. If you believe that your child may be a child with a disability, you may initiate a referral for assessment by contacting the school site principal.

For further information and/or assistance regarding Section 504, including how to obtain a copy of your parental rights and procedural safeguards under Section 504 and/or how to file a complaint, please contact:

Darlene Almeida, Coordinator  
3000 Parker Road, Richmond, CA 94806  
(510) 965 4451

## 2.22 SERVICES FOR STUDENTS WITH EXCEPTIONAL NEEDS OR A DISABILITY

State and federal law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code, § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. § 104.32) The District official listed below is responsible for handling requests for special education services and services under Section 504 and may be reached at the following address and telephone:

3000 Parker Rd.  
Richmond, CA 95806  
510- 307-4630

## 2.23 SPECIAL EDUCATION

**SPECIAL EDUCATION** (EC §56000 et seq.; 20 USC §1400 et seq.): State and federal law requires that a free appropriate public education (FAPE) be offered to eligible students with disabilities ages 3 through 21 years. For information concerning student eligibility, assessment, the provision of special education and related services, parental rights and procedural safeguards, or other related matters, please contact the District's Special Education Department at (510) 307- 4630. Information is also available online at WCCUSD.net.

**SPECIAL EDUCATION CHILD FIND** (34 CFR § 104.32(a); 34 CFR § 300.111; and EC§§56300, 56301): The District has a duty under both Section 504 of the Rehabilitation Act of 1973 and the Individuals with Disabilities Education Act (IDEA) to identify, locate and assess children with disabilities who are in need of regular or special education and related aids and services. If you believe that your child may be a child with a disability, you may initiate a referral for assessment by contacting the school site principal or the Special Education Department at (510) 307-4630.

**SPECIAL EDUCATION COMPLAINTS:** Federal and state laws contain several methods for resolving issues with the District. While the law contains more formal methods of dispute resolution, the District also has less formal means of addressing your concerns, which we encourage you to use. When you have a concern about your child's education, it is important that you call or contact your child's teacher or school-site administrators to talk about your child and any problems you see. When you have a concern, this informal conversation often solves the problem and helps maintain open communication. Staff in the District's Special Education Department can also answer questions about your child's education as well as your rights and procedural safeguards. Additional resources, including how to file a formal complaint, are listed at the end of Notice of Procedural Safeguards and Parents' Rights posted on the District's website at WCCUSD.net and available from your school site principal.

For further information and/or assistance regarding Special Education, including how to obtain a copy of your parental rights and procedural safeguards under Individuals with Disabilities Education Act (IDEA) and/or how to file a complaint, please contact Sonja Neely-Johnson, SELPA Director, at (510) 307-4630.

## 2.24 TESTING AND ASSESSMENT

### STATE MANDATED AND OTHER ASSESSMENTS

California Assessment of Student Performance and Progress (CAASPP): The primary purpose of the CAASPP assessment system is to assist teachers, administrators, and pupils and their parents / guardians by promoting high- quality teaching and learning through the use of a variety of assessment approaches and item types. The CAASPP replaced the STAR program in 2014. The assessments that comprise the 2022 CAASPP administration are all online assessments:

**Smarter Balanced (SBAC) English language arts/literacy (ELA) and mathematics** - In California, all students in grades 3 through 8 and 11 will participate in the Smarter Balanced tests, which include the content areas of ELA and mathematics. These tests will be administered online in the spring of 2022. Scores from these tests will be used for the California State University Early Assessment Program (CSU EAP) for grade 11 students.

**California Alternative Assessment (CAA)** – given in English–language arts and mathematics, CAA tests are individually administered to students in grades 3 through 8 and 11 who have significant cognitive disabilities and an IEP that states they will take the California Alternate Assessment. These tests will be administered online in the spring of 2022.

**California Science Test (CAST)**- The statewide California Assessment of Student Performance and Progress (CAASPP) System includes federally required science assessments in grades five and eight and once in high school. Since the adoption of the *Next Generation Science Standards for California Public Schools, Kindergarten Through Grade Twelve (CA NGSS) in 2013*, the California Department of Education has developed the California Science Test (CAST), which is aligned with these standards. WCCUSD students in grades 5, 8, and 11 will take the CAST in spring of 2022. Students in grade 12 who did not take the Science test in spring of 2021 will also test. Note that once a high school student takes the CAST, the student has met the science assessment requirement.

**California Alternative Assessment for Science** - The California Alternate Assessment (CAA) for Science is a part of the California Assessment of Student Performance and Progress System. The purpose of the CAA for Science is to measure what students know and can do. These measures help identify and address gaps in knowledge or skills early so students can receive the support they need. Only eligible students may participate in the administration of the CAA for Science. Any student identified for alternate testing takes the alternate version of all assessments. The CAA for Science is administered to students in grades five, eight, and once in high school (eleven, or twelve). Individualized education program (IEP) teams “shall determine when a child with the most significant cognitive disability shall participate in an alternate assessment aligned with the alternate academic achievement standards.” The CAAs are aligned with alternate achievement standards—called the Science Core Content Connectors—and are linked to the performance expectations from the California Next Generation Science Standards (CA NGSS). WCCUSD students in grades 5, 8, and grade 11 will take the CAA for Science in spring of 2022. Students in grade 12 who did not take the CAA for Science test in spring of 2021 will also test. Note that once a high school student takes the CAA for Science, the student has met the science assessment requirement.

**California Spanish Assessment (CSA)** - The CSA is a new online test replacing the Standards-based Tests in Spanish. This optional test assesses students’ skills in reading, writing mechanics, and listening using the Common Core State Standards en Español and is given to students receiving instruction in Spanish in California. The purpose of the CSA is to measure a student’s competency in Spanish reading/language arts and provide student-level data in Spanish competency. The CSA will be administered to grades 3-8 students in Dual Language Immersion (DLI) classes in the spring of 2022. The CSA is also available to high school students taking a spanish course.

Pursuant to *California Code of Regulations, Title 5, Section 852(b)*, a parent or guardian may annually submit to the school a written request to excuse his or her child from any or all parts of the CAASPP tests. If a parent or guardian submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored and the results reported to the parent or guardian and included in the pupil’s record.

**English Language Proficiency Assessments for California (ELPAC)** The English Language Proficiency Assessments for California (ELPAC) is the required state test for English language proficiency (ELP) that must be given to students whose primary language is a language other than English. State and federal law require that local educational agencies administer a state test of ELP to eligible students in kindergarten through grade twelve. The California Department of Education (CDE) transitioned from the California English Language Development Test (CELDT) to the ELPAC as the state ELP assessment in 2018. The ELPAC is aligned with the 2012 California English Language Development Standards. It consists of two separate ELP assessments: one for the initial identification of students as English learners (ELs), and a second for the annual summative assessment to measure a student’s progress in learning English and to

identify the student's level of ELP. The initial assessment is administered July 1-June 30. The summative assessment is administered in the spring.

**Alternate English Language Proficiency Assessments for California (Alternate ELPAC)** The alternate ELPAC is aligned to the 2012 California English Language Development Standards (2012 ELD Standards) through the English Language Development Connectors. For each of the 2012 ELD standards at each grade or grade span assessed on the ELPAC, the ELD Connectors provide an aligned expectation of student ELP that has been reduced in depth, breadth, and complexity in order to be appropriate for students with the most significant cognitive disabilities. The purpose of the Alternate ELPAC is twofold: The Initial Alternate ELPAC provides information to determine a student's initial classification as an English learner (EL) or as initial fluent English proficient (FEP). The Summative Alternate ELPAC provides information on annual student progress toward ELP and supports decisions on student reclassification as fluent English proficient (RFEP).

**National Assessment of Educational Progress (NAEP):** also known as the "Nation's Report Card", the NAEP is the only nationally representative and continuing assessment of what America's students know and can do in various subject areas. Since 1969, assessments have been conducted periodically in reading, mathematics, science, writing, U.S. history, civics, geography, and the arts. Each year, schools are randomly selected.

**Physical Fitness Test (PFT):** State Law requires school districts to administer the Physical Fitness Test (PFT) annually to all students in grades 5, 7, and 9. The state-designated PFT is the FITNESSGRAM®, developed by the Cooper Institute. The FITNESSGRAM® is a set of tests designed to evaluate health-related fitness and to assist students in establishing lifetime habits of regular physical activity. The complete FITNESSGRAM® test battery measures student performance in the following areas: a) aerobic capacity, b) abdominal strength and endurance, c) body composition, d) upper body strength and endurance, e) trunk extensor strength, and f) flexibility. Teachers and administrators are responsible for preparing students to do their best on the test by providing instruction and appropriate practice in the skills and abilities that are tested. It is recommended that schools should provide students appropriate practice as part of the regular physical education (P.E.) program throughout the year. Students are tested between February and May. Parents should see that their children participate in a regular program of physical activity and nutrition.

**Advanced Placement (AP) Exams** are the culmination of the corresponding, year-long AP course—though you do not need to have taken the course in order to take the exam. AP Exams are administered at each WCCUSD comprehensive high school during the first two weeks of May. AP Exams cost approximately \$93 each and students sign up for the exams with their AP Teacher and/or Counselor. The AP Exams are generally administered in grades 9-12. For more information, please visit the College Board website at: <http://sat.collegeboard.org/home>

Fee waivers are available to eligible students for the AP Exams. Students should contact their high school counselor for more information about fee waivers. Generally students participating in the free and reduced lunch program qualify for a fee waiver.

## 2.25 TITLE I SCHOOLS

On December 10, 2015, President Obama signed into law the Every Student Succeeds Act (ESSA), which reauthorized the Elementary and Secondary Education Act of 1965 (ESEA). This Act provides parents of all children in all Title I schools with the right to request and receive the professional qualifications of their child's classroom teacher.

The Title I schools as of June 2021 include:

**Title I Elementary Schools:** Bayview, Chavez, Collins, Coronado, Dover, Downer, Ford, Grant, Highland, King, Lake, Lincoln, Montalvin, Murphy, Nystrom, Obama, Peres, Riverside, Shannon, Sheldon, Stege, Tara Hills, Verde and Washington

**Title I Middle Schools:** Soskin, DeJean, Helms, Pinole Middle

**High Schools:** DeAnza, Greenwood, Kennedy, Richmond, Vista

## 2.26 TRANSITIONAL KINDERGARTEN

A new law was recently passed in California to change the age when children can begin kindergarten. Under this new law, children must turn 5 years old on or before September 1 to enroll in kindergarten. Previously, children could be enrolled in kindergarten if they turned 5 years old by December 2. While this change of a few months may seem small, it can mean a big difference during these early years when children are rapidly growing and developing.

District Implementation of Transitional Kindergarten:

**Q:** Who is eligible for transitional kindergarten?

**A:** A child is eligible for transitional kindergarten if he or she will have their fifth birthday between:

- \* For the 2021-2022 school year: September 2 and December 2, 2021

## 3.0 STUDENT SAFETY / DISCIPLINE

### 3.1 DISCIPLINARY POLICY

The District's student discipline processes are in strict compliance with Education Code Sections 48900 through 48918.6. You may refer to the WCCUSD Positive School Climate Resolution and Discipline Matrix for guidance with progressive discipline available on our district website at [www.wccusd.net](http://www.wccusd.net).

The WCCUSD may implement disciplinary action, including suspension or expulsion, for the following conduct:

- a. Caused, attempted to cause, or threatened to cause physical injury to another person. [Ed. Code § 48900(a)(1)]
- b. Willfully used force or violence upon the person of another, except in self-defense. [Ed. Code § 48900(a)(2)]
- c. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the student obtained written permission to possess the item from a certificated school employee, which is concurred by the principal or the principal's designee. [Ed. Code § 48900(b)]

**Note:** "Firearm" means any device designed to be used as a weapon from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion.

"Knife" means any dirk, dagger, or other weapon with a fixed, sharpened blade fitted primarily for stabbing, a weapon with a longer blade fitted primarily for stabbing, a weapon with a blade longer than 3 ½ inches, a folding knife with a blade that locks into place, or a razor with an unguarded blade. [Ed. Code § 48915(g).]

Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance, an alcoholic beverage, or an intoxicant of any kind. [Ed. Code § 48900(c)]

Unlawfully offered, arranged, or negotiated to sell any controlled substance, 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. [Ed. Code § 48900 (d)]

- d. Committed or attempted to commit robbery or extortion. [Ed. Code § 48900(e)]
- e. Committed or attempted to commit robbery or extortion. [Ed. Code § 48900(e)]
- f. Caused or attempted to cause damage to school property or private property. [Ed. Code § 48900(f)]
- g. Stole or attempted to steal school property or private property. [Ed. Code § 48900(g)]
- h. Possessed or used tobacco, or any products containing tobacco or nicotine products, including but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel.

However, this section does not prohibit use by a student of his or her own prescription products. [Ed. Code § 48900(h)]

- i. Committed an obscene act or engaged in habitual profanity or vulgarity. [Ed. Code § 48900(i)]
- j. Committed an obscene act or engaged in habitual profanity or vulgarity. [Ed. Code § 48900(i)]
- k. Unlawfully possessed, or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia. [Ed. Code § 48900 (j)]
- l. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teacher, administrators, school officials, or other school personnel engaged in the performance of their duties. [Ed. Code § 48900(k)]

**Note:** Except for teacher-initiated suspensions [Ed. Code § 48910], students in grades K-3 shall not be suspended for disruption of school activities and/ or willful defiance, and no student in grades K-12 shall be recommended for expulsion solely due to disruption of school activities and/or willful defiance. [Ed. Code § 48900(k)(2)]

- m. Knowingly received stolen school property or private property. [Ed. Code § 48900(l)]
- n. Possessed an imitation firearm, which is as substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that it is a firearm. [Ed. Code § 48900(m)]
- o. Committed or attempted to commit a sexual assault as defined in Penal Code sections 261, 266c, 286, 288, 288a, or 289, or committed a sexual battery as defined in Penal Code Section 243.4. [Ed. Code § 48900(n)]

- p. Harassed, threatened, or intimidated a student who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. [Ed. Code § 48900(o)]
- q. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug SOMA. [Ed. Code § 48900(p)]
- r. Engaged in, or attempted to engage in, hazing as defined in Education Code section 32050. [Ed. Code § 48900(q)]

**Note:** Hazing includes any method of initiation or pre-initiation into a Student organization or Student body or any pastime or amusement engaged in with respect to these organizations which causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any Student, or other person attending any school. [Ed. Code § 48900(q)]

- s. Aids or abets, as defined in Penal Code section 31, the infliction or attempted infliction of physical injury to another person. For this offense, a Student may be suspended, but not expelled, except that a Student who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to Education Code section 48900(a). [Ed Code § 48900(s)]
- t. Committed sexual harassment as defined in Education Code section 212.5 (grades 4-12 only). [Ed Code § 48900.2]
- u. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence, as defined in Education Code section 33032.5 (grades 4-12 only). [Ed. Code § 48900.3]
- v. Intentional harassment, threat or intimidation of a student, or group of students, in a way that materially disrupts class work, creates substantial disorder, and invades the rights of that student or group of students by creating an intimidating or hostile educational environment. [Ed. Code § 48900.4]
- w. Making a terrorist threat against school officials or school property, or both. Terrorist threats include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of \$1000, with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out. The threat must be so unequivocal, unconditional, immediate and specific as to convey to the person threatened a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family’s safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family. [Ed. Code § 48900.7]

Students and their parents/guardians should refer to Board Policies 5144 and 5144.1 and Administrative Regulations 5144, 5144.1 and 5144.2 for a comprehensive review of the District’s practices and procedures regarding student discipline.

**3.2 EXPULSION PROCESS**

**Expulsion Process**

Determination that student violated Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7 or 48915

Recommendation for expulsion by site Principal

Meeting with site Principal for Principal to determine whether to extend the suspension pending the outcome of the expulsion hearing

Parents notified in writing of expulsion hearing and charges

Director of Alternative Education may meet with Parents and Student to discuss alternative disciplinary measures

Expulsion hearing (within 30 school days of disciplinary incident) OR Alternative disciplinary measures reached by District and Parents

Board Decision within 10 school days

**Board Decision :** Expulsion, suspended expulsion, or dismissal of charges

Schedule enrollment to appropriate District or county program

### 3.3 SCHOOL SAFETY AND CODE OF CONDUCT

Safe schools are priority ONE for the District. The Board of Trustees has identified three (3) steps to make our schools safer:

#### 1. Required Wearing of Lanyards (For Secondary Students Only)

All students and staff at each secondary school are required to wear and display an identification badge attached to a lanyard. (A lanyard is a light, cloth material worn about the neck, allowing the student's identification card to be seen at a distance.) The cards will show the student's picture, school name, student's class, school colors and logo. Students will be given the initial badge and lanyard, but will be responsible for replacements. The card has multiple uses including: checking out text and library books, serving as a student body card, and student identification on campus. Student body ID pictures will be taken at each school's "walk-through" day in August. The lanyard and ID badge is MANDATORY, must be worn by each student in order to receive his or her class schedule, and MUST be displayed at all times while on campus.

#### 2. Parent/Guardian Participation on Campus

As another component of our focus on safety, we are inviting parents/guardians to participate at your student's campus. We need parents/guardians to be visible on each of our school campuses. Parents can be very helpful as a "presence" on campus. Please see your school administrator to sign up as a volunteer.

#### 3. Code of Conduct

Parents/Guardians and Students: Please read the following Code of Conduct. A signed copy of the Code of Conduct, indicating that you have read the document and understand your rights and responsibilities must be returned to school on your registration day. For secondary students, it will be required in order for a student to receive his or her ID badge and lanyard.

#### Code of Conduct [Reference BP5131]

It is the mission of West Contra Costa Unified School District, in partnership with staff, parents, students, and the community, to provide a quality educational program for all students. We strive to help students develop the knowledge, skills, abilities, and values they need to flourish and reach their full potential.

#### 4. Consequences

Without a safe and orderly learning environment, it is difficult if not impossible, to offer a positive climate for productivity and success. When determining the consequence, the following circumstances should be taken into consideration:

1. Age and/or grade level of student.
2. Frequency of misconduct.
3. Seriousness of particular misconduct.
4. Attitude of student.
5. Student records.
6. Any other relevant factors including, for example, disabled students who are working under an Individualized Educational Program (IEP).

#### 5. Strategies for Improving Behavior

Discipline is training that enables children to make appropriate choices in a climate of warmth and support. It is proof that we care. When children make good choices, positive consequences occur. It is as important to acknowledge good behavior as it is to punish misbehavior. Positive guidance and support must come from both the school and the home. Some possible strategies for encouraging positive student behavior are:

##### School Environment:

1. Grant rewards.
2. Give recognition
3. Award certificates.
4. Assign classroom responsibilities.
5. Conduct a positive student conference.
6. Send positive notes to parents.
7. Refer to the school administrator for recognition.

8. Provide opportunities for student input in planning school and classroom rules.
9. Provide instruction in problem-solving techniques.
10. Define school and classroom rules clearly and enforce them fairly and consistently.
11. Use behavior contracts.
12. Present citizenship awards.

We have two purposes in establishing a district discipline plan: (1) to promote learning and growth for students as they develop self-discipline; and (2) to provide a caring and respectful environment for all. Only in such an environment can our children become responsible young adults of the future.

To achieve these goals, students must understand their rights and adhere to their responsibilities.

#### **Student Rights:**

- To be safe. We need to guarantee that students have the best environment conducive to learning.
- To be respected and treated with compassion, courtesy, and dignity regardless of race/ethnic background, gender, age, national origin, religion, physical/mental disability, sexual orientation, family structure, political beliefs, physical appearance, or financial status.
- To hear and be heard. To express opinions, ideas, and feelings without infringing on the rights of others. Communication is essential to support learning, teaching, working and participating.
- To have their property respected.
- To have privacy.
- To be informed about what is expected of them.
- To have fun and enjoy their school years.

#### **Student Responsibilities:**

- To take advantage of the academic opportunities offered and to strive for high achievement.
- To follow district and school rules and to demonstrate knowledge of all student rights and responsibilities delineated in this and related school documents. If a rule or policy is unclear, request a faculty member to explain its meaning.
- To attend school regularly and be in class in your seat or assigned station with materials out, and ready to work when the tardy bell rings.
- To be considerate, respectful, and non-disruptive in classrooms, hallways, study areas, libraries, cafeterias, and on public transportation.
- To abide by the authority of teachers, administrators, and classified employees who have student supervisory assignments with respect to student behavior during school activities.
- To respect private, school, and district property, i.e. no littering, no graffiti, no stealing, no extortion, etc.
- To refrain from using electronic devices including CD players, cell phones, games, etc., at school, except before and after school and during lunch. To comply with the WCCUSD rule that the use of electronic equipment during class time and passing times is strictly prohibited.
- To stay off other school campuses, other than your own, unless you have explicit written permission from your principal or your principal's designee.
- To abide by the school uniform/dress policy of your school site.
- To understand and accept that the following are not tolerated on any campus:
- Harassment of students or staff, including bullying, intimidation, so-called "cyber bullying," 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.
- Cyber bullying includes posting of harassing messages, direct threats, social cruelty, or other harmful text or images on the Internet, social networking sites, or other digital technologies, as well as breaking into another person's account and assuming that person's identity in order to damage that person's reputation or friendship.
- Sexual harassment of any individual;
- Committing an obscene act or engaging in profanity or vulgarity;

- Alcohol, tobacco, and other drugs;
- Weapons or other dangerous items;
- Fighting, as well as encouraging or instigating a disruption or fight; spreading harmful rumors or falsehoods that result in a student conflict; leaving class or campus to watch a disruption; or refusing to respond to requests to leave the scene of a conflict.
- (For Secondary Students) To wear safety ID's around the neck, visible at all times, while on campus, and to refrain from altering the safety IDs and lanyards. To dress according to the dress code defined in the school planner. This means no garments exposing the torso; no strapless tube tops; no vests without shirts; no short shorts; no garments with obscene or inappropriate words or pictures; no hats or other head coverings; no gang affiliated or related clothing; no see-through blouses or shirts; no low cut dresses; no sunglasses in class unless prescribed, etc.

#### **Parent/Guardian Responsibilities:**

- To read, understand and follow District and school rules and regulations.
- To support all students in reaching their full potential by making sure they are in school daily and completing all required homework on time.
- To ensure that students understand their rights and their responsibilities.
- To help schools promote the basic values listed above, and to provide the students with what they need to succeed.
- To work with District and school staff to modify and correct inappropriate student behavior.
- To respond to District and school staff in a manner that shows individual respect.
- To protect and nurture all students demonstrating the true meaning of community spirit.

#### **Teachers' Responsibilities:**

- To support and enforce all school rules and regulations fairly within classrooms, halls and campus.
- To communicate with and respond to students and parents in a manner that shows individual respect.
- To suggest conferences with parents, counselors, and administrators concerning students with serious behavioral problems.
- To report to the principal, assistant principal, or counselor all serious or willful acts of misconduct by students and other individuals.
- If desired, give detentions for tardiness, class cutting, or minor behavior infractions or institute other appropriate consequences for these kinds of behaviors.

#### **Administrators' Responsibilities:**

- To inform teachers, based on Education Code Section 49079, of each pupil who has engaged in any of the acts described in any of the subdivisions, except subdivision (h), of Education Code Section 48900, or in Section 48900.2, 48900.3, 48900.4, or 48900.7. Administration shall provide the information to teachers based upon any records that the district maintains in its ordinary course of business or receives from a law enforcement agency.
- To communicate with and respond to students and parents in a fashion that shows individual respect.
- To issue consequences for those students who demonstrate unacceptable behavior and who fail to honor this policy.
- To give suspensions from one (1) to five (5) days to students when other means of correction fail to bring about good conduct or when the action of that student presents a danger to persons or property or threatens to disrupt the educational process.
- To monitor at-risk students with ten (10) or more days of suspension, and keep parents informed about corrective actions being instituted to assist students to improve behavior.
- To recommend expulsion to the assistant superintendent for conduct violations listed in Education Code Section 48900, when other means of correction are not feasible or have failed to bring about proper conduct, or when the presence of the student causes a continuing danger to the physical safety of the student or others.

#### **School Site Responsibilities:**

To develop, communicate and implement discipline procedures contained in the school-wide discipline plans consistent with California Education Code Sections 48900, 48900.2, 48900.3, 48900.4, 48900.7, and 48915.

#### **Community Responsibilities:**

On a limited basis, the community police may cooperate with the West Contra Costa Unified School District administration in the investigation of incidents where the law may have been violated.

Students who do not fulfill the responsibilities listed above may be subject to disciplinary action.

### **3.4 DRESS AND UNIFORM POLICY**

The Board of Education has determined that certain gangs (also known as criminal gangs or street gangs) are operating in and around schools within the West Contra Costa Unified School District. In light of this fact, the governing board has also determined that the wearing of gang-related clothing on school premises or during school-sponsored activities threatens the health and safety of the students and impairs the school environment accordingly. Students may not wear, possess, use, distribute, or display any clothing, color, jewelry, emblem, badge, symbol, colored bandana, or sash which represents or associates membership or affiliation with any gang or promotes gang-related activity. Clothing which has been deemed through collaboration between West Contra Costa Unified School District and the local law enforcement or other experts to be gang-related is prohibited.

The Richmond Police Department has notified us of the presence of the following gangs within Contra Costa County: Hot Boyz, One-ways, Mainline, Bay Boyz, VSP – Vario San Pablo, MOB, SWAG Team, Central, North Richmond, and FAM or any reasonable derivations of those identified groups (i.e. derivations that use portions of those names or initials); hair nets, bandanas, doo-rags, or shower caps; t-shirts with creased sleeves, or creased down the center, and pants with split cuffs.

Because gang-related apparel changes frequently, the District and its school sites may change this list, and will provide notice by updating their websites and posting the changes in the school site offices.

Specific clothing or hats determined to be gang-related or otherwise inappropriate/associates under Board Policy and this regulation are prohibited. Each school site may provide parents with a site-specific hat policy that may be more restrictive than the items listed within this regulation, and prohibited headgear will be specified. These restrictions are subject to periodic review. Upon consultation with local law enforcement agencies, or other experts, additional rules that restrict gang-associated dress may be instituted by the school principal at any time with notice to students and parents.

WCCUSD historically has had a policy that allows school sites to adopt a school uniform policy at the school site in accordance with State laws concerning such adoptions. Under this policy, some schools have already adopted uniforms.

Many parents and community members have urged the District to adopt a district wide uniform policy as a means of countering the influence of gangs, minimizing disruption and improving the learning environment. After researching such policies in other districts, the WCCUSD Board of Education has found that use of school uniforms enhances school safety, improves the learning environment, reduces ethnic and racial tensions, bridges socioeconomic differences between children, promotes good behavior, improves children's self-respect and self-esteem, and produces cost savings for participating families.

Accordingly, the Board of Education has decided to spread the benefits of the programs throughout the District by adopting a district-wide uniform policy in accordance with the Education Code of the State of California. This policy was adopted on April 5, 2006.

#### **Commencement of the Uniform Policy:**

The uniform policy took effect October 9, 2006. All WCCUSD Elementary and Middle Schools have implemented a site uniform policy within the parameters set forth in the Board adopted district wide uniform policy. For the 2015 – 2016 school year, the uniform policy shall be in place as of the first day of school.

#### **Specific School Uniforms:**

A list of the specific uniforms for each school may be found on the District website. In addition, this information can be found by calling the school in question. Students are required to wear the school uniform unless they have received a 'Uniform Waiver' from the policy as outlined below.

#### **Information Dissemination:**

District and school support staff shall adequately communicate to parents information common to all school sites, including general guidelines for enforcement of the uniform policy.

District administrators will collaborate with school committees and administration to facilitate a clear understanding of the policy at the school site level, assist in the implementation of the policy, clarify procedures and provide financial assistance programs (see Section V below).

This information shall be communicated by one or more of the following: District newsletters; mailings to parents, District website, school newsletters; parent forums; telephonic notification or a telephone hotline; PTA meetings and newsletters; parent advisory meetings; television, radio, and/or newspaper announcements; posters displayed at school and in the community; registration materials.

Each school site, under the direction of site administration, shall adequately communicate to parents information specific to that school site, including description of the required site uniform, guidelines for enforcement of the uniform policy, waiver policy and financial assistance guidelines. District administrators will provide schools with templates and other support materials to facilitate this communication. District administration will also work with schools to facilitate implementation of financial assistance.

**Financial Support Considerations:**

No student shall be denied attendance to school, penalized, or otherwise subject to compliance measures for failing to wear a uniform due to financial hardship. Families needing financial assistance can apply for aid at the school site level using processes developed by the district. Information and guidelines for providing financial assistance will be provided to all school administrators.

The District shall designate a central administrator to coordinate efforts and information regarding the availability and sources of financial assistance.

The District shall compile and maintain a list of community agencies, uniform retailers, organizations and individuals willing to assist families in need. The District shall also create procedures to link identified uniform resources with participating schools.

Prior to the commencement of the uniform policy the district shall:

- a. Develop a procedure and criteria to identify families in need of financial assistance;
- b. Determine the form and type of financial assistance that will be offered;
- c. Designate a specific staff member to assist those families in need of assistance;
- d. Collaborate with business and community agency partners to identify resources for assisting families;
- e. Prepare a flyer that:
  - Describes in detail the default uniform and lists the range of costs for each competitively priced item of clothing as provided by a variety of vendors.
  - States that in cases of severe financial hardship, parents may contact the designated district office by phone, mail or in person to request assistance.
- f. This information is available at each school site

**Uniform Waiver Process:** Parents/Guardians should be aware that the required uniform policy is effective the first day of school. Parents/ Guardians may request a ‘Uniform Waiver’ from the district wide uniform policy requirements. To do so they follow these steps:

1. Obtain a Waiver Request form from your local school or by downloading the form from our district website.
2. Complete the Waiver Request form and return it to the principal of the school where the student is enrolled.
3. Attend a waiver-processing meeting with the principal of the school where the request is filed. These meetings will be held at the school where the waiver request is filed. In cases of hardship, the District will make a reasonable effort to schedule a phone conference or home visit. If you have children covered by this waiver request attending other WCCUSD schools, the uniform program will send the other schools copies of the signed waiver form and acknowledgment of your review and understanding of the dress code.

**A school administrator will contact the parent/guardian to schedule a meeting to process the waiver request. A meeting will be scheduled within ten (10) school days of receiving the request for waiver.**

If the parent fails to attend the scheduled meeting, they will be contacted and the meeting will be rescheduled. A second failure to attend a meeting will constitute a withdrawal of the waiver request. If a parent contacts the school to reschedule a meeting before the date of the meeting, this will not constitute a failure to attend. Meetings may be rescheduled twice.

**Elementary and Middle/High School Dress Code:** All elementary and middle/high school students must still follow the Board adopted dress code even if the students have received a waiver under the uniform policy. The dress code is as follows:

Students must dress appropriately at all times. Inappropriate dress is defined as any attire that causes a disruption, or a safety concern on campus. Clothing must be clean, neat and appropriate to an educational setting. Shoes must be worn for safety. The following items are not appropriate

- Garments where the torso is exposed.
- Strapless and sleeveless tops-Shirts or blouses must have sleeves that cover the shoulders.
- Vests without shirts.
- Short shorts or short skirts. Shorts and skirts must be no shorter than the tips of fingers when arms are held at the person’s sides.
- Clothing or buttons that have obscene or other inappropriate words or pictures, swear words, sexually suggestive statements or display prohibited substances.
- Hats, other hair covering or hair curlers worn inside of the school building, unless such items are a cultural or religious requirement.
- See-through blouses, low cut shirts or dresses.
- Clothing worn in a manner that exposes the student’s underwear.
- Pants must be worn at the natural waist level. The inseams of pants may not be longer than the heels of the person’s shoes. (Pants may not be worn “sag or drag”)
- Gang affiliated or related clothing and paraphernalia. Wearing of gang colors or other paraphernalia will result in immediate referral to the office.

Please note that school faculties, in conjunction with the site administration and School Site Councils, may establish additional dress regulations that are within the guidelines specified in the California Education Code.

#### **Students’ and Parent/Guardians’ Responsibilities:**

1. Be aware of what clothing is considered appropriate and inappropriate.
2. Abide by the dress policy.

#### **Teachers’ Responsibilities:**

1. Be aware of what clothing is considered appropriate and inappropriate and contact the parent and site administrator if the student is wearing inappropriate clothes.
2. If necessary, refer the student to the appropriate counselor, assistant principal or principal for action if a conference with the student and parent contact does not yield sufficient results.
3. Be aware of and enforce the requirement for identification lanyards at middle and high school.

#### **Administrators’ Responsibilities:**

1. Supervise implementation of this policy.
2. Notify the student and the parent of the action that may occur if the student wears inappropriate dress:
  - 1<sup>st</sup> Infraction: Contact the parent and allow the pupil to change the inappropriate dress.
  - 2<sup>nd</sup> Infraction: Parent contact and student detention.
  - 3<sup>rd</sup> Infraction: Parent contact and student detention warning of possible student suspension for defying District policy.

- **4<sup>th</sup> Infraction:** Parent conference-suspension. At this time it must be determined if the parent is not supporting the policy. If this is the case, the parent will be asked to complete the waiver process. If the parent is in support, but the student is non-compliant, a plan for compliance will be developed in conjunction with the parent.

**NOTE: Individual schools may offer further financial assistance options.**

**Secondary Mandatory Lanyard Policy:** WCCUSD has implemented the use of identification lanyards at all secondary schools. This policy was in place at high schools during the 2005-2006 school year and began in the middle schools in the 2006 – 2007 school year. Wearing identification lanyards has proved to be advantageous to the safety of our secondary campuses. **In accordance with the immediate action steps, as defined by the Board of Education, the lanyards are to be worn and displayed at all times by all staff and students at WCCUSD secondary schools.**

A lanyard is a lightweight loop of cloth material worn around the neck that allows the identification card to be clearly seen from a distance. The cards will display the student’s picture, school name, student’s class (i.e. sophomore), school colors and logo. Students will be given the initial badge and lanyard but will be responsible for replacements.

The card has multiple uses including serving as a student body card, identification card and for checking out text and library books. Student body ID pictures will be taken at each school’s “walk-through” day in August. The lanyard and ID badge is **MANDATORY** and must be worn by the student in order to receive his/her class schedule and **MUST** be displayed at all times while on campus.

The following discipline plan is followed at all secondary schools for students not displaying their lanyard and identification badge.

- First Time: Assist. Principal, Teacher Aides, Volunteers call home
- Second Time: Detention
- Third Time: In-School Suspension

The school sites are encouraged to use positive reinforcement such as those listed below to help students adhere to this new, parent sponsored safety policy.

- Keep complete data and consistent enforcement of policies at all schools.
- Keep a fresh approach to monitoring – do some kind of weekly check at random times.
- Provide incentives and rewards for the classrooms with high/complete compliance with new policy.

It has been determined that all students should be provided with the initial lanyard and identification badge. This will be provided at no cost to the student. If the lanyard or the identification badge needs to be replaced however, it will be the responsibility of the student or parent/guardian to incur the cost of the replacement. The costs transferred to the student should be as follows:

- \$2.00 for lanyard replacement only.
- \$3.00 for identification badge replacement only.
- \$5.00 for replacement of both lanyard and identification badge.

Again, this policy has greatly improved the safety and security of our campuses. We must be consistent in our implementation and enforcement of this policy.

### 3.5 DISASTER PREPAREDNESS AND SAFETY

The West Contra Costa Unified School District is committed to the safety and security of all students and staff. Disaster preparedness and safety procedures have been updated at every site. Each classroom, school office, and student use areas are equipped with classroom emergency guides outlining general emergency procedures. All school sites hold regular emergency drills.

The Office of Disaster Preparedness and Safety provides emergency management for WCCUSD. The office oversees the Safe School Plan system and provides guidance to schools for emergency response protocols, supplies and emergency drills. The Disaster Preparedness and Safety Office, which provides representation to the City of Richmond and Contra Costa County and coordinates with other agencies in a large emergency, manages the WCCUSD Emergency Operations Center. The office also coordinates the use of schools as public emergency shelters managed by the American Red Cross.

The district’s disaster and preparedness plans are premised on the following four fundamental phases:

**Prevention and mitigation** – conducting vulnerability assessments at each of the district’s sites to identify and attempt to correct preventable hazards (broken locks, compromised doors, etc.)

**Preparedness** – develop all hazards plans and procedures to natural and manmade disasters and emergencies, in collaboration with first responders (fire, police, etc.), to minimize damage to life and property and testing plans and procedures through routine drills.

**Response** – the district and first responders taking collaborative action (s) based on the respective plans and procedures in the district and local jurisdictions.

**Recovery** – the restoration of learning in the district, the process of healing while returning to a new level of normalcy following a disaster or emergency and providing resources and services to students, staff and families as available.

The district’s website for disaster preparedness and safety will be updated periodically with information that will be useful for both school and home.

## 4. STUDENT ENROLLMENT

### 4.1 CHANGE OF RESIDENCY/EMERGENCY INFORMATION

It is the responsibility of parents, guardians and foster care and caregiver adults to inform the school of any change of address, telephone number or emergency information. Provided the school meets its responsibility regarding requirements of notification of residence information, a family’s failure to report a change of address within 30 calendar days shall be cause for forfeiture of the right to a Continuing Enrollment Permit. Parents must provide a manner to receive both written (U.S. Mail) and oral communication (telephone, cell) regarding their student. Parents are required to update this information at least 2 times per school year at your child’s school of attendance.

### 4.2 INTER-DISTRICT PERMIT POLICY AND DOCUMENTATION REQUIREMENTS

**Inter-District Permit Information:** Ed. Code 46600-4611

Although students generally must attend school in the district where their parents/guardians reside, the district may, upon request, accept students from another district and may also allow students who live within the district to attend out-of-district schools.

**Inter-district attendance permits may be approved for the following reasons:**

1. **Employment:** Students may attend a school outside of their district of residence if at least one of the parents is employed within the boundaries of that school district. Parents must work full-time on a regular basis and no less than 30 hours per week during school hours.
2. **Childcare Needs:** a permit may be granted for childcare reasons only to students in grades K-8. The student must be cared for by a childcare center or by someone that lives within the requested school district boundaries.
3. **Continuation:** a student may be allowed to continue attending the same school when parents/guardians have moved out of their current district and to attend until the highest grade at the current school/district.
4. **Sibling (brother or sister):** a permit may be granted when a sibling would be in attendance at the same time at the requested school/district.
5. **Special Needs:** a permit may be granted when a physician, school psychologist or other appropriate certified personnel certify special mental or physical health needs of the student.
6. **Relocating:** a permit may be granted when the parent/guardian provides legal documentation as evidence that the family will be moving to the receiving district in the immediate future and would like the student to start the school year in that district.

7. **Program:** a permit may be granted when there is valid interest in a particular educational program not offered in any of our schools in WCCUSD. The program must be offered in the student’s grade level and be a sequential course of study up to the highest grade level at requested school. Before and after school programs and sports are not considered valid educational interests.
8. **Other:** Highly unusual personal circumstances and if not of the above reasons apply to your request.

**Inter-District Permit Requirements** – Parent must provide the following in person, mail, email, or fax:

**NOTE:** Time frame process for Inter-district permits is between 6 to 8 weeks. The district may deny a transfer due to space limitations.

Incomplete applications will delay the process and will be denied. Inter- district permits must be renewed each year.

All requirements must be attached to the application at the time of submission. Additional information may be requested. Please attach the following to your application:

⇒ **Verification of address, utility bill (PG&E, water or garbage bill only) under parent’s name and no older than 45 days.**

⇒ **Based on the reason for your request, please submit all required documentation.**

1. **Work Related:** Complete Verification of Employment form or provide a letter from employer on company’s letterhead stating specific days and hours of employment, i.e. M-F, 7:00-3:00 p.m., and a copy of the most current paycheck stub. If self- employed provide a tax form, valid business license and utility Bill (at least two of these).
2. **Child Care - Grades K-8:** Complete verification of childcare and provide a copy of childcare’s address verification, i.e. childcare license, most current utility bill (PG&E, water or garbage) with provider’s name and address.
3. **Continuing:** Provide a proof of enrollment from current school/district, i.e. copy of most recent report card, district letter requesting renewal or letter from current school.
4. **Sibling:** Provide sibling’s last report card and list sibling’s name and school of attendance, and grade on form.
5. **Special Needs:** provide a letter or recommendation from a certified physician, school psychologist, or other appropriate certified personnel.
6. **Relocating:** If you are relocating to the requested district, you need to prove legal documentation as evidence i.e. rental agreement, lease, or escrow documents.
7. **Program:** Specify name of program on the form and attach a description of program from the school catalog or website. Description must include the school or district’s logo and show that the program is sequential.
8. **Other:** Provide a written statement along with any supporting documentation that may better help make a decision on your request.

For more information about the Inter-District Permit Policy and Documentation Requirements, please contact the Transfer Office at (510) 307-4535 or email to [Transferoffice@wccusd.net](mailto:Transferoffice@wccusd.net).

### 4.3 OPEN ENROLLMENT DISTRICT TRANSFER POLICY AND PROCESS

#### Statutory Notification to Parents/Guardians on Open Enrollment Transfers

The West Contra Costa Unified School District assigns students to schools according to designated attendance areas.

Options for meeting District residency requirements for school attendance:

- Residing in the attendance area
- Residency of students in foster care
- Residency of students with guardian
- Homeless children are not subject to residency requirements. School is based on a case-by-case scenario.

#### Open Enrollment Process for New Applications

The Governing Board desires to provide open enrollment options that meet the diverse needs and interests of district students. If you wish to have your child attend a school other than the school of residence, please read the guidelines stated below and then complete the Open Enrollment Application form during the open enrollment period. **The Open Enrollment period takes place in the month of February. Please contact the transfer office at (510) 307-4535 for dates.**

The procedure for transfer application starts by completing the district’s Open Enrollment Intra-district Transfer Application form and providing address verification (PG&E Bill, water bill, or garbage bill) with the name of the parent/ guardian. Transfer applications may be obtained from the office of any school, the Transfer Office, or can be printed from our district webpage at [wccusd.net](http://wccusd.net) under the Transfer Office Department page. **Open enrollment transfers are subject to space availability at the requested site.** WCCUSD anticipates that not all schools will have space for open enrollment requests. Open enrollment transfer requests will be considered according to the following priorities [BP5116.1]:

1. **Sibling (brother or sister):** transfers are considered only if they would be in attendance at the same time at the requested school. (Must provide proof of sibling’s current enrollment) Having a sibling at the school requested does not guarantee that a transfer will be granted.
2. **Employees:** Any student whose parent/guardian is assigned to that school as his/her primary place of employment.
3. **CSI Schools:** Any student enrolled in a persistently low performing district school that has been identified for Comprehensive Support and Improvement. A program improvement school is a school that has not made adequate yearly academic growth for two consecutive years as determined by the California Department of Education.
4. **Program Transfers:** Any student may request to attend a school outside his/her attendance area for a specific program (e.g. Pathways, Dual Immersion, TBE, etc.) offering that is not offered as his/her school of residence. Prerequisites may be necessary for enrollment in certain courses.
5. **Safety:** Any student who is a victim of a violent crime while on school grounds (Ed Code 20 USC 7912)
6. **Special Circumstances:** Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance areas, Special circumstances include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either :( Ed Code 35160.5)
  - a. A written statement from a representative of an appropriate state or local agency, including but not limited to a law enforcement official or social worker, or a properly licensed or registered professional, including, but not limited to, a psychiatrist, psychologist, or marriage and family therapist
  - b. A court order, including a temporary restraining order and injunction
7. **Continuing Student:** An elementary or middle/junior high school student may continue at a school for the rest of the school year if his/her parent/guardian has moved to another school attendance area.
8. **Displaced Residents:** A student may be redirected to another school if there is no space available at his/her grade level at the school of residence. The student will be placed on a waiting list at his/her school of residence and may return when space becomes available. A redirect student who elects to remain at the receiving school the following year shall be considered a transfer student and will no longer be considered a displaced resident. The student shall be allowed to remain at the re-directed school until he/she completes the highest grade offered at that school and shall not be subject to further displacement.

### Open Enrollment Selection Process

Once priority is established, a random, unbiased selection process is used to select students to fill the spaces available.

**Open enrollment transfers are subject to space availability at the requested site.** WCCUSD anticipates that not all schools will have space for open enrollment transfer requests. Transfer not awarded before the school year begins will remain active for the duration of that school year only; after which, re-submission of an Open Enrollment application will be required each year during the Open Enrollment period for the upcoming school year.

Students awarded an Open Enrollment Intra-district transfer must maintain the specified criteria:

1. Maintain a minimum attendance rate of 95% for each grading period.
2. Maintain appropriate school behavior as outlined in the Student Handbook and Code of Conduct.
3. Maintain a cumulative grade point average of 2.0 for each grading period (Secondary Schools).

Though not currently anticipated, students on transfer may be subject to displacement to their resident school due to excessive enrollment.

### Open Enrollment Appeals Process

Transfer decisions on new applications and/or renewals may be appealed by sending concerns in writing to the Transfer Office. Dates for appeals will be stated on the notifications mailed to parents. Appeals will be reviewed by the Associate Superintendent or designee.

**For more information about the Open Enrollment Transfer Policy and Process, please contact the Transfer Office at (510) 307-4535 or email to [Transferoffice@wccusd.net](mailto:Transferoffice@wccusd.net).**

## 4.4 STUDENT RESIDENCY

Notwithstanding Section 48200, a pupil complies with the residency requirements for school attendance in a school district, if he or she is any of the following:

1. A pupil placed within the boundaries of that school district in a regularly established licensed children's institution, or a licensed foster home, or a family home pursuant to a commitment or placement under Chapter 2 (commencing with Section 200) of Part 1 of Division 2 of the Welfare and Institutions Code.
2. An agency placing a pupil in a home or institution described in subparagraph shall provide evidence to the school that the placement or commitment is pursuant to law.
3. A pupil for whom inter-district attendance has been approved pursuant to Chapter 5 (commencing with Section 46600) of Part 26.
4. A pupil whose residence is located within the boundaries of that school district and whose parent or legal guardian is relieved of responsibility, control, and authority through emancipation.
5. A pupil who lives in the home of a caregiving adult that is located within the boundaries of that school district. Execution of an affidavit under penalty of perjury pursuant to Part 1.5 (commencing with Section 6550) of Division 11 of the Family Code by the caregiving adult is a sufficient basis for a determination that the pupil lives in the home of the caregiver, unless the school district determines from actual facts that the pupil is not living in the home of the caregiver.
6. A pupil residing in a state hospital located within the boundaries of that school district

## 4.5 VERIFICATION REQUIREMENTS FOR RESIDENT ENROLLMENT

**Resident Enrollment:** You will need to bring two pieces of documentation verifying your address and one form of **valid Photo ID** when you register your child. All documents must be original.

**Declaration of Residence:** For parent or guardian who indicates that their entire family is living doubled up with someone and cannot provide a utility bill or lease that includes utilities in their name. Declaration of Residence form filled out and signed by both parties in the presence of a school administrator. Declaration of residence must be updated annually.

**Caregiver Authorization Affidavit:** For an adult who is not the parent and is not the legal guardian of the student but who is allowing someone else's child to live with them. Caregiver Authorization Affidavit must be updated annually.

**Required documentation is:** Verification of residence: Parent, guardian or caregiver must have one of the following with their name and address;

- A utility bill dated within 45 days: PG&E (page 3), EBMUD, Richmond Sanitary, Sanitation, Cable/Internet
- In the instance that utilities are included in the rent, a rental/lease agreement must be used stating that utilities are included.

**In addition, they must have one item listed below:**

- Homeowner's insurance policy
- Property tax statement
- Rental property contract, lease, or payment receipt
- Most recent pay stub
- Voter Registration
- Automobile insurance in combination with automobile registration
- Official letter from a social service/government agency within 45 days- such as EDD, Social Security, DMV
- Bank statement within 45 days

**If an employee of the school district reasonably believes that the parent or legal guardian of the child has provided false, altered, or unreliable evidence of residency, the school district has authorization to make reasonable efforts to determine that the child actually meets the residency requirements.**

Additional documents that will be required at time of registration (contact school for a complete list of required documents):

- **Age Verification:** birth certificate or Baptismal record, Passport, California ID
- **Grade level verification:** transcript and most recent report card from the last school attended
- Immunization record

**Families in transition only:** Families in transition are families that reside at a non-permanent address such as a motel/hotel, shelter, car or are doubled up with relatives or friends. Transitional families who are unable to establish a permanent residence may contact the Families in Transition Office at 510-307- 4508 for assistance.

#### 4.6 WCCUSD/CA Ed.G.E Initiative Parental Notice

(Modified from CA Ed.G.E. Initiative Parental Notice at <https://www.cde.ca.gov/sp/el/er/caedge.asp>)

WCCUSD provides all parents or legal guardians with information on the types of language and language acquisition programs. WCCUSD provides this notification in the form of an annual parent handbook. For students who are enrolling after the beginning of the school year, the CA Ed.G.E. Initiative parental notice is to be provided upon enrollment.

### [WCCUSD Parental Notice](#)

#### Available Language Programs & Language Acquisition Programs

**West Contra Costa Unified School District (WCCUSD)** offers the following language and language acquisition programs for student enrollment. Parents/Guardians may choose a language acquisition program that best suits their child (EC Section 310[a]).

A description of the language acquisition programs provided in the [West Contra Costa Unified School District](#) are listed below. Please select the program that best suits your child. (20 U.S.C. Section 6312[e][3][A][iii],[v])

- Structured English Immersion (SEI) Program:** A language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for pupils who are learning English. At minimum, students are offered ELD and access to grade level academic subject matter content.
- Dual-Language Immersion (DLI) Program:** Also referred to as **Two-Way Immersion**, is a language acquisition program that provides language learning and academic instruction for native speakers of English and native speakers of another language, with the goal of high academic achievement, first and second language proficiency, and cross-cultural understanding. This program begins in transitional kindergarten/kindergarten (TK/K) and continues through sixth grade. **One-Way Immersion** programs are generally offered where the native speaker of English or the native speaker of another language is not large enough to offer Two-Way Immersion.

#### How to Enroll Your Child in a Language Acquisition Program:

[Insert description of the LEA process to choose from the available language and language acquisition programs.

Example: Submit a verbal or written request to the office at your local school. Refer to page 8 for specific information to include.]

\*Waivers are no longer required.

### About Language Acquisition Programs and Language Programs

Program Type	Characteristics
Language Acquisition Program (English Learners)	<p>The California Code of Regulations section 11309 requires that any language acquisition program provided by a school, district, or county shall:</p> <ul style="list-style-type: none"> <li>• Be designed using evidence-based research and include both Designated and Integrated English Language Development;</li> <li>• Be allocated sufficient resources by the local educational agency (LEA) to be effectively implemented, including, but not limited to, certificated teachers with the appropriate authorizations, necessary instructional materials, pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals; and</li> <li>• Within a reasonable period of time, lead to: Grade-level proficiency in English, and, when the program model includes instruction in another language, proficiency in that other language; and Achievement of the state-adopted academic content standards in English, and, when the program model includes instruction in another language, achievement of the state adopted academic content standards in that other language.</li> </ul>
Language Program (non-English Learners)	<ul style="list-style-type: none"> <li>• Language programs offer students who are not English learners opportunities to be instructed in languages other than English</li> <li>• May lead to proficiency in languages other than English</li> </ul>

#### **How to Request the Establishment of a New Program at a School:**

Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC Section 310[a].)

#### **Receiving and Tracking Parent Requests**

Each school is required to maintain written records of parent requests (including verbal requests) which include:

- Date of request
- Parent and child names
- Description of request
- Grade level 5 CCR section 11311 requires that schools:
- Assist parents in clarifying their request
- Maintain records of each request for three years
- Accept requests from students enrolled for the current year as well as the following school year
- Monitor the number of parent requests for language acquisition or language programs on a regular basis throughout the year
- Consider requests for a multilingual program model from parents of pupils enrolled in the school who are native speakers of English when determining whether a threshold is reached

#### **Parent and Community Engagement**

(Procedure Pending board Approval)

Parents may provide input regarding language and language acquisition programs in the LEA or to be considered in the LEA during the development of the Local Control and Accountability Plan (EC Section 52062.) If interested in a different program from those listed above, please contact the Director English Achievement; Esaul Orozco at [eorozco2@wccusd.net](mailto:eorozco2@wccusd.net). Or the Director of Community Engagement; Martin Blake at [martin.blake@wccusd.net](mailto:martin.blake@wccusd.net).

The information required in 5 CCR section 11309(c) (CDE CA Ed.G.E. Initiative web page at <https://www.cde.ca.gov/sp/el/er/caedge.asp>)

### **Reaching a Threshold**

When the parents of 30 pupils or more enrolled in a school, or when the parents of 20 pupils or more in the same grade enrolled in a school, request the same or substantially similar type of a language acquisition or language program, the school responds by notifying the LEA immediately and taking the following three actions:

#### **1. Communication**

Within 10 school days of reaching a threshold described above, the LEA notifies the parents of pupils attending the school, the school's teachers, administrators, and the LEA's English learner parent advisory committee and parent advisory committee, in writing, of the parents' requests for a language acquisition program.

#### **2. Cost and Resource Analysis**

The LEA then identifies costs and resources necessary to implement any new language acquisition or language program, including but not limited to:

- Certificated teachers with the appropriate authorizations
- Necessary instructional materials
- Pertinent professional development for the proposed program
- Opportunities for parent and community engagement to support the proposed program goals

#### **3. Determination**

Having completed the costs and resource analysis, the LEA determines, within 60 calendar days of reaching a threshold described above, whether it is possible to implement the requested language acquisition or language program. At that time, the LEA provides notice, in writing, to parents of pupils attending the school, the school's teachers, and administrators of its determination.

• **Determination to implement a program at the school:** In the case that the LEA determines it can implement the requested program, the LEA creates and publishes a reasonable timeline of actions necessary to implement the program. As a part of the implementation, the LEA confers with school personnel, including administrators, and teachers with the authorizations required to provide or oversee programs and services for English learners, regarding the design and content of language acquisition programs.

• **Determination not to implement a program at the school:** In the case that the LEA determines it is not possible to implement the program requested by parents, the LEA provides a written explanation of the reason(s) why the program cannot be provided. Further, the LEA may offer an alternate option that can be implemented at the school.

Each school follows the process described above, even if the LEA, at the time the threshold is met, provides the requested language acquisition or language program at another school.

Citations: EC sections 305 and 310; 5 CCR section 11311 and 11312.

## **5. STUDENT HEALTH AND SAFETY**

### **5.1 COMPREHENSIVE SEXUAL HEALTH AND HIV/AIDS EDUCATION**

The Board of Education feels strongly that students should receive proper HIV/AIDS education before they reach the age when they may adopt behaviors that put them at risk of contracting the HIV virus. Hence, age and grade appropriate HIV/AIDS instruction will be taught as part of the district's comprehensive health education in grades 4-12. Instruction will include information on growth and development, physical and emotional changes that occur during adolescence, the nature of HIV/AIDS and its effects on the human body, HIV transmission and prevention, community resources, decision-making and refusal skills and public health issues. The HIV/AIDS instructional program will follow the guidelines set forth by the California Education Code.

Any parent or guardian who wishes that a pupil not receive such instruction should notify the school in writing to ensure that the pupil not be included in this required instruction.

Parents may inspect books and other materials used in those units that may include sex education or family life education in which reproductive organs and their functions are described, illustrated, or discussed. Words or pictures in any Science, health, or hygiene textbook are not involved in this section. Separate notification is required for pupils who take such units. Written objection by the parent or guardian to pupil participation in such a unit will be honored. [Ed. Code § 51938]

- Parent's rights are similar to those above. Parents will be notified prior to the course being offered and will be afforded an opportunity to file written objections to their child's participation in such programs. [Ed. Code § 51938]
- Pupils in grades 7 through 12 will receive instruction in HIV-AIDS prevention education. The purpose of this curriculum is to provide information to pupils to help prevent the continued transmission of a currently incurable and frequently fatal disease. You have the right to request that the District provide you a copy of laws related to Comprehensive Sexual Health and HIV/AIDS education [Ed. Code §51938]
- Upon written request of the parent, the pupil may be excused from any part of instruction in Comprehensive Sexual Health HIV/AIDS instruction that conflicts with the parent's religious training or beliefs (including personal moral convictions). [Ed. Code § 51938]

Parents/Guardians may request copies of the Education Codes pertaining to Comprehensive Sexual Health Education and HIV/AIDS prevention instruction, as well as preview all materials that will be used for this instruction.

### **5.2 MEDICAL AND HEALTH POLICY**

#### **1. Immunizations:**

The District shall exclude from school any pupil who has not been immunized properly, unless the pupil is exempted from the immunization requirement pursuant to Health and Safety Code section 120370. The immunization exemption based on personal beliefs has been eliminated. (Health & Safety Code, § 120325). A student who, prior to January 1, 2016, submitted a letter or affidavit on file at the District, stating beliefs opposed to immunization, is permitted to enroll in that institution until the student enrolls in the next grade span. Grade span means: 1) birth to preschool; 2) kindergarten and grades 1 through 6, inclusive, including transitional kindergarten; and 3) grades 7 through 12, inclusive. On or after July 1, 2016, the District shall exclude from school for the first time or deny admittance or deny advancement to any student to the 7<sup>th</sup> grade unless the student has been immunized for his or her age as required by law. (Health & Safety Code, § 120335). A student may still be exempted from the immunization requirement based on medical condition or circumstances. A parent or guardian must file with the District a statement from a licensed physician saying that the immunization is not considered safe and is not recommended based upon the nature or duration of the medical condition or circumstances, including, but not limited to, the family medical history. (Health & Safety Code, § 120370)

A parent or guardian may consent in writing for a physician, surgeon, or health care practitioner acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. (Ed. Code, §§ 48216, 48980(a), 49403, Health & Safety Code, §§ 120325, 120335)

#### **PARENTS' GUIDE TO IMMUNIZATIONS REQUIRED FOR SCHOOL ENTRY**

**Starting July 1, 2019:** Schedule provided by the State Department of Health Services:

**Students Admitted at TK/K-12 Need:**

- **Diphtheria, Tetanus, and Pertussis (DTaP, DTP, Tdap, or Td) — 5 doses**
  - (4 doses OK if one was given on or after 4th birthday. 3 doses OK if one was given on or after 7th birthday.)
  - For 7th-12th graders, at least 1 dose of pertussis-containing vaccine is required on or after 7th birthday.
- **Polio (OPV or IPV) — 4 doses**
  - (3 doses OK if one was given on or after 4th birthday)
- **Hepatitis B — 3 doses**
  - (Not required for 7th grade entry)
- **Measles, Mumps, and Rubella (MMR) — 2 doses**
  - (Both given on or after 1st birthday)
- **Varicella (Chickenpox) — 2 doses**
  - These immunization requirements apply to new admissions and transfers for all grades, including transitional kindergarten.

**Students Starting 7th Grade Need:**

- **Tetanus, Diphtheria, Pertussis (Tdap) — 1 dose**
  - (Whooping cough booster usually given at 11 years and up)
- **Varicella (Chickenpox) — 2 doses**
  - (Usually given at ages 12 months and 4-6 years)
- In addition, the TK/K-12 immunization requirements apply to 7th graders who:
  - previously had a valid personal beliefs exemption filed before 2016 upon entry between TK/Kindergarten and 6th grade
  - are new admissions

**Records:**

- California schools are required to check immunization records for all new student admissions at TK/Kindergarten through 12th grade and all students advancing to 7th grade before entry. Parents must show their child's Immunization Record as proof of immunization.

**2. Health Examination Requirements**

(Health and Safety Code 323-324)

State law requires parents of first grade students, upon enrollment, to provide a certificate of health examination or sign a waiver for a health exam. The health exam may be given up to eighteen (18) months before or within ninety (90) days after entering first grade. Parents are encouraged to obtain the health examination simultaneously with the immunizations.

**3. Parents' Right to Waive Exam**

[(Ed. Code 49451)]

"A parent or guardian having control or charge of any child enrolled in the public schools may file annually with the principal of the school in which he is enrolled a statement in writing, signed by the parent or guardian, stating that he will not consent to a physical examination of his child. Thereupon the child shall be exempt from any physical examination, but whenever there is a good reason to believe that the child is suffering from a recognized contagious or infectious disease, he shall be sent home and shall not be permitted to return until the school authorities are satisfied that any contagious or infectious disease does not exist."

**4. Oral Health Assessment**

[Ed. Code 49452.8]

State law requires that children entering public school for the first time, in kindergarten or first grade, are to have a dental check-up by May 31 of the first school year. A licensed dental professional must complete the evaluation. Oral health evaluations that occurred within the 12 months prior to school entry also meet this requirement.

Parents may obtain a waiver of this requirement if they cannot find a dental office that takes their child's insurance, cannot afford to pay for it, or the parent chooses not to have their child's oral health evaluated

**5. Vision and Hearing Tests**

[Ed. Code 49452-49457]

"The governing board of any school district shall, subject to Section 49451, provide testing of the sight and hearing of each pupil enrolled in the schools of the district." Upon first enrollment in a California school district of a child at a California elementary school, and at least every third year thereafter until the child has completed the eighth grade, the child's vision shall be appraised. This evaluation shall include tests for visual acuity and color vision; however color vision shall be

appraised once and only on male children and the results of the appraisal shall be entered in the health record of the pupil. The evaluation may be waived if the child's parents so desire, by presenting a certificate from a physician and surgeon or an optometrist setting out the results of a determination of the child's vision, including visual acuity and color vision. [Ed. Code 49455]

Gross external observations of the children's eyes, visual performance and perception, as used in Education Code Section 49452, shall mean continuous observation by teachers of the appearance, behavior and complaints of pupils that might indicate vision problems. In addition, periodic investigation where pupils' school performance begins to give evidence that existence of the problem might be caused by a visual difficulty. Such an evaluation shall be done in consultation with the school nurse. (CCR Title 5, 596)

When a visual defect has been noted, a report shall be made to the parent or guardian of the child, asking the parent or guardian to take such action as will cure or correct the defect. [Ed Code 40456]

Each pupil shall be given a vision and hearing-screening test in kindergarten, second, fifth, and eighth grade. Hearing screening shall also be done in tenth or eleventh grade and first entry into the California public school system. A school district may request a waiver of the hearing screening test for tenth and/or eleventh grade pupils once each school year. The schools shall provide the parents or guardians of children who fail the hearing test with a written notification of the test results and recommend that a medical and audiological evaluation be obtained.

#### **6. Screening: Special Education**

(CCR Title 5, 3027)

All pupils being assessed for initial and three-year review for special education services shall have had a hearing and vision screening, unless parental permission was denied.

#### **7. Specialized Physical Health Care Services**

Individual Disability Education Act, Amended 2004

The Individual Disability Education Act extends the guaranteed right to a free and appropriate public education to include all students who are medically fragile, technology dependent, or chronically ill. Provisions are made for Specialized Physical Health Care Services in accordance with the State Guidelines as outlined in the "Guidelines and Procedures" manual of the California Department of Education (referred to as the "Green Book").

The Specialized Physical Health Care Services/Procedures provided to the students while in school must have the physician's authorization and be performed according to the standards established by the State. These services/procedures can be individualized as long as they meet the safety standards of the BRN (Board of Registered Nursing) Nurse Practice Act.

Procedures that do not meet the standardized guidelines will not be performed at school.

#### **8. Administration of Medication**

Parents are to notify the Principal if their child is on continuing medication. This notification shall include the completed WCCUSD Administration of Medication During School Hours form. With parental consent, the principal or school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects. The form must include the student's name, parent signature, name of the medication, dosage, time and physician's signature. This form must be renewed annually or whenever the prescription changes. Forms for administering medication may be obtained from the school secretary. Forms are also available for self-administration of prescription inhalers, epi-pens and insulin.

#### **9. Confidential Medical Service**

For students in grades 7-12 shall be notified and the parents or guardians of all pupils enrolled in the district, that school authorities may excuse any pupil from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. (Ed. Code, § 46010.1)

#### **10. Medical Services and Insurance Coverage for Injuries:** The District provides accident insurance coverage up to \$25,000 for students injured during school activities. District-provided coverage is secondary to student's primary insurance.

#### **11. Medical and Hospital Services & Insurance Coverage for Athletic Teams**

The District does not provide medical and hospital services for students injured while participating in athletic activities. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code, §§ 32221.5, 49471)

## 12. Contagious or Infectious Disease

[Ed. Code 48211]

A child may be sent home if, for a good reason, he or she is believed to be suffering from a recognized contagious or infectious disease. The child shall not be permitted to return until school authorities are satisfied that the student is no longer contagious or infectious. In most cases, a physician's note must be presented to the school authorities upon the child's return to school.

## 13. Child Health Information

Health services personnel (nurses, in particular) are not readily available on school campuses. Nurses are available on an itinerant basis to assess the health needs and supervise the healthcare of students as needed, and to administer health screenings (vision and hearing). It is important that parents fully inform the office staff and each teacher who works with their student(s) regarding any significant health problems. Be sure to complete the emergency card and return it to the school office. If your child requires specialized health care during the school day, you will need to meet with a school administrator and other school staff to design an individual plan.

## 14. Screening for Scoliosis

[Ed. Code 49451-49452-5] Screening for the spinal condition, known as scoliosis, will be provided for every female pupil in grade 7 and every male pupil in grade. The screening shall be in accordance with standards established by the State Department of Education. The screening shall be performed by trained, credentialed teachers or by school nurses employed by the district.

### 5.3 TOBACCO-FREE SCHOOLS AND COMMUNITIES

The Governing Board recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff.

The Board prohibits the use of products containing tobacco or nicotine, including but not limited to, smokeless tobacco, snuff, chew, and clove cigarettes, at any time in district-owned or leased property and in district vehicles. This prohibition also applies to electronic nicotine delivery systems, such as electronic cigarettes, electronic hookahs, and other vapor emitting devices, with or without nicotine content, that mimic the use of tobacco products any time. (Health and Safety Code [104420](#); Labor Code [6404.5](#); 20 USC [6083](#))

Visitors who are observed smoking or using tobacco products in violation of the West Contra Costa Unified School District Tobacco-Free Policy shall be asked to refrain. If the individual fails to comply with the request, his or her violation of policy may be referred to the site principal or other school district supervisory personnel responsible for the area or program during which the violation occurs. The supervisor shall make a decision on further action, which will include a directive to leave school property. Repeated violations may result in a recommendation to the Superintendent to prohibit the individual from entering district property for a specified period. If deemed necessary by school administration, the local law enforcement agency may be called upon to assist with enforcement of this policy.

#### **Tobacco, Alcohol and Illicit Drugs:**

The Board recognizes that use of alcohol and other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. It is the policy of the Board of Education to keep district schools free of tobacco and other drugs.

Students possessing, using or selling alcohol or other drugs or related paraphernalia shall be subject to disciplinary procedures including suspension or expulsion and/or referral to law enforcement. In addition, students may be referred to an appropriate intervention program, and/or be restricted from extracurricular activities, including athletics.

The Board recognizes that there are students who use alcohol and other drugs that can benefit from intervention. The Board supports qualified intervention programs that include the involvement of students, parents/ guardians and community agencies/organizations.

## 6. PARENT / COMMUNITY INVOLVEMENT

### 6.1 PARENT/GUARDIAN INVOLVEMENT

A critical dimension of effective schooling is parent involvement. Research has shown conclusively that parent involvement at home and in their children's education improves student achievement. Furthermore, when parents are involved at school, their children go further, and they go to better schools.

#### Important facts:

1. Families provide the primary education environment.
2. Parent involvement improves student achievement.
3. Parent involvement is most effective when it is comprehensive, supportive, long lasting, and well planned.
4. The benefits of parent involvement are not limited to early childhood or the elementary level; there are continuing positive effects through high school.
5. Involving parents in supporting their children's education at home is not enough. To ensure the quality of schools as institutions serving the community, parents must be involved at all levels in the schools.
6. The extent of parent involvement in a child's education is more important to student success than family income or education.
7. We cannot look at the school and the home in isolation from one another; families and schools need to collaborate to help children adjust to the world of school. This is particularly critical for children from families with different cultural and language backgrounds.

**Parent Involvement Policy:** The WCCUSD recognizes that when schools and parents form strong partnerships, our children's potential for educational success improves significantly. Teachers and school administrators become more aware of parent and community expectations and may implement their suggestions regarding programs and operations. Parents learn the scope of the school's instructional program and set high expectations for their children. As a result, schools can better focus on student growth and success. Schools have the responsibility to involve parents in this partnership. Therefore, the WCCUSD supports a variety of parent-involvement programs that require schools to involve parents at all grade levels in a broad range of roles. **For more information about Parent Involvement, please contact the Community Engagement Department (510-307-4526).**

#### Parent Involvement Board Policy 6020 - For Parents in Title I Schools

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

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

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

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent involvement efforts.

#### Title I Schools

Each year the Superintendent or designee shall identify specific objectives of the district's parent involvement program for schools that receive Title I funding. He/she shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program. (Education Code 11503)

The Superintendent or designee shall ensure that the district's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs. Those strategies shall establish expectations for parent involvement and describe how the district will carry out each activity listed in 20 USC 63 18. (20 USC 63 18)

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. He/she also shall involve parents/guardians of participating students in decisions regarding how the district's Title I funds will be allotted for parent involvement activities. (20 USC 6318)

The Superintendent or designee shall ensure that each school receiving Title I funds develop a school-level parent involvement policy in accordance with 20 USC 6318.

### **Non-Title I Schools**

The Superintendent or designee shall develop and implement strategies applicable to each school that does not receive federal Title I funds to encourage the involvement and support of parents/guardians in the education of their children, including, but not limited to, strategies describing how the district and schools will address the purposes and goals described in Education Code 11502. (Education Code 11504)

### **Parent Involvement District Strategies for Title I Schools**

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

- 1) Involve parents/guardians of participating students in the joint development of the Title I local educational agency (LEA) plan pursuant to 20 USC 6312 and the process of school review and improvement pursuant to 20 USC 6316 (20 USC 6318). The Superintendent or designee may:
  - a. Invite input on the LEA plan from other district committees and school site councils through meetings and other mutually agreed upon forums.
  - b. Communicate with parents/guardians through the district newsletter, website, or other methods regarding the LEA plan and the opportunity to provide input.
  - c. Ensure that there is an opportunity at a public Board meeting for public comment on the LEA plan prior to the Board's approval of the plan or revisions to the plan.
  - d. Ensure that school-level policies on parent involvement address the role of school site councils and other parents/guardians as appropriate in the development and review of school plans.
  
- 2) In order to provide coordination, technical assistance, and other support necessary to assist Title I schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance (20 USC 6318), the Superintendent or designee may:
  - a. Assign person (s) in the district office to serve as a liaison to the schools regarding Title I parent involvement issues.
  - b. Provide training for the principal or designee of each participating school regarding Title I requirements for parent involvement, leadership strategies, and communication skills to assist him/her in facilitating the planning and implementation of parent involvement activities.
  - c. Provide ongoing district-level workshops to assist school site staff and parents/guardians in planning and implementing improvement strategies.
  - d. Provide information to schools about the indicators and assessment tools that will be used to monitor progress.
  
- 3) In order to build the capacity of schools and parents/guardians for strong parent involvement (20 USC 6318), the Superintendent or designee shall: (20 USC 6318)
  - a. Assist parents/guardians in understanding such topics as the state's academic content standards and academic achievement standards, state and local academic assessments, the requirements of Title I, and how to monitor a child's progress and work with educators to improve the achievement of their children.
  - b. Provide materials and training to help parents/guardians work with their children to improve their children's achievement, such as literacy training and using technology, as appropriate, to foster parent involvement.
  - c. Ensure that information related to school and parent/guardian programs, meetings, and other activities is sent to the parents/ guardians of participating students in a format and, to the extent practicable, in a language the parents/guardians can understand.

- d. Provide other such reasonable support for parent involvement activities as parents/guardians may request through the School Site Council and Board Meetings.
- e. Inform parents/guardians and parent organizations of the existence and purpose of parent information and resource centers in the state that provide training, information, and support to parents/guardians of participating students.

In addition, the Superintendent or designee may:

- a. Train parents/guardians to enhance the involvement of other parents/guardians.
  - b. Adopt and implement model approaches to improving parent involvement.
  - c. Make referrals to community agencies and organizations that offer literacy training, parent education programs, and/or other services that help to improve the conditions of parents/guardians and families.
  - d. Provide a master calendar of district activities and district meetings.
  - e. Provide information about opportunities for parent involvement through the district, web site, or other written or electronic means.
  - f. To the extent practicable, provide translation services at school sites and at meetings involving parents/guardians as needed.
  - g. Provide training and information to members of district and school site councils and advisory committees to help them fulfill their functions.
  - h. Include expectations for parent/guardian outreach and involvement in staff job descriptions and evaluations.
- 4) The Superintendent or designee may coordinate and integrate Title I parent involvement strategies with Reading First, Early Reading First, and public preschool, and other programs (20 USC 6318).
- 5) In order to conduct, with involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the schools served by Title I (20 USC 6318), the Superintendent or designee shall:
- a. Ensure that the evaluation includes the identification of barriers to greater participation in parent involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background (20 USC 6318).
  - b. Use the evaluation results to design strategies for more effective parent involvement and, if necessary, to recommend changes in the parent involvement policy (20 USC 6318).
- 6) In order to involve parents/guardians in the activities of schools served by Title I (20 USC 6318), the Superintendent or designee may:
- a. Include information about school activities in district communications to parents/guardians.
  - b. To the extent practicable, assist schools with translation services or other accommodations needed to encourage participation of parents/ guardians with special needs.
  - c. Establish processes to encourage parent/guardian input regarding their expectations and concerns for their children.

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

### **School-Level Policies for Title I Schools**

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

- Convene an annual meeting at a convenient time to which all parents/ guardians of participating students shall be invited and encouraged to attend, in order to inform parents/guardians of their school’s participation in Title I and to explain Title I requirements and the right of parents/ guardians to be involved.
- Offer a flexible number of meetings, such as meetings in the morning or evening, for which related transportation, childcare, and/or home visits may be provided as such services relate to parent involvement.
- Involve parents/guardians in an organized, ongoing, and timely way in the planning, review, and improvement of Title I programs, including the planning, review, and improvement of the school’s parent involvement policy and, if applicable, the joint development of the plan for school wide programs pursuant to 20 USC 6314.
- Provide the parents/guardians of participating students all of the following:
  - a. Timely information about Title I programs.
  - b. A description and explanation of the school’s curriculum, forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet.
  - c. If requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions related to their children’s education, and, as soon as practicably possible, responses to the suggestions of parents/ guardians.
- Jointly develop with the parents/guardians of participating students a school-parent contract that outlines how parents/guardians, the entire school staff, and students will share responsibility for improved student academic achievement and the means by which the school and parents/ guardians will build a partnership to help students achieve state standards

**This contract shall address:**

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

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

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

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

**For more information about Parental Involvement, please contact the Community Engagement Department at (510) 307-4526.**

## 6.2 PARENT PHOTOGRAPHS WHILE ON CAMPUS

The Education Code provides that “parents have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children to participate in the education of their children.” (Ed. Code, § 51101(a).) The right to participate in their child’s education includes a parent’s right to observe their child’s classroom. (Ed. Code, § 51101(a)(1).)

However, a parent’s rights to participate in their child’s education are not so broad as to permit unauthorized photography of other parents, pupils, or staff while on school grounds during school hours. Unauthorized photography while on school grounds during school hours may endanger student and staff privacy, and may disrupt the educational process. In addition, the Education Code prohibits individuals from willfully disturbing any public school or public school meeting, punishable by a misdemeanor charge. (Ed. Code, § 32210.) To the extent that the parent’s behavior while on campus is willfully disturbing the activities of the public school, the District may alert the parent of these consequences.

The above advice is subject to one caveat. A District administrative regulation openly invites and allows parents, staff, and members of the public to photograph and video record school activities, such as performances and sporting events. (Administrative Regulation 3515.)

**For more information about Parental Involvement, please contact the Community Engagement Department at (510) 307-4526.**

## 6.3 SCHOOL & CLASSROOM VISITS

The Governing Board encourages parents/guardians and interested members of the community to visit the schools and view the educational program.

To ensure minimum interruption of the instructional program, the Superintendent or designee shall establish procedures, which facilitate visits during regular school days. Visits during school hours should be first arranged with the teacher and principal or designee. If a conference is desired, an appointment should be set with the teacher during non- instructional time.

To ensure the safety of students and staff and avoid potential disruptions, all visitors shall register immediately upon entering any school building or grounds when school is in session.

For purposes of school safety and security, the principal or designee may design a visible means of identification for visitors while on school premises, such as a visitor’s badge that is distributed at and returned to the front office of the school.

No electronic listening or recording device may be used by students or visitors in a classroom without the teacher and principal’s permission.

Additionally, no teacher may be required to accept a volunteer worker or observer in his/her classroom. However, parents of students enrolled in the class may make routine visits to the class, provided the teacher has been notified the day prior to the visit.

Board Policy 1250 & United Teachers of Richmond Contract, Article-10, Section-18.

## 6.4 WCCUSD VOLUNTEER SERVICE AGREEMENTS

**California Education Code 51101 states:**

*(a) Except as provided in subdivision (d), the parents and guardians of pupils enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children within the public schools, to be informed by the school, and to participate in the education of their children, as follows:*

*To volunteer their time and resources for the improvement of school facilities and school programs under the **supervision of district employees**, including, but not limited to, providing assistance in the classroom with the approval, and under the direct supervision, of the teacher. Although volunteer parents may assist with instruction, primary instructional responsibility shall remain with the teacher.*

**WCCUSD Administrative Regulations 1240 states:**

All volunteers must agree to follow the school and classroom rules and regulations listed below:

1. Spend my scheduled time with students doing site approved and/or assigned activities.
2. Volunteers will not have children with them while performing site approved and/or assigned volunteer activities.
3. Will respect the school’s dress code: no sunglasses, hoodies with the hood up, flip-flops, bare midriffs, sagging pants; or, clothing with logos depicting drugs, tobacco, alcohol, or anything sexually suggestive or involving a racial/ethnic slur.
4. Never remove a child from the designated school area, or make plans to meet a student during non-school hours for any reason without the express permission or knowledge of the Principal.

5. Never discipline any child. In case of a situation that requires a disciplinary action, I will notify school staff immediately.
6. Will be free from the influence of alcohol or illegal drugs while volunteering.
7. Not use electronic devices such as cell phones, music players, smartphones, etc. while working with students. This includes connecting via social media.
8. Not engage in any act, which is discriminatory in nature towards another person's race, creed, ethnicity, national origin, sex, sexual orientation, age, physical condition, religious beliefs, political afflictions, veterans or marital status.
9. Agree to the above codes of conduct and will never purposefully endanger the wellbeing or life of a child.
10. Agree to pass on knowledge of or suspicion of child abuse to an appropriate West Contra Costa Unified School District staff member.

Any breach of these rules and regulations may result in the revocation of volunteer badge and privileges.

## 7. POLICIES / PROCEDURES AND NOTICES

### 7.1 UNIFORM COMPLAINT PROCEDURES (UCP) ANNUAL NOTICE FOR 2021-2022

#### WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

1108 Bissell Avenue, Richmond CA 94801 • (510) 231-1100 • www.wccusd.net

#### REVISED UNIFORM COMPLAINT PROCEDURES (UCP) ANNUAL NOTICE FOR 2021-2022

For students, employees, parents/guardians, school and district advisory committee members, private school officials, and other interested parties

The West Contra Costa Unified School District annually notifies our students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of the Uniform Complaint Procedures (UCP) process.

The UCP Annual Notice is available on our website.

The West Contra Costa Unified School District is 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; Career Technical; Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content (for grades nine through twelve)
- 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 Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes (for grades one through six)
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School Safety Plans
- School Site Councils
- State Preschool
- State Preschool Health and Safety Issues in LEA's Exempt From Licensing program

Filing a UCP Complaint (Uniform Complaint Form: [English/Spanish](#))

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 our agency.

A pupil enrolled in any of our 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 or our superintendent or their designee.

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.

We shall post a standardized notice of the educational rights of pupils in foster care, pupils who are homeless, and former juvenile court pupils now enrolled in a school district as specified in EC Sections 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information, as applicable.

We shall post a notice to identify appropriate subjects of state preschool health and safety issues in each California state preschool program classroom in each school notifying parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California Code of Regulations that apply to California state preschool programs pursuant to HSC section 1596.7925 and (2) where to get a form for a state preschool health and safety issues complaint.

Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints:

District Ombudsperson  
1108 Bissell Avenue  
Richmond, CA 94801  
Phone: (510) 307-7861 | Fax: (510) 236-0662

Complaints will be investigated and a written report with a decision will be sent to the complainant within sixty (60) days from the receipt of the complaint. This time period may be extended by written agreement of the complainant. The person responsible for investigating the complaint shall conduct and complete the investigation in accordance with our UCP policies and procedures.

The complainant has a right to appeal our decision of complaints regarding specific programs and activities subject to the UCP, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our decision. The appeal must be accompanied by a copy of the originally filed complaint and a copy of our decision.

We advise any complainant of civil law remedies, including, but not limited to, 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 our Uniform Complaint Procedures process shall be available free of charge.

## **7.2 BOARD POLICY 1312.1: COMPLAINTS CONCERNING DISTRICT EMPLOYEES**

The Governing Board accepts responsibility for providing a means by which the public can hold employees accountable for their actions. The Board desires that complaints be resolved expeditiously without disrupting the educational process.

The Superintendent or designee shall develop regulations which permit the public to submit complaints against district employees in an appropriate way. These regulations shall protect the rights of involved parties. The Board may serve as an appeals body if the complaint is not resolved.

The Board prohibits retaliation against complainants. The Superintendent or designee at his/her discretion may keep a complainant's identity confidential, except to the extent necessary to investigate the complaint. The district will not investigate anonymous complaints unless it so desires.

### **Legal Reference:**

#### **EDUCATION CODE**

33308.1 Guidelines on procedure for filing child abuse complaints

35146 Closed sessions

44031 Personnel file contents and inspection

44811 Disruption of public school activities

44932-44949 Resignation, dismissal and leaves of absence (rights of employee; procedures to follow)

48987 Child abuse guidelines

#### **GOVERNMENT CODE**

54957 Closed session; complaints re employees

54957.6 Closed session; salaries or fringe benefits

#### **PENAL CODE**

273 Cruelty or unjustifiable punishment of child

11164-11174.3 Child Abuse and Neglect Reporting Act

#### **WELFARE AND INSTITUTIONS CODE**

300 Minors subject to jurisdiction of juvenile court

### **Management Resources:**

#### **CDE LEGAL ADVISORIES**

0910.93 Guidelines for parents to report suspected child abuse by school district employees or other persons against a pupil at school site (LO:4-93)

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: November 7, 2007 Richmond, California

## **7.3 ADMINISTRATIVE REGULATION 1312.1: COMPLAINTS CONCERNING DISTRICT PERSONNEL**

### **West Contra Costa USD**

#### **Administrative Regulation**

#### **Complaints Concerning District Personnel**

AR 1312.1

#### **Community Relations**

The Superintendent or designee shall determine whether a complaint should be considered a complaint against the district and/or an individual employee, and whether it should be resolved by the district's process for complaints concerning personnel and/or other district procedures.

To promote prompt and fair resolution of the complaint, the following procedures shall govern the resolution of complaints against district employees:

1. Every effort should be made to resolve a complaint at the earliest possible stage. Whenever possible, the complainant should communicate directly to the employee in order to resolve concerns.
2. If a complainant is unable or unwilling to resolve the complaint directly with the employee, he/she may submit an oral or written complaint to the employee's immediate supervisor or the principal.
3. All complaints related to district personnel other than administrators shall be submitted in writing to the principal or immediate supervisor. If the complainant is unable to prepare the complaint in writing, administrative staff shall help him/her to do so. Complaints related to a principal or central office administrator shall be initially filed in writing with the Superintendent or designee. Complaints related to the Superintendent shall be initially filed in writing with the Board.
4. When a written complaint is received, the employee shall be notified within five days or in accordance with collective bargaining agreements.
5. A written complaint shall include:
  - a. The full name of each employee involved
  - b. A brief but specific summary of the complaint and the facts surrounding it
  - c. A specific description of any prior attempt to discuss the complaint with the employee and the failure to resolve the matter
6. Staff responsible for investigating complaints shall attempt to resolve the complaint to the satisfaction of the parties involved within 30 days.
7. Both the complainant and the employee against whom the complaint was made may appeal a decision by the principal or immediate supervisor to the Superintendent or designee, who shall attempt to resolve the complaint to the satisfaction of the person involved within 30 days. Parties should consider and accept the Superintendent or designee's decision as final. However, the complainant, the employee, or the Superintendent or designee may ask to address the Board regarding the complaint.
8. Before any Board consideration of a complaint, the Superintendent or designee shall submit to the Board a written report concerning the complaint, including but not limited to:
  - a. The full name of each employee involved
  - b. A brief but specific summary of the complaint and the facts surrounding it, sufficient to inform the Board and the parties as to the precise nature of the complaint and to allow the parties to prepare a response
  - c. A copy of the signed original complaint
  - d. A summary of the action taken by the Superintendent or designee, together with his/her specific finding that the problem has not been resolved and the reasons
9. The Board may uphold the Superintendent's decision without hearing the complaint.
10. All parties to a complaint may be asked to attend a Board meeting in order to clarify the issue and present all available evidence.
11. A closed session may be held to hear the complaint in accordance with law.

12. The decision of the Board shall be final.

Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law, Board policy and administrative regulation.

Regulation WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

approved: April 8, 2013 Richmond, California

## 7.4 BOARD POLICY 5131.2: BULLYING

# West Contra Costa USD

## Board Policy

### Bullying

BP 5131.2

Students

The Governing Board recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

The Superintendent or designee shall develop strategies for addressing bullying in district schools with the involvement of students, parents/guardians, and staff. As appropriate, the Superintendent or designee may also collaborate with social services, mental health services, law enforcement, courts, and other agencies and community organizations in the development and implementation of effective strategies to promote safety in schools and the community.

Such strategies shall be incorporated into the comprehensive safety plan and, to the extent possible, into the local control and accountability plan and other applicable district and school plans.

Any complaint of bullying shall be investigated and, if determined to be discriminatory, resolved in accordance with law and the district's uniform complaint procedures specified in AR 1312.3. If, during the investigation, it is determined that a complaint is about nondiscriminatory bullying, the principal or designee shall inform the complainant and shall take all necessary actions to resolve the complaint.

Any employee who permits or engages in bullying or retaliation related to bullying shall be subject to disciplinary action, up to and including dismissal.

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination 32282 Comprehensive safety plan 32283.5 Bullying; online training

35181 Governing board policy on responsibilities of students 35291-35291.5 Rules

48900-48925 Suspension or expulsion 48985 Translation of notices

52060-52077 Local control and accountability plan

##### PENAL CODE

422.55 Definition of hate crime

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

##### CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures

##### UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

##### CODE OF FEDERAL REGULATIONS, TITLE 28

35.107 Nondiscrimination on basis of disability; complaints CODE OF FEDERAL REGULATIONS, TITLE 34  
 104.7 Designation of responsible employee for Section 504  
 106.8 Designation of responsible employee for Title IX  
 110.25 Notification of nondiscrimination on the basis of age COURT DECISIONS  
 Wynar v. Douglas County School District, (2013) 728 F.3d 1062  
 J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094 Lavine v. Blaine School District, (2002) 279 F.3d 719

#### **Management Resources:**

##### **CSBA PUBLICATIONS**

Final Guidance: AB 1266, Transgender and Gender Nonconforming Students, Privacy, Programs, Activities & Facilities, Legal Guidance, March 2014

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Addressing the Conditions of Children: Focus on Bullying, Governance Brief, December 2012 Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011 Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010

Building Healthy Communities: A School Leaders Guide to Collaboration and Community Engagement, 2009

##### **CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

Bullying Module

California's Social and Emotional Learning: Guiding Principles, 2018 Social and Emotional Learning in California: A Guide to Resources, 2018

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

##### **CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS**

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California K-12 Schools in Responding to Immigration Issues, April 2018

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014 Guidance to America's Schools: Bullying of Students with Disabilities, October 2014

Dear Colleague Letter: Guidance on Schools' Obligations to Protect Students from Student-on-Student Harassment on the Basis of Sex; Race, Color and National Origin; and Disability, October 26, 2010

Dear Colleague Letter: Harassment and Bullying, October 2010 WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

California Office of the Attorney General: <http://oag.ca.gov> Center on Great Teachers and Leaders: <http://gtlcenter.org>

Collaborative for Academic Social and Emotional Learning: <http://casel.org> Common Sense Media:

<http://www.common Sense Media.org>

National School Safety Center: <http://www.schoolsafety.us> Partnership for Children and Youth: <http://www.partnerforchildren.org>

U.S. Department of Education: <http://www.ed.gov>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: December 18, 2019 Richmond, California

## **7.5 BOARD POLICY 1312.3: UNIFORM COMPLAINT PROCEDURES**

# **West Contra Costa USD**

## **Board Policy**

### **Uniform Complaint Procedures**

#### **BP 1312.3**

#### **Community Relations**

This policy and the corresponding administrative regulation contain rules and instructions about the filing, investigation, and resolution of a Uniform Complaint Procedures (UCP) complaint. UCP complaints include any complaint brought forth by a complainant alleging a failure by the West Contra Costa Unified School

District to comply with federal or state laws or regulations governing educational programs, including allegations of unlawful discrimination (such as harassment, intimidation or bullying based on any of the protected classes stated herein) and non-compliance with laws relating to pupil fees and the District’s Local Control and Accountability Plan (LCAP). A complainant, for purposes of this policy, is any individual, including a person’s duly authorized representative or an interested third party, public agency, or organization who files a written complaint that is governed by this policy.

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.3 - Nondiscrimination/Harassment/Intimidation/Bullying)

(cf. 5131.2 - Bullying)

The Board encourages early resolution of complaints whenever possible. To resolve complaints that cannot be resolved through an informal process, the Board adopts the uniform system of complaint processes specified in 5 CCR sections 4600-4670 and described herein.

The District shall establish an office entitled District Ombudsperson, who will report to the Superintendent, for the purpose of fair, objective and timely responses to complaints. The District shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by and to the extent permitted by law. For any complaint alleging unlawful discrimination or retaliation (such as discriminatory harassment, intimidation, or bullying), the Superintendent or District Ombudsperson or designee shall keep the identity of the complainant confidential when appropriate and as long as the integrity of the complaint process is maintained.

#### Complaints Subject to the UCP

The District’s UCP shall be used to investigate and resolve the following complaints brought forth by any complainant, which include all complaints related to the matters addressed in Education Code section 33315(a)(1) and as indicated below:

1. Any complaint alleging District violation of state or federal law or regulations governing the following programs and activities that are implemented by the District, including: adult education programs; career technical and technical education training programs; child care and development programs; migrant child education; juvenile court schools; school safety plans; deficiencies related to state preschool health and safety issues for a California state preschool program; and any other District-implemented consolidated categorical aid program which are listed in Education Code section 64000(a), including: programs for tobacco use prevention; bilingual education programs; compensatory education programs; California peer assistance and review programs for teachers; school safety and violence prevention programs.
2. Any complaint, filed by a student or a student’s duly authorized representative, alleging the occurrence of unlawful discrimination against any student, employee or other person participating in District programs and activities, including, but not limited to, those programs and activities funded directly by or that receive benefit from any state financial assistance.

Unlawful discrimination includes, but is not limited to, discriminatory harassment, intimidation, or bullying based on the person’s actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code sections 200 or 220, Government Code section 11135, or Penal Code section 422.55, or based on the person’s association with a person or group with one or more of these actual or perceived characteristics.

Complaints and allegations that, if true, would meet the definition of “sexual harassment” under Title IX of the Education Amendments of 1972 (Title IX), must be addressed in a manner that complies with the applicable Title IX regulations, codified at 34 C.F.R. Part 106, and the UCP. To accomplish this, these complaints should be processed in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

3. Any complaint alleging District noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student
4. Any complaint alleging District noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities.
5. Any complaint alleging District noncompliance with legal requirements related to the implementation of the local control and accountability plan.

The LCAP is an important component of the Local Control Funding Formula (LCFF), the revised school finance system that overhauled how California funds its K-12 schools. Under the LCFF the District is required to prepare an LCAP, which describes how the District intends to meet annual goals for District pupils, with specific activities to address state and local priorities identified pursuant to Education Code section 52060(d).

6. Any complaint, by or on behalf of any student who is a foster youth, alleging District noncompliance with any legal requirement applicable to the student regarding placement decisions, the responsibilities of the District’s educational liaison to the student, the award of credit for coursework satisfactorily completed in another school or District, school transfer, or the grant of an exemption from Board-imposed graduation requirements.
7. Any complaint, by or on behalf of a homeless student, as defined in 42 U.S.C. section 11434a, a former juvenile court school student, a child of a military family, as defined in Education Code section 49701, a student who is a migratory child, as defined in Education Code 54441(a), or a newly arrived immigrant student participating in a “Newcomer Program” as defined in Education Code section 51225.2(a)(6), who transfers into the District after his/her second year of high school, alleging District noncompliance with any requirement applicable to the student regarding the award of credit for coursework satisfactorily completed in another school or District or the grant of an exemption from Board-imposed graduation requirements.
8. Any complaint alleging District noncompliance with the requirements of Education Code sections 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions.
9. Any complaint alleging District noncompliance with the physical education instructional minutes requirement for students in grades 1 to 6.
10. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy.
11. Any other complaint as specified in a District policy. However, only complaints listed in Title 5 California Code of Regulation section 4610 may be appealed to the California Department of Education pursuant to the corresponding administrative regulation.
12. Any other state or federal education program the State Superintendent of Public Instruction deems appropriate or necessary.

### Non-UCP Allegations and Complaints

When an allegation that is not subject to the UCP is included in a UCP complaint, the District shall refer the non-UCP allegation to the appropriate staff or agency for further processing.

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to the District’s UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements:

1. Allegations of child abuse or neglect shall be referred to County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency.
2. Health and safety complaints regarding licensed facilities operating a Child Development Program shall be referred to the Department of Social Services (DSS).
3. Any complaint alleging unlawful discrimination, sexual harassment or related retaliation in employment shall be processed in accordance with Board Policy 4030 - Nondiscrimination in Employment, Board Policy and Administrative Regulation 4119.11 - Sexual Harassment, and/or Administrative Regulation 4119.12 – Title IX Sexual Harassment Complaint Procedures, and they shall be referred to the California Department of Fair Employment and Housing (DFEH), as is applicable or required. The complainant shall be notified in writing in a timely manner of any DFEH transferal.

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

These procedures do not apply to complaints related to special education programs, which are governed by Title 34 Code of Federal Regulations sections 300.151 through 300.153 and by Title 5 California Code of Regulation section 3080 et seq.

These procedures do not apply to complaints regarding child nutrition programs, which are governed by Title 34 Code of Federal Regulations sections 210.19(a)(4), 215.1(a), 220.13(c), 225.11(b), 226.6(n) and 250.15(d) and by Title 5 California Code of Regulation section 15580 et seq.

#### Notice and Record Keeping

The Superintendent or District Ombudsperson shall provide the Board with quarterly updates about the state of complaints in the District.

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

The Superintendent or District Ombudsperson or designee shall maintain records of each complaints and subsequent related actions, including steps taken during the investigations and all information required for compliance with 5 CCR 4600 et seq.

#### Legal Reference:

##### EDUCATION CODE

200-262.4 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18203 School libraries  
 32280-32289 School safety plan, uniform complaint procedures  
 35186 Williams uniform complaint procedures  
 46015 Parental leave for students  
 48853-48853.5 Foster youth  
 48985 Notices in language other than English  
 49010-49014 Student fees  
 49060-49079 Student records, especially:  
 49069.5 Records of foster youth  
 49490-49590 Child nutrition programs  
 49701 Interstate Compact on Educational Opportunity for Military Children  
 51210 Courses of study grades 1-6  
 51222 Physical education, secondary schools  
 51223 Physical education, elementary schools  
 51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements  
 51226-51226.1 Career technical education  
 51228.1-51228.3 Course periods without educational content  
 52060-52077 Local control and accountability plan, especially:  
 52075 Complaint for lack of compliance with local control and accountability plan requirements  
 52300-52462 Career technical education  
 52500-52616.24 Adult schools  
 54400-54425 Compensatory education programs  
 54440-54445 Migrant education  
 54460-54529 Compensatory education programs  
 59000-59300 Special schools and centers  
 64000-64001 Consolidated application process; school plan for student achievement  
 65000-65001 School site councils  
 GOVERNMENT CODE  
 11135 Nondiscrimination in programs or activities funded by state  
 12900-12996 Fair Employment and Housing Act  
 HEALTH AND SAFETY CODE  
 1596.792 California Child Day Care Act; general provisions and definitions  
 1596.7925 California Child Day Care Act; health and safety regulations  
 PENAL CODE  
 422.55 Hate crime; definition  
 422.6 Interference with constitutional right or privilege  
 CODE OF REGULATIONS, TITLE 2  
 11023 Harassment and discrimination prevention and correction  
 CODE OF REGULATIONS, TITLE 5  
 3080 Applicability of uniform complaint procedures to complaints regarding students with disabilities  
 4600-4670 Uniform complaint procedures  
 4680-4687 Williams uniform complaint procedures  
 4900-4965 Nondiscrimination in elementary and secondary education programs  
 UNITED STATES CODE, TITLE 20  
 1221 Application of laws  
 1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972  
 6301-6576 Title I Improving the Academic Achievement of the Disadvantaged  
 6801-7014 Title III language instruction for limited English proficient and immigrant students  
 UNITED STATES CODE, TITLE 29  
 794 Section 504 of Rehabilitation Act of 1973  
 UNITED STATES CODE, TITLE 42  
 2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
 6101-6107 Age Discrimination Act of 1975  
 12101-12213 Title II equal opportunity for individuals with disabilities  
 CODE OF FEDERAL REGULATIONS, TITLE 28  
 35.107 Nondiscrimination on basis of disability; complaints  
 CODE OF FEDERAL REGULATIONS, TITLE 34  
 99.1-99.67 Family Educational Rights and Privacy Act  
 100.3 Prohibition of discrimination on basis of race, color or national origin  
 104.7 Designation of responsible employee for Section 504  
 106.8 Designation of responsible employee for Title IX  
 106.9 Notification of nondiscrimination on basis of sex  
 110.25 Notification of nondiscrimination on the basis of age

#### Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
 Uniform Complaint Procedure 2020-21 Program Instrument  
 Sample UCP Board Policies and Procedures  
 U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
 Dear Colleague Letter, September 22, 2017  
 Dear Colleague Letter: Title IX Coordinators, April 2015  
 Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014  
 Dear Colleague Letter: Harassment and Bullying, October 2010  
 Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001  
 U.S. DEPARTMENT OF JUSTICE PUBLICATIONS  
 Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002  
 WEB SITES  
 CSBA: <http://www.csba.org>  
 California Department of Education: <http://www.cde.ca.gov>  
 Family Policy Compliance Office: <https://www2.ed.gov/policy/gen/guid/fpc>  
 U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>  
 U.S. Department of Justice: <http://www.justice.gov>

#### Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: November 7, 2007 Richmond, California  
 revised: April 16, 2008  
 revised: November 6, 2013

revised: January 8, 2014  
 revised: March 4, 2015  
 revised: January 6, 2016  
 revised: April 27, 2016  
 revised: November 2, 2016  
 revised: June 28, 2017  
 revised: March 7, 2018  
 revised: October 17, 2018  
 revised: February 26, 2020  
 revised: November 4, 2020

## 7.6 ADMINISTRATIVE REGULATION 1312.3: UNIFORM COMPLAINT PROCEDURES

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

### Compliance Officers

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

District Ombudsperson  
 1108 Bissell Avenue  
 Richmond, CA 94801  
 Phone: (510) 307-7861 | Fax: (510) 236-0662

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

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

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall include current state and federal laws and regulations governing the program, applicable processes for investigating and resolving complaints, including those involving alleged unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

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

### Notifications

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

The Superintendent or designee shall annually provide written notification of the district's UCP, including information regarding unlawful student fees local control and accountability plan (LCAP) requirements, and requirements related to the educational rights of foster youth and homeless students, to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties.

(Education Code 262.3,48853,48853.5, 49013, 49069.5,51225.1,51225.2,52075; 5 CCR 4622)

The annual notification and complete contact information of the compliance officer(s) may be posted on the district web site and, if available, provided through district-supported social media.

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

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

**The notice shall:**

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies, such as the U.S. Department of Education's Office for Civil Rights (OCR) in cases involving unlawful discrimination (such as discriminatory harassment, intimidation, or bullying).
4. Include statements that:
  - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
  - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline
  - c. A complaint alleging retaliation, unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtains knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
  - d. A student enrolled in a public school shall not be required to pay a fee for his/her participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities.
  - e. The Board is required to adopt and annually update a local control and accountability plan (LCAP), in a manner that includes meaningful engagement of parents/guardians, students, and other stakeholders in the development and/or review of the LCAP.
  - f. A foster youth shall receive information about educational rights related to his/her educational placement, enrollment in and checkout from school, as well as the responsibilities of the district liaison for foster youth to ensure and facilitate these requirements and to assist the student in ensuring proper transfer of his/her credits, records, and grades when he/she transfers between schools or between the district and another district.
  - g. A foster youth or homeless student who transfers into a district high school or between district high schools shall be notified of the district's responsibility to:
    1. Accept any coursework or part of the coursework that the student has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency, and to issue full or partial credit for the coursework completed
    2. Not require the student to retake any course or a portion of a course which he/she has satisfactorily completed in another public school, juvenile court school, or a nonpublic, nonsectarian school or agency

3. If the student has completed his/her second year of high school before the transfer, provide the student information about district- adopted coursework and Board-imposed graduation requirements from which he/she may be exempted pursuant to Education Code 51225.1
- h. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision
- i. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision
- j. Copies of the district's uniform complaint procedures (UCP) are available free of charge.

### **District Responsibilities**

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

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

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

### **Step 1: Filing of Complaint**

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

All complaints shall be filed in accordance with the following:

1. A written complaint alleging district violation of applicable state or federal law or regulations governing adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and training programs, child care and development programs, child nutrition programs, and special education programs may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; CCR 4630))
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that he/she personally suffered the unlawful discrimination, or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged unlawful discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant or alleged victim of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) requests confidentiality, the compliance officer shall inform him/her that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.
6. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

## Step 2: Investigation of Complaint

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

Within one business day of initiating the investigation, the compliance officer shall provide the complainant and/or his/her representative with the opportunity to present the information contained in complaint to the compliance officer and shall notify the complainant and/or his/her representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. He/she shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

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

## Step 3: Report of Findings

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report, as described in section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

## Step 4: Final Written Decision

The district's decision on how it will resolve the complaint shall be in writing and sent to the complainant. (5 CCR 4631)

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

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

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

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
  - a. Statements made by any witnesses
  - b. The relative credibility of the individuals involved
  - c. How the complaining individual reacted to the incident
  - d. Any documentary or other evidence relating to the alleged conduct
  - e. Past instances of similar conduct by any alleged offenders

- f. Past false allegations made by the complainant
2. The Conclusion(s) of law
3. Disposition of the complaint
4. The rationale for such a disposition
  - For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

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

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

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

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

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

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

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

### **Corrective Actions**

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students, updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on the victim may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health service
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation
9. Determination of whether any past actions of the victim that resulted in discipline were related to the treatment the victim received and described in the complaint

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

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

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it. If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

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

#### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's final written decision may file an appeal in writing with the CDE within 15 days of receiving the district's decision. (Education Code 222, 48853, 48853.5, 49013, 49069.5, 51223, 51225.1, 51225.2, 51228.3, 52075; 5 CCR 4632)

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

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

1. A copy of the original complaint
2. A copy of the decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
5. A report of any action taken to resolve the complaint
6. A copy of the district's uniform complaint procedures
7. Other relevant information requested by the CDE

Regulation WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
 approved: April 4, 2012 Richmond, California  
 revised: April 8, 2013  
 revised: August 26, 2013  
 revised: March 4, 2015  
 revised: January 6, 2016

revised: April 27, 2016

## **7.7 BOARD POLICY 5131: STUDENT CONDUCT**

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individual in education within a safe school environment that allows all students equal access and opportunities to all of the District's programs and activities, including academic programs, educational supports, services and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School Districts, all students have the right to be educated in a positive and safe environment that is free from disruption.

Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with District programs while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on district transportation, or while otherwise in a District program or activity.

The Superintendent or designee shall ensure that each school site develops standards of student conduct and discipline in compliance with District policies and administrative regulations. Students and parents/guardians shall be notified of District and school standards of conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others, including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats;
2. Discrimination, harassment, intimidation, or bullying of students or staff, including sexual and gender-based harassment, hate-motivated behavior, cyberbullying, or initiation activity, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm or substantial disruption;
3. Conduct that disrupts the orderly classroom or school environment;
4. Willful defiance of staff's authority. School sites will develop standards that define defiance in a clear and nondiscriminatory way that minimizes discretion, and will establish safeguards to ensure standards are enforced in a nondiscriminatory manner;
5. Damage to or theft of property belonging to students, staff, or the district. The District shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged;
6. Obscene acts or use of profane, vulgar, or abusive language;
7. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs;
8. Possession or use of laser pointers on school premises, unless used for a valid instructional or other school-related purpose, including employment (Penal Code 417.27). Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, a student shall obtain permission from the principal or designee;
9. Use of a cellular/digital telephone, pager, or other mobile communications device during instructional time, unless such use is necessary to accommodate a student with a disability.
  - a) Such devices shall be turned off in class, except when being used for a valid instructional or other school-related purpose as determined by the teacher or other district employee, and at any other time directed by a District employee. Any device with camera, video, or voice recording function shall not be used in any manner which infringes on the privacy rights of any other person.
  - b) No student shall be prohibited from possessing or using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and the use of which is limited to purposes related to the student's health (Education Code 48901.5);
10. Plagiarism or dishonesty in school work or on tests;
11. Inappropriate attire. School sites will adopt clear and fair standards to notify students of what is considered inappropriate;
12. Tardiness or unexcused absence from school; and
13. Failure to remain on school premises in accordance with school rules.

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, the employee shall refer the matter to their supervisor or administrator for further investigation.

When a school official suspects that a search of a student or their belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with Board Policy /Administrative Regulation 5145.12 - Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline or other interventions including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or co-curricular activities or other privileges in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline in accordance with law, Board policy, and administrative regulation for any off-campus conduct during non-school hours which poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

#### **Legal Reference:**

##### **EDUCATION CODE**

200-262.4 Prohibition of discrimination

32280-32289 Comprehensive safety plan

35181 Governing board authority to set policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension and expulsion

51512 Prohibition against electronic listening or recording device in classroom without permission

##### **CIVIL CODE**

1714.1 Liability of parents and guardians for willful misconduct of minor

##### **PENAL CODE**

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope or laser pointer

647 Use of camera or other instrument to invade person's privacy; misdemeanor

653.2 Electronic communication devices, threats to safety

##### **VEHICLE CODE**

23123-23124 Prohibitions against use of electronic devices while driving

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

300-307 Duties of students

##### **UNITED STATES CODE, TITLE 42**

2000h-2000h6 Title IX, 1972 Education Act Amendments

##### **COURT DECISIONS**

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

LaVine v. Blaine School District, (2000, 9th Cir.) 257 F.3d 981

Emmett v. Kent School District No. 415, (2000) 92 F.Supp. 1088

Bethel School District No. 403 v. Fraser, (1986) 478 U.S. 675

New Jersey v. T.L.O., (1985) 469 U.S. 325

Tinker v. Des Moines Independent Community School District, (1969) 393 U.S. 503

##### **Management Resources:**

##### **CSBA PUBLICATIONS**

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

##### **CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

Bullying at School, 2003

##### **WEB SITES**

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: August 20, 2008 Richmond, California

revised: July 8, 2009

revised: May 23, 2012

revised: March 12, 2014

## **7.8 BOARD POLICY 5137: POSITIVE SCHOOL CLIMATE**

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individuals in education within a safe school environment that allows all students equal access and opportunities to all of the District's programs and activities, including academic programs, educational supports, services, and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School District, all students have the right to be educated in a positive and safe environment that is free from disruption.

Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with District programs while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on District transportation, or while otherwise in a District program or activity (Board Policy 5131 – Student Conduct).

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior. Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct (Board Policy 5131 – Student Conduct).

The District's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The schools shall promote nonviolent conflict resolution techniques to encourage attitudes and behaviors that foster harmonious relations. Students shall be taught the skills necessary to reduce violence, including, but not limited to, communication, anger management, bias reduction, and mediation skills.

All District staff shall receive professional development to sustain a positive school climate, including, but not

limited to, classroom management, conflict resolution techniques, and communications—with students, parents/guardians, and colleagues.

Legal Reference:

EDUCATION CODE

233-233.8 Hate violence prevention

32280-32289 School safety plans

32295.5 Teen court programs

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

44807 Teachers' duty concerning conduct of students

48900-48925 Suspension and expulsion

Management Resources:

CSBA PUBLICATIONS

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

Protecting Our Schools: Governing Board Strategies to Combat School Violence, rev. 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

Creating Safe and Drug-Free Schools: An Action Guide, 1996

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Learning Support: <http://www.cde.ca.gov/l>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office of Safe and Drug-Free

Schools: <http://www.ed.gov/offices/OESE/SDFS>

POLICY

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

Adopted: August 20, 2008 Richmond, California

Revised: March 26, 2014 Richmond, California

## **7.9 BOARD POLICY BP 5145.3: NONDISCRIMINATION, HARASSMENT, INTIMIDATION, & BULLYING**

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individuals in education within a safe school environment that allows all students equal access and opportunities to all of the district's programs and activities, including academic programs, educational supports, services, and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School District, all students have the right to be educated in a positive and safe environment that is free from harassment and discrimination.

The Board is committed to providing a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school, school activity, or attendance within a school under the jurisdiction of the superintendent of the school district, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, immigration status, ethnic group identification, 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. Gender identity is a person's personal sense of gender (e.g., being a boy or a girl), which may or may not be the same as their biological sex at birth. For transgender persons, the sex at birth (i.e., male or female) does not match their own internal sense of their gender identity. Since gender identity is internal, it isn't necessarily visible to others. Gender expression is a person's external manifestation of their gender identity. Gender expression is visible to others - it's the way a person expresses their gender identity through clothing, behavior, posture, mannerisms, speech patterns, activities and more.

The Board prohibits discrimination or harassment of any student by any employee, student or other person in the district. Staff shall be alert and immediately responsive to conduct that interferes with a student's ability to participate in or benefit from school services, activities or privileges.

The Board hereby designates the following person as Compliance Officer to handle complaints regarding discrimination and inquiries regarding the district's nondiscrimination policies:

Rhonda Haney  
 Director, Title IX Educational Equity  
 1108 Bissell Avenue  
 Richmond, CA 94801  
 (510) 307-7861  
[rhoney@wccusd.net](mailto:rhoney@wccusd.net)

Any student who feels they are being or have been harassed while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on district transportation, or while otherwise in a district program or activity is encouraged to immediately contact a teacher or any other employee. Any student who observes an incident of harassment should report the harassment to a school employee, whether or not the victim files a complaint. An employee who receives such a complaint, otherwise becomes aware, or personally observes possible harassment shall intervene when it is safe to do so and immediately report it to the District's Compliance Officer or the principal or vice principal of the relevant school site. Such reports will be processed in accordance with Administrative Regulation 5145.7.

**Legal Reference:**

**EDUCATION CODE**

200-262.4 Prohibition of discrimination  
 48900.3 Suspension or expulsion for act of hate violence  
 48900.4 Suspension or expulsion for threats or harassment  
 48904 Liability of parent/guardian for willful student misconduct  
 48907 Student exercise of free expression  
 48950 Freedom of speech  
 48985 Translation of notices  
 49020-49023 Athletic programs  
 51500 Prohibited instruction or activity  
 51501 Prohibited means of instruction  
 60044 Prohibited instructional materials

**CIVIL CODE**

1714.1 Liability of parents/guardians for willful misconduct of minor

**PENAL CODE**

422.55 Definition of hate crime  
 422.6 Crimes, harassment

**CODE OF REGULATIONS, TITLE 5**

432 Student record  
 4600-4687 Uniform complaint procedures  
 4900-4965 Nondiscrimination in elementary and secondary education programs

**UNITED STATES CODE, TITLE 20**

1681-1688 Title IX of the Education Amendments of 1972

**UNITED STATES CODE, TITLE 42**

2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
 2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

**CODE OF FEDERAL REGULATIONS, TITLE 34**

100.3 Prohibition of discrimination on basis of race, color or national origin  
 104.7 Designation of responsible employee for Section 504  
 106.8 Designation of responsible employee for Title IX  
 106.9 Notification of nondiscrimination on basis of sex

**COURT DECISIONS**

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567  
 Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130

Management Resources:

**CSBA PUBLICATIONS**

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Interim Guidance Regarding Transgender Students, Privacy, and Facilities, September 27, 2013

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

**FIRST AMENDMENT CENTER PUBLICATIONS**

Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006

**NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

Dealing with Legal Matters Surrounding Students' Sexual Orientation and Gender Identity, 2004

**U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

Dear Colleague Letter: Harassment and Bullying, October 2010

Notice of Non-Discrimination, January 1999

**WEB SITES**

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

California Safe Schools Coalition: <http://www.casafeschools.org>

First Amendment Center: <http://www.firstamendmentcenter.org>

National School Boards Association: <http://www.nsba.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

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revised: October 17, 2018

## 7.10 ADMINISTRATIVE REGULATION 5145.3: DISCRIMINATION, HARASSMENT, INTIMIDATION, AND/OR BULLYING COMPLAINT PROCEDURES

# West Contra Costa USD

## Administrative Regulation

### Discrimination, Harassment, Intimidation, And/Or Bullying Complaint Procedures

AR 5145.3

#### Students

#### Purpose and Authority

1. The West Contra Costa Board of Education (hereinafter referred to as the Board) recognizes that the District must comply with applicable federal and/or state laws and regulations governing discrimination, harassment, intimidation, and/or bullying. The District shall investigate complaints alleging failure to comply with applicable federal and/or state laws and regulations.

2. The District's obligations include identifying, investigating and documenting possible discrimination, harassment, intimidation, and/or bullying based on real or perceived race, ethnic group identification, national origin, immigration status, ancestry, sex, gender, gender identity, gender expression, sexual orientation, physical or mental disability, marital or parental status, or religion in any District program or activity. The District shall follow this Administrative Regulation 5145.3 (AR5145.3) to address allegations of such conduct.

3. The Superintendent shall ensure that employees designated to investigate and resolve complaints are knowledgeable about relevant laws and the programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.
4. The Board recognizes that a neutral mediator can often suggest a resolution that is agreeable to all parties. The Superintendent or designee shall ensure that the mediation results are consistent with federal and/or state laws and regulations. Complainants will be informed of the option to participate in mediation, but are not obligated to do so. The complainant will never be asked to work out the problem directly with the person accused; rather, a trained individual will facilitate the mediation process. Complainants have the right to end the process at any time and request an investigation. Mediation is never appropriate in the case of sexual assault.

### **Compliance Officer**

The Board designates the following Compliance Officer to receive and investigate complaints and ensure District compliance with the law:

Rhonda Haney  
 Director, Title IX Educational Equity  
 West Contra Costa Unified School District  
 1108 Bissell Avenue  
 Richmond, CA 94801  
 (510) 307-4538  
 rhaney@wccusd.net

The Compliance Officer may designate an individual or individuals to investigate complaints under her supervision.

### **Notifications**

This complaint procedure and corresponding complaint form (Attachment A) shall be distributed to every student and family in the Parent/Student Handbook that is sent home every year, and distributed at parent teacher meetings, site council meetings, and to new students as part of the enrollment process.

This procedure and the complaint form shall be available at every school site and to every ethnic group in the District, from charter school administrators, from the following administrative offices: Bilingual; Transfer; Preschool; Student Welfare and Attendance; and from Executive Directors and Assistant Superintendents. This procedure and the complaint form shall be distributed to classified and certificated employees at their annual meetings at the beginning of each school year. This procedure shall be distributed in different languages to students of schools where 15% or more students speak a primary language other than English. The District will make additional copies of this procedure and the complaint form available free of charge.

### **Complaint Procedure**

The following procedure shall be used to address all complaints that allege a violation of federal and/or state laws or regulations governing discrimination, harassment, intimidation, and/or bullying.

## 1. Filing of a Complaint

Any student, parent/guardian, third party, other individual, or public agency or organization may file a complaint with the Compliance Officer. Complaints alleging discrimination, harassment, intimidation, and/or bullying, including conduct prohibited by the District's Nondiscrimination/Harassment Policy - BP 5145.3, Sexual Harassment Policy - BP 5145.7, and Hate-Motivated Behavior Policy 5145.9, must be made no later than six months from later of (a) the date of the last act of alleged discrimination, harassment, intimidation, and/or bullying, or (b) the date the complainant became aware of the last alleged act. Complaints should be made in writing when possible, preferably using the complaint form provided by the District (Attachment A). If the Compliance Officer or designee receives a report of discrimination, harassment, intimidation or bullying, the Compliance Officer or designee shall inform the individual making the report of the resolution options under this procedure. If the complainant is unable to put a complaint in writing due to reasons such as illiteracy or disability, the Compliance Officer or designee shall help the complainant file the complaint. If a complaint is presented in another written

format, such as a letter or email, the District may request that the complainant complete the form. If there is a delay in obtaining a completed form, or the complainant refuses to transfer the information or otherwise complete the form but wishes to pursue the formal complaint process, the District may attach the letter to the form and open an investigation. The District will investigate reports of discrimination, harassment, intimidation or bullying falling under this procedure regardless of whether they are made in writing.

Consistent with the Board's Policies on Nondiscrimination/Harassment - BP 5145.3, Sexual and Gender Based Harassment - BP 5145.7, and Hate-Motivated Behavior - BP 5145.9, any employee who receives such a complaint, or becomes aware of discrimination, harassment, intimidation or bullying, shall immediately report it to the Compliance Officer or principal or vice principal of the relevant school site. If the principal or vice principal receives such a report, they shall immediately inform the Compliance Officer so that the District may ensure it provides an appropriate response to the incident. If the incident involves a sexual assault, the Compliance Officer will contact law enforcement immediately if the principal or vice principal has not already done so.

## 2. Investigation of Discrimination, Harassment, Intimidation, And/Or Bullying Complaints

- a. Within 10 calendar days of receiving the complaint, the Compliance Officer or designee shall meet with the complainant by telephone or in person allow the complainant and/or their representative(s) an opportunity to present the complaint and any evidence, or information that may lead to evidence, to support the allegation(s) in the complaint.
- b. During the course of the investigation, the Compliance Officer or designee shall collect relevant documents, consider available physical evidence, and interview witnesses with information pertinent to the complaint.
- c. Alternatively or in addition, the complainant or complainant's representative or the other witnesses may also present information relevant to the complaint in writing to the Compliance Officer or designee.
- d. The Compliance Officer or designee may obtain statements from other individuals who were witnesses to the alleged violation or who can provide relevant information concerning the alleged violation and review documents that may provide information relevant to the alleged violation.

- e. Refusal by the complainant to provide the Compliance Officer or designee with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegations.
- f. Refusal by the District to provide the Compliance Officer or designee with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on the evidence collected that the violation has occurred and may result in the imposition of a remedy in favor of the complainant.
- g. Throughout the investigation, the Compliance Officer or Designee will maintain ongoing contact with the student allegedly targeted.

### **3. Confidentiality**

The District respects students' and employees' rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts to the extent possible. This includes keeping the identity of the complainant confidential except as necessary to carry out the investigation and implement remedies, as determined by the Compliance Officer or Designee on a case-by-case basis. The Compliance Officer or designee will inform witnesses and others involved in the resolution process of the importance of maintaining confidentiality.

If a complainant requests that the District not reveal their name or other identifiable information to the alleged perpetrator or that no investigation or disciplinary action be pursued, then the Compliance Officer or designee will inform the complainant that honoring the request may limit the ability to respond effectively, and that the District prohibits retaliation. If the complainant continues to request confidentiality, the Compliance Officer or designee must evaluate the request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students; the Compliance Officer will consider factors such as the seriousness of the alleged harassment, the complainant's age, and whether there have been other harassment complaints about the same individual.

If the Compliance Officer or designee determines that the District can honor the student's confidentiality request, the District will take reasonable steps to respond to the complaint consistent with the request. This may include, for example, increasing monitoring, supervision, or security where the misconduct occurred; providing relevant education for students and employees; counseling the alleged perpetrator if this may be done without indirectly revealing the identity of the complainant; and actions to protect the complainant, such as providing support services, or changing schedules, assignments, or tests.

### **4. Interim Measures**

The Compliance Officer or designee will consider whether, prior to the final outcome of the investigation, interim steps are necessary to protect the student allegedly targeted and the broader school community. Examples of interim measures include, but are not limited to:

- a. Notifying the student targeted of how to receive mental and other health services, counseling, and other victim services;
- b. Providing academic support services to the student targeted;

- c. Ensuring no contact between the student targeted and alleged perpetrator in District programs and activities (e.g., through stay away orders); the District will take care to minimize the burden of such steps on the student targeted;
- d. Informing targeted student of option to transfer to a new school or academic program, if desired; and
- e. Informing the targeted student of how to report any recurring conduct or retaliation.

In the case of alleged sexual assault, the Compliance Officer or designee will take additional steps as necessary to ensure the targeted student is safe. This may include, for example, creating a safety plan and designating an individual at the site level to act as a support person during the investigation.

If the circumstances suggest a threat to others, the Compliance Officer or designee will ensure that the District informs relevant members of the school community. This may include, for example, notifying parents and employees if a student is sexually assaulted on the way home from school, or notifying employees of areas where harassment frequently occurs.

## **5. Referral to Law Enforcement, Other Agencies**

Some alleged conduct may constitute both a violation of District policies and criminal activity. The Compliance Officer or designee will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant of the right to file a criminal complaint.

The Compliance Officer or designee will follow this procedure regardless of whether the alleged conduct is also being investigated by another agency, unless the fact finding process would impede a law enforcement investigation. In such cases, the Compliance Officer or designee will determine whether interim measures to protect the well-being of the complainant and the school community and prevent retaliation are needed while the law enforcement agency's fact-gathering is in progress. Once notified that law enforcement has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the Compliance Officer or designee will promptly resume and complete its investigation.

## **6. Resolution of Complaint**

The Compliance Officer or designee will review all relevant evidence gathered to: make factual determinations based on a preponderance of the evidence<sup>1</sup> for each allegation; reach conclusions regarding whether any substantiated conduct constituted discrimination, harassment, intimidation or bullying; and, where discrimination, harassment, intimidation or bullying is found, determine the appropriate remedial action. Remedial action will be designed to end the conduct, prevent its recurrence and address its effects on the student targeted and the broader school community.

Where remedial action includes proposed discipline of an employee, the District's Human Resources Department will give substantial weight to the factual findings, legal conclusions and recommendations of the Compliance Officer or designee in the disciplinary process; consult with the Compliance Officer or designee during the disciplinary process; and inform the Compliance Officer or designee of the final outcome of the disciplinary process.

Examples of appropriate remedial action for harassment, intimidation or bullying include:

- a. Interventions for the individual who engaged in the conduct, such as parent notification, counseling,

- guidance, education about the impact of the conduct, positive behavior support, referral to a student success team, transfer to alternative programs, denial of participation in extracurricular or co-curricular activities or other privileges, and discipline.
- b. Interventions for the student targeted, such as counseling, academic support, health services, assigning an escort to allow the student to move safely between classes, and instruction on how to report other incidents of harassment or retaliation.
  - c. Separating the student targeted and the individual who engaged in the conduct, provided the separation does not penalize the student targeted.
  - d. Follow-up inquiries with the student targeted and witnesses to ensure that the conduct has stopped and that they have not experienced any retaliation.
  - e. Training or other interventions for the larger school community to ensure that students, staff and parents understand the types of behavior that constitute harassment, intimidation and bullying, that the District does not tolerate it, and how to report it.

The Compliance Officer or designee will contact the student targeted periodically for a reasonable period of time following conclusion of the investigation to determine whether there has been recurrence of the conduct or retaliation, and to assess the effectiveness of the remedial measures.

## **7. Notice to Complainant of Resolution of Complaint**

- a. Within 60 calendar days of receiving the complaint, the Compliance Officer or designee shall prepare and send to the complainant a written report of the findings and decision, unless the complainant agrees in writing to extend the timeline. The timeline may be extended by the Compliance Officer or designee due to extenuating circumstances. If the timeline is extended, the Compliance Officer or designee will inform the complainant in writing of the extension and reason for the extension.

The report shall include:

- (1) A statement of the allegations investigated;
- (2) A summary of the steps taken to investigate the allegations;
- (3) The findings of fact based on a preponderance of the evidence gathered;
- (4) The District's conclusion of whether discrimination, harassment, intimidation or bullying did or did not occur;
- (5) The disposition of the complaint;
- (6) The rationale for the disposition of the complaint;
- (7) If the District concluded discrimination, harassment, intimidation or bullying occurred, a description of the District's response;
- (8) Notice of the complainant's right to appeal to the California Department of Education (CDE) within 15 days of receiving the District's final determination and the procedures to be followed for initiating such an appeal. The appeal to CDE must specify the reason(s) for appealing the District's

decision and should include a copy of the original complaint and the district's decision resolving the complaint;

- (9) For a complaint alleging conduct based on race, color, national origin, sex, gender, gender identity or disability, notice of the right to file a complaint with the United States Department of Education, Office for Civil Rights, and contact information for that agency; and
  - (10) For a discrimination complaint, notice of right to seek civil law remedies no sooner than 60 days after filing an appeal with California Department of Education shall also be provided to the complainant by the District, as described in more detail in Section E of this regulation.
- b. If an employee is disciplined as a result of the complaint, the report will specify all sanctions of which the complainant needs to be aware in order for the sanctions to be fully effective, such as requiring that the employee stay away from the complainant, temporarily or permanently prohibiting the employee from coming to work, or transferring the employee to another work location. The report shall otherwise state that effective action was taken and that the employee was informed of District expectations. The report shall not give any further information as to the nature of the disciplinary action.

## **8. Appeals to the California Department of Education or the Office For Civil Rights**

The complainant may appeal the District's decision to the California Department of Education within 15 days of the District's written report of findings and decision and that the appeal must specify the reason(s) for appealing the District's decision and should include a copy of the original complaint and the district's decision resolving the complaint.

The complainant may file a complaint with the U.S. Department of Education, Office for Civil Rights within 60 days of the District's written report of findings or within 180 days of the underlying conduct.

## **9. Record Keeping**

The Compliance Officer or designee will maintain all documentation of complaint investigations and any corrective actions taken in a system that allows the Compliance Officer or others to track incidents by school site and throughout the District.

## **10. Retaliation**

Complainants and those who participate in the complaint resolution process are protected from retaliation by law and District policy. The Compliance Officer or designee will inform all involved individuals that retaliation is prohibited, and that anyone who feels they have experienced harassment, coercion, intimidation, or discrimination for filing a complaint or participating in the resolution process should inform the Compliance Officer or designee. The District will investigate reports of retaliation and, where retaliation is found, take separate remedial action.

## **11. Civil Law Remedies**

Nothing in this administrative regulation precludes a complainant from pursuing available civil law remedies outside of the District's discrimination, harassment, intimidation, and/or bullying complaint procedure. Such remedies may include, but are not limited to, mediation centers, public/private interest attorneys, injunctions, and restraining orders. For discrimination complaints, a complainant must wait until sixty (60) calendar days

have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief or discrimination complaints under federal law, and is applicable only if the District has appropriately, and in a timely manner, apprised the complainant of their right to file a complaint. If the complainants elect to seek help and or retain the services of these public or private agencies, the District shall not bear the costs for these services.

For assistance you may contact:

The U.S. Department of Education, Office for Civil Rights  
 American Civil Liberties Union  
 Contra Costa Legal Services  
 NAACP Legal Defense Fund

Regulation WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT approved:  
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 revised: October 17, 2018

#### 7.11 BOARD POLICY 5145.7: SEXUAL AND GENDER-BASED HARASSMENT

## West Contra Costa USD

### Board Policy

#### Sexual and Gender-Based Harassment

##### BP 5145.7

##### Students

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits sexual and gender-based harassment of students by other students, employees, or other persons, while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on District transportation, or while otherwise in a District program or activity. The Board also prohibits retaliatory behavior or action against any persons who files a complaint, testifies, or otherwise participates in District complaint procedures.

##### Sexual Harassment Under District Policy

“Sexual harassment” under District policy means 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: (Education Code, § 212.5; 5 CCR § 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student’s academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.

3. The conduct has the purpose or effect of having a negative impact on the student’s academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any District program or activity.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5145.3 – Nondiscrimination, Harassment, Intimidation & Bullying)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

Sexual harassment also includes nonconsensual touching and cyber sexual bullying, as defined and prohibited by the California Penal Code and Education Code.

“Nonconsensual touching,” as defined in Penal Code section 243.4, means touching another person’s intimate part against that person’s will. “Touch” means direct physical contact or contact through the clothing of either person. “Intimate part” means sexual organ, anus, groin, or buttocks of any person, or the breast of a female.

“Cyber sexual bullying,” as defined in Education Code section 48900(r)(2)(A)(iii), means electronic dissemination of or solicitation or incitement to electronically disseminate a sexually explicit image or recording, by a student to another student or to school personnel, that causes the student to be in fear of harm, or a substantially detrimental effect on the student’s physical or mental health, or the student’s ability to benefit from the educational environment.

Examples of conduct that may constitute sexual harassment under District policy, if unwelcome, include:

1. Suggestive or obscene letters, notes, invitations, graffiti, jokes, or comments; slurs; epithets; sexual gestures; and displays of sexually suggestive objects, pictures, or cartoons.
2. Groping, sexual touching, leering, and impeding or blocking movement.
3. Sexual conduct that would be considered criminal activity, including sexual assault and sexual exploitation.
4. Continuing to express sexual interest after being informed that the interest is unwelcome (reciprocal attraction, among peers, is not considered sexual harassment).
5. Threatening to withhold grades earned or deserved or suggesting a scholarship recommendation or college application will be denied, as a condition of receiving sexual favors.
6. Engaging in sexual behavior to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.

7. Offering favors or educational benefits, such as grades, assessments, assignments, and recommendations in exchange for sexual favors.
8. Inappropriate sexual touching between students that, even if consensual, contributes to a sexually charged environment for other students who witness the behavior.
9. Any sexual conduct or expression of sexual interest by an adult toward a student regardless of reciprocity.

### Gender-Based Harassment Under District Policy

Gender-based harassment is sexual harassment and includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, although they are not necessarily sexual in nature. Prohibited conduct includes harassment of a student for exhibiting what is perceived as a stereotypical characteristic for their sex, or for nonconformance with stereotypical notions of masculinity and femininity.

“Gender” means a person’s gender-related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.” (Education Code §210.7).

“Gender identity” refers to a person’s gender-related identity, appearance or behavior whether or not different from that traditionally associated with the person’s physiology or assigned sex at birth.

“Gender expression” refers to external cues that one uses to represent or communicate one’s gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

“Transgender” describes people whose gender identity is different from that traditionally associated with their assigned sex at birth. “Transgender boy” and “transgender male” refer to an individual assigned the female sex at birth who has a male gender identity. “Transgender girl” and “transgender female” refer to an individual assigned the male sex at birth who has a female gender identity. An individual can express or assert a transgender gender identity in a variety of ways, which may but do not always include specific medical treatments or procedures. Medical treatments or procedures are not considered a prerequisite for one’s recognition as transgender.

“Gender nonconformity” refers to one’s gender expression, gender characteristics, or gender identity that does not conform to gender stereotypes “typically” associated with one’s legal sex assigned at birth, such as “feminine” boys, “masculine” girls and those who are perceived as androgynous. Sexual orientation is not the same as gender identity. Not all transgender youth identify as gay, lesbian or bisexual, and not all gay, lesbian and bisexual youth display gender-nonconforming characteristics.

Examples of conduct that may constitute gender-based harassment include:

1. Disparaging remarks made to a student or aggression toward a student because that student displays mannerisms or a style of dress perceived as indicative of the other sex.
2. Hostility toward a student because that student participates in an athletic activity more typically favored by a student of the other sex.
3. Intimidating a student to discourage that student from enrolling in a particular area of study because of his/her gender.
4. Use of gender-specific slurs, whether written or spoken.
5. Taunting a student who wishes to participate in an extracurricular activity because that activity is more typically favored by a student of the other sex.

Any conduct prohibited under this policy, whether it be sexual harassment or gender-based harassment, that

occurs off-campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of District policy, if it has a continuing effect on or creates a hostile school environment for the targeted student. Moreover, any conduct that meets the definition of “sexual harassment” under Title IX of the Education Amendments of 1972 (Title IX), as detailed below, is prohibited under District policy.

### Sexual Harassment Under Title IX

Some sexual harassment prohibited by District policy, as described above, may also be prohibited under Title IX. Under Title IX, sexual harassment toward a student means conduct on the basis of sex that satisfies at least one of the following:

1. An employee conditioning the provision of an aid, benefit, or service of the District on the student-victim’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 the District’s educational program or activity.
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 U.S.C. § 1092 or 34 U.S.C. § 12291.

“Sexual assault” means actual or intentional physical sexual acts against a person without consent that may include: rape, rape and seduction, sodomy, lewd and lascivious acts, oral copulation, sexual penetration, sexual battery, and sexual assault, as defined under Education Code section 48900(n) and Penal Code section 261, 266c, 286, 288, 288a, 289 and 243.4.

“Dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (34 U.S.C. § 12291(a)(10).)

“Domestic violence” means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws. (Ed. Code, § 48900, subd. (n).)

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress. (34 U.S.C. § 12291(a)(30).)

“Without consent” or “against that person’s will” may include: force, duress, violence, fear of immediate harm, or one’s inability to consent.

### Reporting Allegations of Sexual Harassment

Any student who feels that they are being or have been harassed based on sex or gender while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on District transportation, or while otherwise in a District program or activity, is encouraged to immediately contact a teacher or any other employee.

An employee who receives such a complaint, or otherwise becomes aware of or personally observes possible sexual or gender-based harassment shall immediately report it to the District’s Title IX Coordinator, or the principal or vice principal of the relevant school site. Once notified, the Title IX Coordinator, principal, vice principal, or designee shall take the steps to address the complaint or report in a manner that is consistent with the appropriate administrative regulation. Appropriate supportive measures shall also be offered to the complainant-victim upon receipt of any complaint or report.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

#### Notice and Instruction Related to District Policy on Sexual Harassment

The Superintendent or designee shall inform students and parents/guardians of the District’s sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the District’s website, and including it in the student and staff handbooks. The District shall also create a poster that notifies students of the District’s sexual harassment policy, and display the poster in a prominent and conspicuous location in the main administrative building or other area where notices of District rules, regulations, procedures, and standards of conduct are posted, and in each bathroom and locker room on campus.

The Superintendent or designee shall ensure that all District students receive age-appropriate information on sexual harassment. All District staff shall be trained regarding the District policies that prohibits sexual harassment of students.

#### Complaint Processes

##### Title IX Complaints:

If the alleged conduct, if taken to be true, meets the definition sexual harassment under Title IX, as defined above, the complaint or allegation(s) shall be investigated or otherwise resolved in accordance with the procedures outlined in Title IX and AR 5145.71 – Title IX Sexual Harassment Complaint Procedures. This determination shall be made by the Title IX Coordinator. If a complaint does not rise to the level of sexual harassment under Title IX, it may need to be formally dismissed pursuant to Title IX and AR 5145.71.

##### All Other Sexual and Gender-Based Harassment Complaints:

If the alleged conduct, even if taken to be true, is sexual in nature or based on sex or gender, but does not meet the definition of sexual harassment under Title IX, the complaint or allegation(s) shall be investigated or otherwise resolved in accordance with the law and District procedures specified in AR 1312.3 - Uniform Complaint Procedures. This determination shall be made by the Title IX Coordinator.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 5145.71 – Title IX Sexual Harassment Complaint Procedures)

### Disciplinary and Other Measures

Upon completion of an investigation of a sexual or gender-based harassment complaint, whether the investigation followed AR 1312.3 or AR 5145.71, any student found to have engaged in sexual or gender-based harassment in violation of this policy or Title IX will receive interventions and may be subject to disciplinary action. Examples of interventions include counseling, guidance, education about the impact of harassment, positive behavior support, referral to a student success team, transfer to alternative programs, and denial of participation in extracurricular or co-curricular activities or other privileges. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing discipline the entire circumstances of the incident(s) shall be taken into account.

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Upon completion of an investigation of a sexual or gender-based harassment complaint, any employee found to have engaged in sexual or gender-based harassment toward any student shall be subject to disciplinary action, up to and including termination in accordance with law and the applicable collective bargaining agreement.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.11/4219.11/4319.11 - Sexual and Gender-Based Harassment)

The District will respond to off-campus sexual or gender-based harassment if the harassment contributes to a hostile environment on campus, poses a threat or danger to the safety of students, or substantially disrupts school activities.

### Confidentiality and Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual and gender-based harassment to enable the District to monitor, address and prevent repetitive harassing behavior in its schools. Additional record-keeping requirements for complaints that fall under Title IX are detailed in AR 5145.71 – Title IX Sexual Harassment Complaint Procedures.

(cf. 3580 - District Records)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

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

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination on the basis of sex

[48900](#) Grounds for suspension or expulsion

[48900.2](#) Additional grounds for suspension or expulsion; sexual harassment

[48904](#) Liability of parent/guardian for willful student misconduct

[48980](#) Notice at beginning of term

CIVIL CODE

[51.9](#) Liability for sexual harassment; business, service and professional relationships

[1714.1](#) Liability of parents/guardians for willful misconduct of minor

GOVERNMENT CODE

[12950.1](#) Sexual harassment training

CODE OF REGULATIONS, TITLE 5

[4600-4687](#) Uniform complaint procedures

[4900-4965](#) Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault  
1221 Application of laws  
1232g Family Educational Rights and Privacy Act  
1681-1688 Title IX of the Education Amendments of 1972

#### UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

#### UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

[2000d-2000d-7](#) Title VI, Civil Rights Act of 1964

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

#### CODE OF FEDERAL REGULATIONS, TITLE 34

[106.1-106.71](#) Nondiscrimination on the basis of sex in education programs

#### COURT DECISIONS

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

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

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736

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

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

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

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

Management Resources:

#### CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Boards of Education to Ensure Student Success, 2011

#### U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Q&A on Campus Sexual Misconduct, September 2017

Dear Colleague Letter: Title IX Coordinators, April 2015

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

#### WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

#### Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: November 3, 2010 Richmond, California

revised: March 26, 2014

revised: November 4, 2020

## Reporting Process

Any student, parent/guardian, or other person who believes a student has been subjected to sexual harassment, which includes any form of sex or gender-based harassment, by another student, an employee, or any third party, or who has witnessed an incident of possible sexual harassment, is strongly encouraged to report the incident to the student's teacher, vice principal, principal, the District's Title IX Coordinator, or any other available school employee, and/or to submit a complaint pursuant to AR 1312.3 - Uniform Complaint Procedures or AR 5145.71 – Title IX Sexual Harassment Complaint Procedures.

Any employee who receives a complaint or report of sexual harassment shall, within one school day of receiving the complaint or report, or within one school day of observing an incident of potential sexual harassment that involves a student, forward the complaint or report, or prepare and forward a written description of a verbal report or observation, to the principal or the Title IX Coordinator. The employee shall take these actions whether or not the alleged victim submits a complaint, and even if the alleged victim requests their identity or the triggering incident be kept confidential. The Title IX Coordinator shall be responsible for assessing a victim's request for confidentiality, and will only initiate the Title IX Sexual Harassment Complaint Process – AR 5145.71 against a victim's wishes if doing so is not clearly unreasonable in light of the known circumstances.

If a complaint or report of sexual harassment is initially submitted to the principal, the principal shall forward the complaint or report to the Title IX Coordinator that same day, or as soon as is reasonably possible.

In any case of sexual harassment involving the principal, Title IX Coordinator, or any other person to whom the incident would ordinarily be reported, the complaint or report may instead be submitted to the Superintendent or designee who shall determine who will investigate or otherwise process the complaint or report.

When a verbal or informal report of sexual harassment is submitted, the principal and/or Title IX coordinator shall inform the student or parent/guardian of their right to file a formal written complaint in accordance with applicable District complaint procedures. As detailed in AR 5145.71, if the alleged conduct meets the definition of sexual harassment under Title IX, the Title IX Coordinator must notify the student-victim of this right. If a complainant- victim refuses to reduce their complaint to writing in accordance with either AR 1312.3 or AR 5145.71, the Title IX Coordinator or designee shall reduce the verbal complaint to writing and may initiate an investigation into the verbal allegations pursuant to AR 1312.3 or AR 5145.71.

(cf. 1312.3 – Uniform Complaint Procedures)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

### Title IX Coordinators

The District designates the following individual, who holds the title of Title IX Coordinator, as the employee responsible for coordinating its efforts to comply with Title IX of the Education Amendments of 1972, as well as to oversee, investigate, and/or resolve sexual harassment complaints processed under AR 1312.3 - Uniform Complaint Procedures and AR 5145.71 – Title IX Sexual Harassment Complaint Procedures.

The Title IX Coordinator may be contacted at:

Rhonda Haney  
 Director, Office of Educational Equity/Title IX Coordinator  
 1108 Bissell Avenue  
 Richmond, CA 94801  
 Phone: (510) 307-4538  
 rhaney@wccusd.net  
 (cf. 1312.3 - Uniform Complaint Procedures)  
 (cf. 5145.71 – Title IX Sexual Harassment Complaint Procedures)

### Supportive Measures and Response Pending Investigation

When an incident of sexual harassment is reported, the Title IX Coordinator or designee, in consultation with the Title IX Coordinator, shall determine whether supportive measures are necessary during and pending the result of an investigation to stop the alleged discrimination and ensure that all students have access to the educational program and a safe school environment. Supportive measures will be implemented on a case by case basis and offered to both complainant-victims and respondents (or the accused), as appropriate. Any supportive measures adopted to address alleged sexual harassment, or related retaliation, shall be designed to preserve equal access to the district’s educational program or activity without unreasonably burdening the other involved party. The supportive measures shall remain in place until the Title IX Coordinator determines that they are no longer necessary.

Supportive measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, academic support, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. All supportive measures shall be implemented in accordance with law and Board policy. Such actions shall be considered even when a student chooses to not file a formal complaint or if the alleged sexual harassment occurs off school grounds or outside school-sponsored or school-related programs or activities.

### Complaint Investigation and Resolution

The Title IX Coordinator or designee investigate and/or resolve the complaint in accordance with law and District policy. The Title IX Coordinator will determine, based on the allegations brought forth and how sexual harassment is defined under Title IX and District policy, whether the complaint or allegations therein should be processed in accordance with AR 1312.3 - Uniform Complaint Procedures or AR 5145.71 – Title IX Sexual Harassment Complaint Procedures. Complaints that are filed but do not meet the definition of sexual harassment under Title IX may need to be formally dismissed pursuant to AR 5145.71.

(cf. 1312.3 – Uniform Complaint Procedures)  
 (cf. 5145.71 - Title IX Sexual Harassment Complaint Procedures)

When a complaint or report of sexual harassment involves off-campus conduct that was outside a district program or activity, the Title IX Coordinator, or a designee who has consulted with the Title IX Coordinator, shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator or designee determines that a hostile environment may be created, the complaint shall be

investigated and resolved, as is deemed appropriate under the circumstances. At a minimum, supportive measures will be offered to the victim.

In investigating a sexual harassment complaint, evidence of past sexual relationships of the complainant-victim shall not be considered, except to the extent that such evidence may relate to the complainant-victim's prior relationship with the respondent.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Title IX Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

**Notifications:**

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

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year. (Education Code § 48980; 5 CCR § 4917)  
(cf. 5145.6 - Parental Notifications)
2. Be displayed in a prominent location in the main administrative building or other area where notices of District rules, regulations, procedures, and standards of conduct are posted. (Education Code § 231.5)
3. Be summarized on a poster, for grades 9 through 12, which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code § 231.6)
4. Be posted in a prominent location on the District's web site in a manner that is easily accessible to parents/guardians and students. This shall include the name or title, office address, email address, and telephone number of the employee designated as the District's Title IX Coordinator. (Education Code § 236; 34 CFR § 106.8) The posting shall include the rights of a student and the public and the responsibilities of the District under Title IX, which shall include, but shall not be limited to, Internet Web links to the California Department of Education's Office for Equal Opportunity and the United States Department of Education Office of Civil Rights, as well as the list of rights specified in Education Code Section 221.8. (Education Code § 221.61) The list of rights in Education Code Section 221.8 include:
  - a. The right to fair and equitable treatment and to not be discriminated against based on sex.
  - b. The right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
  - c. The right to inquire of the athletic director of the school as to the athletic opportunities offered by the school.
  - d. The right to apply for athletic scholarships.
  - e. The right to receive equitable treatment and benefits in the provision and maintenance of all of the following:

equipment and supplies; scheduling of games and practices; transportation and daily allowances; access to tutoring; coaching; locker rooms; practice and competitive facilities; medical and training facilities and services; and publicity.

- f. The right to have access to a gender equity coordinator to answer questions regarding gender equity laws.
- g. The right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.
- h. The right to file a confidential discrimination complaint with the United States Office of Civil Rights or the State Department of Education if discriminated against or given unequal treatment on the basis of sex.
- i. The right to pursue civil remedies if you have been discriminated against.
- j. The right to be protected against retaliation if you file a discrimination complaint. (Education Code § 221.8.)

The posting shall also include a description of how to file a Title IX complaint, which contains:

- a. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred, and how a complaint may be filed beyond the statute of limitations;
  - b. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including, but not limited to, Internet Web links to this information on the United States Department of Education Office for Civil Rights' web site; and
  - c. An Internet Web link to the United States Department of Education Office for Civil Rights complaints form, and the contact information for the office, which shall include the phone number and email address for the office. (cf. 1113 - District and School Web Sites)
5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session. (Education Code § 231.)
  6. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct. (Education Code § 231.5.)
  7. Be included in any handbook provided to students, parents/guardians, employees, or employee organizations. (34 CFR § 106.8.)

#### Instruction/Information

The Superintendent or designee shall ensure that all District students receive age-appropriate information on sexual

harassment. Such instruction and information shall include:

1. Notice regarding which acts and behaviors constitute sexual harassment, including the fact that sexual

harassment could occur between people of the same sex and could involve sexual violence.

2. A clear message that students do not have to endure sexual harassment under any circumstance.
3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained.
4. A clear message that student safety is the District’s primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.
5. A clear message that, regardless of a complainant’s noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students, in a manner deemed appropriate by a Title IX Coordinator.
6. Information about the district’s procedures for investigating complaints and the person(s) to whom a report of sexual harassment should be made
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues.
8. A clear message that, when needed, the District will implement supportive measures to ensure a safe school environment for a student who is the complainant-victim of sexual harassment, and the respondent. Supportive measures will be designed to restore or preserve equal access to the district’s educational program or activity without unreasonably burdening the other involved party.

#### Gender Based Harassment in Athletics and Clubs

No person shall on the basis of sex, sexual orientation, gender, ethnic group, identification, race, ancestry, national origin, religion, color or mental or physical disability, be excluded from participation in, be denied the benefits of, be denied equivalent opportunity in, or otherwise discriminated against in interscholastic, intramural or club athletics. (5 CCR § 4920).

The District also shall not provide or otherwise carryout any extracurricular or activities separately, or require or refuse participation therein by any of its pupils on the basis of sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability.

A student shall be permitted to participate in sex-segregated school programs and activities, including athletic teams and competitions, and use facilities consistent with their gender identity, irrespective of the gender listed on the student’s records. (Education Code. § 221.5(f)).

The District shall ensure that Athletic programs supported by public funds provide equal opportunity to both sexes for participation and for use of facilities. (Education Code § 221.7(b)). The District may provide separate

toilet, locker room and shower facilities on the basis of sex, but such facilities provided for students of one sex shall be comparable to such facilities provided for students of the other sex. (34 C.F.R. § 106.33).

The District may also implement “gender-neutral” restrooms or private changing areas for any student who desires increased privacy, regardless of the underlying reason. No student shall be compelled to use such restroom or changing area unless they choose to do so themselves. Any alternative restroom or changing room arrangement should be provided in a way that keeps the student’s gender identity confidential.

All pupil clubs shall have equal access to District facilities to conduct meetings, and a fair opportunity to meet within the limited open forum of the District.

The District will accommodate the interests and abilities in athletics of both sexes by any of the following tests:

1. Opportunities for interscholastic-level participation for male and female pupils are provided in numbers substantially proportionate to their respective enrollments.
2. The history of the program and continuing practice of program expansion are demonstrably responsive to the developing interest and abilities of members of the sex that has been and is underrepresented among interscholastic athletes.
3. Interests and abilities of the members of the underrepresented sex have been fully and effectively accommodated by the present program. (Education Code § 230(d)).

If the District only provides one team in a particular sport for members of one sex, but provides no team in the same sport for members of the other sex, and athletic opportunities in the total program for that sex have previously been limited, members of the excluded sex must be allowed to try out and compete with the District team. The same standards for eligibility shall be applied to every pupil trying out for a team, regardless of sex or sexual orientation or other protected group status. (5 CCR § 4921(b)).

The District ensures that each public elementary school and secondary school offering competitive athletics shall make all of the following information publicly available at the end of the school year: (1) total enrollment of the school, classified by gender; (2) number of pupils enrolled at the school who participate in competitive athletics, classified by gender; and (3) number of boys’ and girls’ teams, classified by sport and competition level. (Education Code § 221.9(a)).

- a. The information shall reflect the total number of players on a team roster on the first official day of team competition. (Education Code § 221.9(b)).
- b. This information shall be posted on the district’s website, with the information for each school disaggregated by school site. (Education Code § 221.9(c)).
- c. All materials used to compile each school’s information shall be retained by the school for a minimum of three years after the information is posted on the internet. (Education Code § 221.9(d)).

If the District reduces its athletic budget, it does so consistently with its legal obligation to comply with both state and federal gender equity laws. (Education Code § 230(e)).

## 7.12 BOARD POLICY 5146: MARRIED/PREGNANT/PARENTING STUDENTS

### West Contra Costa USD

#### Board Policy

#### Married/Pregnant/Parenting Students

BP 5146  
Students

The Governing Board recognizes that early marriage, pregnancy or parenting and related responsibilities may disrupt a student's education and increase the chance of a student dropping out of school. The Board therefore desires to provide instruction and services designed to assist in pregnancy prevention. The Board also desires to support married, pregnant, and parenting students to attain strong academic and parenting skills and to promote the healthy development of their children.

Married, expectant and parenting students shall have the same educational and extracurricular opportunities as all students. Participation in special programs or schools shall be voluntary.

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. (Education Code 230; 34 CFR 106.40)

For school-related purposes, married students under the age of 18 are emancipated minors and have all the rights and privileges of students who are 18, even if the marriage has been dissolved. (Family Code 7002)

#### Education and Support Services for Pregnant and Parenting Students

The Board is committed to providing to expectant and parenting students and their children a comprehensive, continuous, community-linked program that reflects the cultural and linguistic diversity of the community.

The Superintendent or designee shall collaborate with the County Superintendent of Schools and other community agencies and organizations to ensure that appropriate educational and related support services are available to meet the needs of expectant and parenting students their children.

Expectant and parenting students shall retain the right to participate in any comprehensive school or educational alternative programs. School placement and instructional strategies for participating students shall be based on the needs and learning styles of individual students. The classroom setting shall be the preferred instructional strategy unless an alternative is necessary to meet the needs of the individual student and/or child. (Education Code 54745)

Any education program or activity that is offered separately to pregnant students, including any class or extracurricular activity, shall be equal to that offered to other district students. A student's participation in such programs shall be voluntary. (5 CCR 4950)

As required for other students with physical or emotional conditions or temporary disabilities, the Superintendent or designee may require a student, based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery, to obtain certification from a physician indicating that the student is physically and emotionally able to participate in an educational program or activity. (34 CFR 106.40)

To the extent feasible, educational and related support services shall be provided, either through the district or in collaboration with community agencies and organizations, to meet the needs of pregnant and parenting students and their children. Such services may include, but are not limited to:

1. Child care and development services for the children of parenting students on or near school site(s) during the school day and during school-sponsored activities
2. Parenting education and life skills instruction
3. Special school nutrition supplements for pregnant and lactating students pursuant to Education Code 49553, 42 USC 1786, and 7 CFR 246.1-246.28
4. Health care services, including prenatal care
5. Tobacco, alcohol, and/or drug prevention and intervention services
6. Academic and personal counseling
7. Supplemental instruction to assist students in achieving grade-level academic standards and progressing toward graduation

As appropriate, teachers, administrators, and/or other personnel who work with pregnant and parenting students shall receive related professional development.

In addition to providing a quality education program for expectant and parenting students, the district's program shall provide parenting education and life skills instruction, special school nutrition supplements for pregnant and lactating students, and a child care and development program on or near the school site for the children of enrolled students. The district's program may provide other support services authorized by Education Code 54746 as necessary to meet the needs of students and their children. (Education Code 54745)

## Absences

Pregnant or parenting students may be excused for absences related to confidential medical appointments in accordance with BP/AR 5113 - Absences and Excuses.

The Superintendent or designee shall grant a student a leave of absence due to pregnancy, childbirth, false pregnancy, termination of pregnancy, and related recovery for as long as it is deemed medically necessary by a physician. At the conclusion of the leave, the student shall be reinstated to the status held when the leave began. (34 CFR 106.40)

A parenting student may request exemption from attendance because of personal services that must be rendered to a dependent.

### Reasonable Accommodations

When necessary, the district shall provide reasonable accommodations to pregnant and parenting students to enable them to access the educational program.

A pregnant student shall have access to any services available to other students with temporary disabilities or medical conditions. (34 CFR 106.40)

The school shall provide reasonable accommodations to any lactating student to express breast milk, breastfeed an infant child, or address other needs related to breastfeeding. A student shall not incur an academic penalty for using any of these reasonable accommodations, and shall be provided the opportunity to make up any work missed due to such use. Reasonable accommodations include, but are not limited to: (Education Code 222)

1. Access to a private and secure room, other than a restroom, to express breast milk or breastfeed an infant child
2. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk
3. Access to a power source for a breast pump or any other equipment used to express breast milk
4. Access to a place to store expressed breast milk safely
5. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child

### Complaints

Any complaint of discrimination on the basis of pregnancy or marital or parental status shall be addressed through the district's uniform complaint procedures in accordance with 5 CCR 4600-4687 and BP/AR 1312.3 - Uniform Complaint Procedures. Any complaint alleging district noncompliance with the requirements to provide reasonable accommodations for lactating students also may be filed in accordance with the district's procedures in AR 1312.3 - Uniform Complaint Procedures. A complainant who is not satisfied with the district's decision may appeal the decision to the California Department of Education (CDE). If the district or the CDE finds merit in an appeal, the district shall provide a remedy to the affected student. (Education Code 222; 5 CCR 4600- 4687)

### Pregnancy Prevention Program

The Superintendent or designee shall ensure that age-appropriate, culturally sensitive and community-sensitive instruction and services are available to assist in the prevention of pregnancy among minors. The district's program shall be based on strategies that have proven effective in delaying the onset of sexual

activity and reducing the incidence of pregnancy among school-age youth. Instruction shall be consistent with the district's family life/sex education curriculum.

Legal Reference:

EDUCATION CODE

2551.3 Determination of state aid for pregnant minors program  
 17293 School facilities for pregnant/parenting teen programs  
 222 Reasonable accommodations; lactating students  
 230 Sex discrimination  
 8200-8498 Child Care and Development Services Act  
 48205 Excused absences  
 48220 Compulsory education requirement  
 48410 Persons exempted from continuation classes  
 49553 Nutrition supplements for pregnant/lactating students  
 51220.5 Parenting skills and education  
 51745 Independent study  
 52610.5 Enrollment of pregnant and parenting students in adult education  
 54740-54749.5 California School Age Families Education Program (Cal-SAFE)

CIVIL CODE 51

Unruh Civil Rights Act

FAMILY CODE

7002 Description of emancipated minor

HEALTH AND SAFETY CODE

104460 Tobacco prevention services for pregnant and parenting students

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures

4950 Nondiscrimination, marital and parental status

CODE OF REGULATIONS, TITLE 22

101151-101239.2 General licensing requirements for child care centers

101351-101439.1 Infant care centers

UNITED STATES CODE, TITLE 20

1681-1688 Title IX, Education Act Amendments

UNITED STATES CODE, TITLE 42

1786 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 7

246.1-246.28 Special supplemental nutrition program for women, infants, and children

CODE OF FEDERAL REGULATIONS, TITLE 34

106.40 Marital or parental status

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 168 (2004)

COURT DECISIONS

American Academy of Pediatrics et al v. Lungren et al (1997) 16 Cal.4th 307

Management Resources:

CALIFORNIA WOMEN'S LAW CENTER PUBLICATIONS

Educational Rights of Pregnant and Parenting Teens: Title IX and California State Law Requirements

Pregnant Students and Confidential Medical Services

The Civil Rights of Pregnant and Parenting Teens in California Schools, 2002

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Supporting the Academic Success of Pregnant and Parenting Students under Title IX of the Education Amendments of 1972, rev. June 2013

#### WEB SITES

California Department of Education: <http://www.cde.ca.gov> California Women's Law Center:

<http://www.cwlc.org/resources>

U.S. Department of Agriculture, Women, Infants, and Children Program: <http://www.fns.usda.gov/wic>

U.S. Department of Education: <http://www.ed.gov>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: August 20, 2008 Richmond, California

revised: February 28, 2018

#### 7.13 ADMINISTRATIVE REGULATION 5145.71: TITLE IX HARASSMENT COMPLAINT PROCEDURES

## West Contra Costa USD

### Administrative Regulation

#### Title IX Sexual Harassment Complaint Procedures

AR 5145.71

#### Students

#### Sexual Harassment Under Title IX

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 (Title IX) alleging that a student was subjected to one or more of the following forms of sexual harassment: (34 CFR § 106.30)

1. A District employee conditioning the provision of a District 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 the District's education program or activity.
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 U.S.C. § 1092 or 34 U.S.C. § 12291.

"Sexual assault" means actual or intentional physical sexual acts against a person without consent that may include: rape, rape and seduction, sodomy, lewd and lascivious acts, oral copulation, sexual penetration, sexual battery, and sexual assault, as defined under Education Code section 48900(n) and Penal Code section 261, 266c, 286, 288, 288a, 289 and 243.4.

"Dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (34 U.S.C. § 12291(a)(10).)

"Domestic violence" means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws. (Ed. Code, § 48900, subd. (n).)

“Stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress. (34 U.S.C. § 12291(a)(30).)

“Without consent” or “against that person’s will” may include: force, duress, violence, fear of immediate harm, or one’s inability to consent.

The District shall respond to allegations of sexual harassment that, if true, meet the definition of sexual harassment under Title IX, when the alleged conduct occurs in the school’s education program or activity, and against a person in the United States. “Education program or activity” includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the sexual harassment occurs.

All other sexual harassment complaints or allegations, brought by or on behalf of students, shall be investigated and/or resolved in accordance with AR 1312.3 - Uniform Complaint Procedures.

The determination as to whether the allegations meet the definition of sexual harassment under Title IX shall be made by the Title IX Coordinator.

(cf. 1312.3 - Uniform Complaint Procedures)

### Reporting and Filing a Formal Complaint of Sexual Harassment Under Title IX

Upon receiving a report of sexual harassment, the Title IX Coordinator shall promptly meet with the complainant. A “complainant” under Title IX means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, or that victim’s parent(s)/guardian(s). The Title IX Coordinator shall listen to the complainant’s concerns, and inform the complainant of the process for filing a formal complaint, and their right to file or not file a formal complaint. The Title IX Coordinator shall also discuss supportive measures with the complainant, and explain that supportive measures will be available regardless of whether a formal complaint is filed. The Title IX Coordinator may, as appropriate, designate these duties to a trained administrator.

A “formal complaint” under Title IX means a document filed by a or signed by a Title IX Coordinator alleging sexual harassment against a respondent, or individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, and requesting that the District investigate the allegation. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the District’s educational program or activity.

A formal complaint, with the complainant’s physical or digital signature, may be filed with the Title IX Coordinator, using the contact information listed in AR 5145.7 - Sexual Harassment, in person, by mail, by email, or by any other method authorized by the District. (34 CFR § 106.30)

(cf. 5145.7 - Sexual Harassment)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the District’s obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator is not a party to the case, and the victim will be treated as a party and receive notices as required under Title IX at specific points in the complaint process.

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally, or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR § 106.45. (34 CFR § 106.45)

### Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant-victim to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Supportive measures shall be designed to restore or preserve equal access to the District’s educational program or activity without unreasonably burdening the other party. They shall also be designed to protect the safety of

all parties or the District’s educational environment, and to deter sexual harassment. Such supportive 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. The Title IX Coordinator shall consider the complainant’s wishes with respect to supportive measures. Supportive measures, including those detailed herein, shall also be offered to the respondent upon receipt of a formal complaint. (34 CFR § 106.30, 106.44)

### Emergency Removal from School

The District is prohibited from disciplining a student for alleged sexual harassment under Title IX until a full Title IX investigation has been completed. (34 CFR §106.44, subd. (a).) However, on an emergency basis, the District may remove a student from the District’s education program or activity, provided that the District 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. (34 CFR § 106.44)

If a District employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR § 106.44)

### Mandatory and Discretionary Dismissals of Title IX Complaints

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR § 106.30, even if proved. The Title IX Coordinator shall also dismiss any complaint wherein the alleged conduct did not occur in the District’s education program or activity or did not occur against a person in the United States, or wherein the complainant-victim was not participating or attempting to participate in the educational program at the time the complaint was filed. The Title IX Coordinator may dismiss a formal complaint if the complainant notifies the District 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 the District, or sufficient circumstances prevent the District from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR § 106.30(a), 34 CFR § 106.45)

Upon dismissal, the Title IX Coordinator shall promptly and simultaneously send written notice of the dismissal and the reasons for the dismissal to the parties (i.e., the complainant and respondent). (34 CFR § 106.45) Both parties have the right to appeal a dismissal in accordance with the appeal procedures set forth below

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR § 106.30, or on another appropriate basis, the allegations shall still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures or other District policies and procedures, as is deemed appropriate under the circumstances..

### Informal Resolution Process

When a formal complaint of sexual harassment is filed, the District may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The District shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR § 106.45)

The District may facilitate an informal resolution process provided that the District:

1. Provides 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 formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties’ voluntary, written consent to the informal resolution process.
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

(34 CFR § 106.45)

As part of an informal resolution, the parties may agree upon discipline, including suspension or expulsion, without the need for an investigation. (Unofficial Title IX Regulations, pg. 1390.)

### Formal Complaint Process

#### Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR § 106.45)

1. The District's complaint process, including any informal resolution process.
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, new Title IX allegations arise about the complainant-victim or respondent that were 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 presumed not 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.

#### Investigation Procedures

During the investigation process, the District and/or the District's designated investigator shall: (34 CFR § 106.45)

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, although the District may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both 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 obtained as part of the investigation 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 evidence, and determine credibility in a manner that is not based on a person’s status as a complainant, respondent, or witness.
8. Create an investigative 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 investigative report in an electronic format or a hard copy, for their review and written response.

After sending the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker, who shall not be the Title IX Coordinator or investigator assigned to the matter, shall 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

Questions and evidence about the complainant-victim’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant-victim or if the questions and evidence concern specific incidents of the complainant-victim’s prior sexual behavior with respect to the respondent and are offered to prove consent.

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

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

#### Written Decision

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. (34 CFR § 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint, unless extended by written agreement from both parties.

In making this determination, the decision-maker shall use the “preponderance of the evidence” standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR § 106.45)

The written decision shall include the following: (34 CFR § 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR § 106.30.
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the District includes hearings as part of the grievance process.
3. Findings of fact supporting the determination.
4. Conclusions regarding the application of the District’s code of conduct or policies to the facts.
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, all corrective actions, including any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District’s educational program or activity will be provided by the District to the complainant.
6. The District’s procedures and permissible bases for the complainant and respondent to appeal, as well as any civil law remedies that may be available under state or federal laws.

The written decision shall comply with the requirements outlined in the uniform complaint procedures for the issuance of an investigation report and appeal rights, as is necessary and required under the law.

## Appeals

Either party may appeal the District’s decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the District shall: (34 CFR § 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR § 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.
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.

An appeal must be filed in writing within 10 calendar days of receiving the notice of dismissal of a Title IX complaint or a written 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. A written decision on the appeal shall be provided to the parties within 20 calendar days from the receipt of the appeal.

In accordance with the uniform complaint procedures, a complainant may also file an appeal of the District’s written decision (referred to by the California Department of Education (“CDE”) as the “Investigation Report”) to CDE within 30 days from the date of the written decision.

The appeal must be signed by the complainant and specify and explain the basis for the appeal that includes at least one of the following: (1) the District failed to follow its complaint procedures; (2) the written decision (or Investigation Report) lack of material findings of fact necessary to reach a conclusion of law; (3) the material findings of fact are not supported by substantial evidence; (4) the District’s legal conclusions are inconsistent with the law; and/or (5) the corrective actions, listed herein, fail to provide a proper remedy. The appeal shall be accompanied by a copy of the locally filed complaint.

The appeal should be sent to:

California Department of Education  
ATTN: Office of Equal Opportunity  
1430 N Street  
Sacramento, CA 95814-5901

Either party has the right to file a complaint with the U.S. Department of Education’s Office for Civil Rights with 180 days from the date of most recently alleged misconduct.

## Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the District shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section “Supportive Measures,” but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR § 106.45)

### Corrective/Disciplinary Actions

The District shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section “Supportive Measures,” until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR § 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code § 48900.2, 48915)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

(cf. 6145 - Extracurricular and Cocurricular Activities)

When an employee is found to have committed sexual harassment or retaliation, the District shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment And Gender-Based Harassment)

### Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of the following:

For formal complaints, the District shall maintain record of each Title IX investigation of sexual harassment, including any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom. (34 CFR § 106.45)

Where a Title IX allegation was reported, regardless of whether or not a formal complaint was filed, the District shall maintain a record of any actions, including supportive measures, taken in response to a report or formal complaint, or why it is reasonable that no supportive actions were taken, why the District’s response was not deliberately indifferent, and the measures taken that were designed to restore or preserve equal access to the education program or activity.

The Superintendent or designee 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. The District shall make such training materials publicly available on its website, or if the District does not maintain a website, available upon request by members of the public. (34 CFR § 106.45)

(cf. 3580 - District Records)

## Legal Reference:

## EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex  
 48900 Grounds for suspension or expulsion  
 48900.2 Additional grounds for suspension or expulsion; sexual harassment  
 48985 Notices, report, statements and records in primary language

## CIVIL CODE

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

## GOVERNMENT CODE

12950.1 Sexual harassment training

## CODE OF REGULATIONS, TITLE 5

4600-4670 Uniform complaint procedures  
 4900-4965 Nondiscrimination in elementary and secondary education programs

## UNITED STATES CODE, TITLE 20

1092 Definition of sexual assault

1221 Application of laws

1232g Family Educational Rights and Privacy Act

1681-1688 Title IX of the Education Amendments of 1972

## UNITED STATES CODE, TITLE 34

12291 Definition of dating violence, domestic violence, and stalking

## UNITED STATES CODE, TITLE 42

1983 Civil action for deprivation of rights

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

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

## CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

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

## COURT DECISIONS

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

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

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

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

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

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

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

## Management Resources:

## CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

## U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Q&A on Campus Sexual Misconduct, September 2017

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

## WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

West Contra Costa Unified School District

Approved: November 3, 2020

Richmond, California

**7.14 BOARD POLICY 5145.9: HATE-MOTIVATED BEHAVIOR**

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to equal opportunity for all individuals in education within a safe school environment that allows all students equal access and opportunities to all of the district's programs and activities, including academic programs, educational supports, services, and enrichment activities.

The Board is committed to providing a safe educational environment and positive school climate to all students. In the West Contra Costa Unified School District, all students have the right to be educated in a positive and safe environment that is free from disruption.

The Board affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively.

The Board is committed to providing a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school, school activity, or attendance within a school under the jurisdiction of the superintendent of the school district, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's actual race, color, ancestry, national origin, immigration status, ethnic group identification, 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. Gender identity is a person's personal sense of gender (e.g., being a boy or a girl), which may or may not be the same as their biological sex at birth. For transgender persons, the sex at birth (i.e., male or female) does not match their own internal sense of their gender identity. Since gender identity is internal, it isn't necessarily visible to others. Gender expression is a person's external manifestation of their gender identity. Gender expression is visible to others - it's the way a person expresses their gender identity through clothing, behavior, posture, mannerisms, speech patterns, activities and more.

The Superintendent or designee shall collaborate with regional programs and community organizations to promote safe environments for youth. These efforts shall be focused on providing an efficient use of district and community resources.

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights, diversity, and tolerance in a multicultural society and to provide strategies to manage conflicts constructively. (Education Code 233.8)

The Superintendent or designee shall ensure that staff receive training on recognizing hate-motivated behavior and on strategies to respond appropriately to such behavior.

**Complaint Process**

Any student who feels that they are being or have been a victim of hate-motivated behavior on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on district transportation, or while otherwise in a district program or activity is encouraged to immediately contact his or her teacher or any other employee.

An employee who receives such a complaint, otherwise becomes aware of, or personally observes possible hate-motivated behavior shall immediately report it to the District Compliance Officer or the principal or vice principal of the relevant school site. Such reports will be processed in accordance with Administrative Regulation 5145.7.

The Superintendent or designee shall ensure that any complaints regarding hate-motivated behavior are immediately investigated in accordance with Administrative Regulation 5145.7.

When the Superintendent or designee has determined that hate-motivated behavior has occurred, he/she shall take prompt, appropriate action to end the hate-motivated behavior, prevent its recurrence and address its effects on the victim.

A student who has been found to have demonstrated hate-motivated behavior shall receive interventions and/or be subject to discipline in accordance with law, Board policy, and administrative regulation.

In addition, the district shall provide counseling and appropriate anti-bias training and diversity education for students about the impact of exhibiting hate-motivated behavior.

The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior and to students who exhibit such behavior. (Education Code 233.8)

**Legal Reference:**

**EDUCATION CODE**

200-262.4 Prohibition of discrimination

32282 School safety plans

48900.3 Suspension for hate violence

48900.4 Suspension or expulsion for threats or harassment

**PENAL CODE**

422.55 Definition of hate crime

422.6 Crimes, harassment

**CODE OF REGULATIONS, TITLE 5**

4600-4687 Uniform Complaint Procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

**Management Resources:**

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

California Student Safety and Violence Prevention - Laws and Regulations, April 2004

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS GENERAL PUBLICATIONS

Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999

U.S. DEPARTMENT OF JUSTICE PUBLICATIONS

Preventing Youth Hate Crimes: A Guide for Schools and Communities, 1997

**WEB SITES**

CSBA: <http://www.csba.org>

California Association of Human Relations Organizations: <http://www.cahro.org>

California Department of Education: <http://www.cde.ca.gov>

National Youth Violence Prevention Resource Center: <http://www.safeyouth.org>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Department of Justice, Community Relations Service: <http://www.usdoj.gov/crs>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: July 29, 2009 Richmond, California

revised: March 26, 2014

revised: April 23, 2014

revised: October 17, 2018

## **7.15 BOARD POLICY BP 5145.13: IMMIGRATION ENFORCEMENT**

The West Contra Costa Unified School District Board of Education, hereinafter referred to as the Board, is committed to the success of all students and believes that every school site should be a safe and welcoming place for all students and their families irrespective of their citizenship or immigration status.

The Board prohibits District staff from soliciting or collecting information or documents regarding the citizenship or immigration status of students or their family members or provide assistance with immigration enforcement at district schools, except as may be required by state and federal law. (Education Code 234.7)

No student shall be denied equal rights and opportunities nor be subjected to unlawful discrimination, harassment, intimidation, or bullying in the district's programs and activities on the basis of his/her immigration status. (Education Code 200, 220, 234.1)

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

Consistent with requirements of the California Office of the Attorney General, the Superintendent or designee shall develop procedures for addressing any requests by a law enforcement officer for access to district records, school sites, or students for the purpose of immigration enforcement.

Teachers, school administrators, and other school staff shall receive training regarding immigration issues, including information on responding to a request from an immigration officer to visit a school site or to have access to a student.

The Superintendent or designee shall report to the Board in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws. Such notification shall be provided in a manner that ensures the confidentiality and privacy of any potentially identifying information. (Education Code 234.7)

The Board provides the following guidelines to the Superintendent or designee related to the issue of immigration enforcement.

### **1. VISITORS/OUTSIDERS**

- a. The district shall adopt measures for responding to outsiders that avoids classroom interruptions, and preserves the peaceful conduct of the school's activities, consistent with local circumstances and practices.
- b. The district shall post signs at the entrance of its school grounds to notify outsiders of the hours and requirements for registration.
- c. District personnel shall report entry by immigration-enforcement officers to any on-site school police or other appropriate administrator as would be required for any unexpected or unscheduled outside visitor coming on campus.
- d. No visitor/outsider—including immigration-enforcement officers—shall enter or remain on school grounds of the district during school hours without having registered with the principal or designee.
- e. If there are no exigent circumstances necessitating immediate action, and if the immigration officer does not possess a judicial warrant or court order that provides a basis for the visit, the officer must provide the information to the principal or designee:
  - Name, address, occupation;
  - Age, if less than 21;
  - Purpose of entering school grounds;
  - Proof of identity; and
  - Any other information as required by law.

### **2. STUDENT AND FAMILY PRIVACY RIGHTS**

- a. The Superintendent or designee shall maintain in writing district policies and procedures for gathering and handling sensitive student information, and appropriate personnel shall receive training regarding those policies and procedures.
- b. The district shall not allow school resources or data to be used to create a registry based on race, gender, sexual orientation, religion, ethnicity, or national origin.
- c. The district shall avoid the disclosure of information that might indicate a student’s or family’s citizenship or immigration status if the disclosure is not authorized by Family Educational Rights and Privacy Act (FERPA).
- d. Inquiries Regarding Immigration Status, Citizenship Status, and National Origin Information:
  1. District personnel shall not inquire specifically about a student’s citizenship or immigration status or the citizenship or immigration status of a student’s parents or guardians; nor shall personnel seek or require, to the exclusion of other permissible documentation or information, documentation or information that may indicate a student’s immigration status, such as a green card, voter registration, a passport, or citizenship papers.
  2. Where any law contemplates submission of national origin related information to satisfy the requirements of a special program, district personnel shall solicit that documentation or information separately from the school enrollment process.
  3. Where permitted by law, the Superintendent or designee of the district shall enumerate alternative means to establish residency, age, or other eligibility criteria for enrollment or programs, and those alternative means shall include among them documentation or information that are available to persons regardless of immigration status, citizenship status, or national origin, and that do not reveal information related to citizenship or immigration status.
  4. Where residency, age, and other eligibility criteria for purposes of enrollment or any program may be established by alternative documents or information permitted by law or this policy, the district’s procedures and forms shall describe to the applicant, and accommodate, all alternatives specified in law and all alternatives authorized under this policy.
  5. District personnel shall take the following action steps upon receiving an information request related to a student’s or family’s immigration or citizenship status:
    - Notify a designated district official about the information request.
    - Provide students and families with appropriate notice and a description of the immigration officer’s request.
    - Document any verbal or written request for information by immigration authorities.
    - Unless prohibited, provide students and parents/guardians with any documents issued by the immigration-enforcement officer.
- e. Inquiries about Social Security Numbers or Cards
  1. The district shall not solicit or collect entire Social Security numbers or cards. The district shall solicit and collect the last four digits of an adult household member’s Social Security number only if required to establish eligibility for federal benefit programs. When collecting the last four digits of an adult household member’s Social Security number to establish eligibility for a federal benefit program, the district shall explain the limited purpose for which this information is collected, and clarify that a failure to provide this information will not bar the student from enrolling in or attending the school.
  2. The district shall treat all students equitably in the receipt of all school services, including, but, not limited to, the gathering of student and family information for the free and reduced lunch program, transportation and educational instruction.

### 3. ADMISSION

- a. If the district possesses information that could indicate immigration status, citizenship status, or national origin information, the district shall not use the acquired information to discriminate against any students or families or bar children from enrolling in or attending school.
- b. If parents or guardians choose not to provide information that could indicate their or their children’s immigration status, citizenship status, or national origin information, the district shall not use such actions as a basis to discriminate against any students or families or bar children from enrolling or attending school.

### 4. STUDENT RECORDS

- a. The district shall require written parental or guardian consent for release of student information, unless the information may be released without parental consent or includes directory information only. No exception permits disclosing information to immigration authorities for immigration-enforcement purposes; no student information shall be disclosed to immigration authorities for immigration-enforcement purposes without a court order or judicial subpoena.
- b. The district’s request for written parental or guardian consent for release of student information must include the following information: (1) the signature and date of the parent, guardian, or eligible student providing consent; (2) a description of the records to be disclosed; (3) the reason for release of information; (4) the parties or class of parties receiving the information; and (5) if requested by the parents, guardians or eligible student, a copy of the records to be released. The district shall permanently keep the consent notice with the record file.
- c. The parent, guardian, or eligible student is not required to sign the consent form. If the parent, guardian or eligible student refuses to provide written consent for the release of student information otherwise subject to release, the district shall not release the information.
- d. Except for investigations of child abuse, child neglect, or child dependency, or when the subpoena served on the local educational agency prohibits disclosure, the district shall provide parental or guardian notification of any court orders, warrants, or subpoenas before responding to such requests.

## 5. BULLYING

- a. The district shall adopt and publicize policies that prohibit discrimination, harassment, intimidation, and bullying on the basis of a student’s actual or perceived nationality, ethnicity, or immigration status. Those policies must be translated in the student’s primary language if at least 15 percent of the students enrolled in the school speak a single primary language other than English.
- b. The district shall notify parents and guardians of their children’s right to a free public education, regardless of immigration status or religious beliefs. This information shall include information related to the “Know Your Rights” immigration enforcement established by the Attorney General.
- c. The district shall inform students who are victims of hate crimes of their right to report such crimes.
- d. The district shall educate students about the negative impact of bullying other students based on their actual or perceived immigration status or their religious beliefs or customs.
- e. The district shall also train teachers, staff, and personnel to ensure that they are aware of their legal duty to take reasonable steps to eliminate a hostile environment and respond to any incidents of harassment based on the actual or perceived characteristics noted above. Such training should, at minimum, provide agency personnel with the skills to do the following:
  1. Discuss the varying immigration experiences among members of the student body and school community;
  2. Discuss bullying-prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims;
  3. Identify the signs of bullying or harassing behavior;
  4. Take immediate corrective action when bullying is observed; and
  5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior.

### Complaints and Investigation Reporting and Filing of Complaints

The district shall adopt a process for receiving complaints of and investigating complaints of discrimination, harassment, intimidation, and bullying based on any of the following actual or perceived characteristics:

- disability
- gender
- gender identity
- gender expression
- nationality
- race or ethnicity
- religion
- sexual orientation
- association with a person or group with one or more of the aforementioned characteristics • immigration status

The complaint process must include, but is not limited to, the following steps:

1. A requirement that, if school personnel witness an act of discrimination, harassment, intimidation, or bullying, they shall take immediate steps to intervene when safe to do so;

2. A timeline to investigate and resolve complaints of discrimination, harassment, intimidation, or bullying that shall be followed by all schools under the jurisdiction of the local educational agency; and
3. An appeal process afforded to the complainant should he or she disagree with the resolution of a complaint.
4. The district shall ensure that complaint procedures contain confidentiality safeguards for immigration status information.
5. The district shall prohibit retaliation against a person who submits a complaint of discrimination, harassment, intimidation, or bullying.

## **6. RESPONDING TO THE DETENTION OR DEPORTATION OF A STUDENT’S**

### **FAMILY MEMBER**

- a. The district shall encourage that families and students have and know their emergency phone numbers and know where to find important documentation, including birth certificates, passports, Social Security cards, doctors’ contact information, medication lists, lists of allergies, etc., which will allow them to be prepared in the event that a family member is detained or deported.
- b. The district shall permit students and families to update students’ emergency contact information as needed throughout the school year, and provide alternative contacts if no parent or guardian is available. The district shall ensure that families may include the information of an identified trusted adult guardian as a secondary emergency contact in case a student’s parent or guardian is detained. The district shall communicate to families that information provided within the emergency cards will only be used in response to specified emergency situations, and not for any other purpose.
- c. In the event a student’s parent/guardian has been detained or deported by federal immigration authorities, the district shall use the student’s emergency card contact information and release the student to the person(s) designated as emergency contacts. Alternatively, the district shall release the student into the custody of any individual who presents a Caregiver’s Authorization Affidavit on behalf of the student. The district shall only contact Child Protective Services if the district personnel are unsuccessful in arranging for the timely care of the child through the emergency contact information that the school has, a Caregiver’s Authorization Affidavit, or other information or instructions conveyed by the parent or guardian.

## **7. PARENTAL NOTIFICATIONS**

- a. The district must provide an annual notice to parents and guardians of the school’s general information policies that includes:
  1. Assurances that the district will not release information to third parties for immigration enforcement purposes, except as required by law or court order.
  2. A description of the types of student records maintained by the district.
  3. A list of the circumstances or conditions under which the district might release student information to outside people or entities.
  4. A statement that, unless the district is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, the district shall notify parents or guardians and eligible students—and receive their written consent—before it releases a student’s personally identifiable information.
- b. If the district decides to release directory information, the district shall provide an annual notice to parents and guardians, and “eligible students” in attendance, of the district’s directory information policy that includes:
  1. The categories of information that the district has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code section 49061, subdivision (c).
  2. A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where the district receives consent as required under state law). iii. The recipients of the directory information.
  3. A description of the parent’s or guardian’s abilities to refuse release of the student’s directory information, and how to refuse release.
  4. The deadline in which the parent, guardian or student must notify the school in writing that he or she does not want the information designated as directory information.

## **8. QUESTIONING AND APPREHENSION BY LAW ENFORCEMENT**

Responding to On-Campus Immigration Enforcement

1. As early as possible, district personnel shall notify the Superintendent or designee of any request by an immigration-enforcement officer for school or student access, or any requests for review of school documents (including for the services of lawful subpoenas, petitions, complaints, warrants, etc.).
2. In addition to notifying the Superintendent or designee, district personnel shall take the following action steps in response to an officer present on the school campus specifically for immigration-enforcement purposes:
  - a. Advise the officer that before proceeding with his or her request, and absent exigent circumstances, school personnel must first receive notification and direction from the Superintendent or designee.
  - b. Ask to see, and make a copy of or note, the officer's credentials (name and badge number). Also ask for and copy or note the phone number of the officer's supervisor.
  - c. Ask the officer for his/her reason for being on school grounds and document it.
  - d. Ask the officer to produce any documentation that authorizes school access.
  - e. Make a copy of all documents provided by the officer. Retain one copy of the documents for school records.
  - f. If the officer declares that exigent circumstances exist and demands immediate access to the campus, district personnel should comply with the officer's orders and immediately contact the Superintendent or designee.
  - g. If the officer does not declare that exigent circumstances exist, respond according to the requirements of the officer's documentation. If the immigration-enforcement officer has:
    - I. An ICE (Immigrations and Customs Enforcement) administrative warrant, district personnel shall inform the agent that he or she cannot consent to any request without first consulting with the district's counsel or other designated agency official.
    - II. A federal judicial warrant (search-and-seizure warrant or arrest warrant), prompt compliance with such a warrant is usually legally required. If feasible, consult with the district's legal counsel or designated administrator before providing the agent access to the person or materials specified in the warrant.
    - III. A subpoena for production of documents or other evidence, immediate compliance is not required. Therefore, district personnel shall inform the district's legal counsel or other designated official of the subpoena, and await further instructions on how to proceed.
3. While district personnel should not consent to access by an immigration-enforcement officer, except as described above, he/she should not attempt to physically impede the officer, even if the officer appears to be exceeding the authorization given under a warrant or other document. If an officer enters the premises without consent, district personnel shall document his or her actions while on campus.
  - a. After the encounter with the officer, district personnel shall promptly take written notes of all interactions with the officer. The notes shall include the following items:
    - I. List or copy of the officer's credentials and contact information;
    - II. Identity of all school personnel who communicated with the officer;
    - III. Details of the officer's request;
    - IV. Whether the officer presented a warrant or subpoena to accompany his/her request, what was requested in the warrant/subpoena, and whether the warrant/subpoena was signed by a judge;
    - V. District personnel's response to the officer's request;
    - VI. Any further action taken by the agent; and
    - VII. Photo or copy of any documents presented by the agent.

District personnel shall provide a copy of those notes, and associated documents collected from the officer, to the [local educational agency's legal counsel or other designated agency official].

In turn, the district's legal counsel or other designated official shall submit a timely report to the District's governing board regarding the officer's requests and actions and the district's response(s). E-mail the Bureau of Children's Justice in the California Department of Justice, at [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), regarding any attempt by a law-enforcement officer to access a school site or a student for immigration-enforcement purposes.

## 9. PARENTAL NOTIFICATION OF IMMIGRATION-ENFORCEMENT ACTIONS

- a. District personnel must receive consent from the student's parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge, or presents a valid, effective court order.
- b. District personnel shall immediately notify the student's parents or guardians if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

**Legal Reference:****EDUCATION CODE**

200 Educational equity  
 220 Prohibition of discrimination  
 234.1 Safe Place to Learn Act  
 234.7 Student protections relating to immigration and citizenship status  
 48204.4 Evidence of residency for school enrollment  
 48980 Parental notifications  
 48985 Notices to parents in language other than English

**GOVERNMENT CODE**

8310.3 California Religious Freedom Act

**PENAL CODE**

422.55 Definition of hate crime  
 627.1-627.6 Access to school premises, outsiders UNITED STATES CODE, TITLE 20  
 1232g Family Educational Rights and Privacy Act

**COURT DECISIONS**

Plyler v. Doe, 457 U.S. 202 (1982)

**Management Resources:****CSBA PUBLICATIONS**

Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017

**CALIFORNIA OFFICE OF THE ATTORNEY GENERAL PUBLICATIONS**

Promoting a Safe and Secure Learning Environment for All: Guidance and Model Policies to Assist California's K-12 Schools in Responding to Immigration Issues, April 2018

**WEB SITES**

CSBA: <http://www.csba.org>

California Office of the Attorney General: <http://oag.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov> California Department of Justice:

<http://www.justice.gov> U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Immigration and Customs Enforcement: <http://www.ice.gov>

U.S. Immigration and Customs Enforcement, Online Detainee Locator System:

<http://locator.ice.gov/odls>

Policy

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT adopted: November 14, 2018

**7.16 BOARD POLICY 6163.4: STUDENT USE OF TECHNOLOGY**

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

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, as well as consequences for unauthorized use and/or unlawful activities.

**On-Line Services/Internet Access**

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyber bullying, and how to respond when subjected to cyberbullying.

The Board desires to protect students from access to inappropriate matters on the Internet or other on-line services.

The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students and

student information when using electronic mail, chat rooms, and other forms of direct electronic communication.

Staff shall supervise students while they are using on-line services and may ask teacher aides and student aides to assist in this supervision.

Before using the district's on-line resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or users' mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

In order to help ensure that the district adapts to changing technologies and circumstances, the Superintendent or designee shall regularly review this policy, the accompanying administrative regulation, and other relevant procedures. He/she shall also monitor the district's filtering software to help ensure its effectiveness.

**Legal Reference:**

**EDUCATION CODE**

[51006](#) Computer education and resources

[51007](#) Programs to strengthen technological skills

[51870-51874](#) Education technology

[60044](#) Prohibited instructional materials

**PENAL CODE**

[313](#) Harmful matter

[502](#) Computer crimes, remedies

[632](#) Eavesdropping on or recording confidential communications

[653.2](#) Electronic communication devices, threats to safety

**UNITED STATES CODE, TITLE 15**

6501-6506 Children's Online Privacy Protection Act

**UNITED STATES CODE, TITLE 20**

[6751-6777](#) Enhancing Education Through Technology Act, Title II, Part D, especially:

[6777](#) Internet safety

**UNITED STATES CODE, TITLE 47**

254 Universal service discounts (E-rate)

**CODE OF FEDERAL REGULATIONS, TITLE 16**

[312.1-312.12](#) Children's Online Privacy Protection Act

**CODE OF FEDERAL REGULATIONS, TITLE 47**

[54.520](#) Internet safety policy and technology protection measures, E-rate discounts

**Management Resources:**

**CSBA PUBLICATIONS**

Cyber bullying: Policy Considerations for Boards, Policy Brief, July 2007

**FEDERAL TRADE COMMISSION PUBLICATIONS**

How to Protect Kids' Privacy Online: A Guide for Teachers, December 2000

**MY SPACE.COM PUBLICATIONS**

The Official School Administrator's Guide to Understanding MySpace and Resolving Social Networking Issues

**WEB SITES**

CSBA: <http://www.csba.org>

American Library Association: <http://www.ala.org>

California Coalition for Children's Internet Safety: <http://www.cybersafety.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

Center for Safe and Responsible Internet Use: <http://csriu.org>

Federal Communications Commission: <http://www.fcc.gov>

Federal Trade Commission, Children's Online Privacy Protection: <http://www.ftc.gov/privacy/privacyinitiatives/childrens.html>

U.S. Department of Education: <http://www.ed.gov>

Web Wise Kids: <http://www.webwisekids.org>

Policy WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

adopted: June 6, 2007 Richmond, California

revised: May 23, 2012

## 7.17 NOTICE OF STUDENT RIGHTS UNDER TITLE IX

### **Notice of Student Rights under Title IX**

(34 C.F.R. § 106.8, subd. (b); Cal. Ed. Code § 221.61.)

Federal Title IX of the Education Amendments of 1972 ("Title IX"), implemented at 34 C.F.R. § 106.31, subd. (a), provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives federal financial assistance.

Relevant here, Title IX requires that school districts take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to one of the West Contra Costa Unified School District ("District") Title IX Coordinators, listed below, and/or the Assistant Secretary for Civil Rights from the United States Department of Education.

Title IX Coordinator

Rhonda Haney Director, Office of Educational Equity/Title IX Coordinator

1108 Bissell Avenue, Richmond, CA 94801

E-mail: [rhoney@wccusd.net](mailto:rhoney@wccusd.net)

Telephone: (510) 307-4538

#### Sexual Harassment Under Title IX

Sexual harassment under Title IX means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the school district conditioning the provision of an aid, benefit or service of the school district on an individual's participating in unwelcome sexual conduct (quid pro quo);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Alleged conduct that does not rise to the level of the sexual harassment under Title IX will be addressed in accordance with other District policies that prohibit sexual harassment and/or sex-based discrimination, or other forms of inappropriate conduct, as is deemed appropriate.

#### **Filing a Title IX Complaint with the District**

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is also

the alleged victim), in person, by mail, by telephone or by e-mail, using the contact information listed for the District’s Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such reports may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

Student complaints alleging a Title IX violation should be submitted in written form no later than six months from the date of the alleged incident, or six months from the date the complainant first obtained knowledge of the facts of the alleged incident. If the complainant is unable to prepare the complaint in writing, administrative staff shall help the complainant to do so. The time for filing may be extended up to 90 days by the Superintendent or the Superintendent’s designee, for good cause, upon written request by the complainant setting forth the reasons for the request for an extension of time to file a written complaint. To qualify as a Title IX complaint, the complainant/victim must also be participating in or attempting to participate in the recipient’s education program or activity. The length of time elapsed between an incident of alleged sexual harassment, and the filing of a formal complaint, may, in specific circumstances, prevent a recipient from collecting enough evidence to reach a determination, justifying a discretionary dismissal under Title IX.

The District will process all formal complaints in accordance with Title IX and District Board Policy (“BP”) and Administrative Regulation (“AR”), BP/AR 5145.7 – Sexual Harassment, and other applicable policies. In certain matters, the involved parties may be offered the option to have their complaint informally resolved. Under Title IX, a formal complaint means a document filed by a victim, or signed by the Title IX Coordinator, that alleges sexual harassment against a respondent and requests that the school district investigate the allegation of sexual harassment. Complaints that do not rise to the level of a Title IX complaint will be processed in accordance with BP/AR 1312.3 – Uniform Complaint Procedures, or in a manner that is otherwise deemed appropriate.

All investigations will be conducted as confidentially as possible. Upon receipt of any formal complaint, the District will provide all known parties with adequate notice of the District’s complaint process and the underlying allegations. During the course of the investigation, the District will provide the complainant and respondent (or “the parties”) with an equal opportunity present witnesses and evidence. The District will not restrict the ability of the parties to discuss the allegations under investigation, and it will allow parties to utilize an advisor of their choice. Prior to the conclusion of the investigation, the complainant and respondent will have the opportunity to inspect and respond to evidence directly related to the allegations in the complaint that was gathered during the course of the investigation. Thereafter, and prior to any final decision being made, the parties will receive a copy of the investigation report that fairly summarizes relevant evidence, and they will have an opportunity to submit written, relevant questions to be asked of the other party. Next, a determination regarding responsibility will be made and issued to both parties. Under Title IX and District policy, the responding party is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the complaint process. Any party not satisfied with the final determination will have the option to appeal the final determination.

Additionally, any complainant who is dissatisfied with the District’s determination may file an appeal in writing with the California Department of Education within 30 calendar days of receiving the District’s final written decision. Complaints made by or on behalf of students may also be filed with the U.S. Department of Education, Office of Civil Rights within 180 calendar days of the date of the alleged discrimination, unless the time for filing is extended by the Office of Civil Rights for good cause shown under certain circumstances.

### **Student Rights Pursuant to Education Code Section 221.8**

In addition to federal law, the California Education code similarly prohibits schools from discriminating against its students on the basis of sex. Education Code section 221.8 provides as follows:

The following list of rights, which are based on the relevant provisions of the federal regulations implementing Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), may be used by the department for purposes of Section 221.6:

- (a) You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
- (b) You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- (c) You have the right to inquire of the athletic director of your school as to the athletic opportunities offered by the school.
- (d) You have the right to apply for athletic scholarships.
- (e) You have the right to receive equitable treatment and benefits in the provision of all the following:
  - 1. Equipment and supplies.
  - 2. Scheduling of games and practices.
  - 3. Transportation and daily allowances.
  - 4. Access to tutoring.
  - 5. Coaching.
  - 6. Locker rooms.
  - 7. Practice and competitive facilities.
  - 8. Medical and training facilities and services.
  - 9. Publicity.
- (f) You have the right to have access to a gender equity coordinator to answer questions regarding gender equity laws.
- (g) You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on gender equity laws.
- (h) You have the right to file a confidential discrimination complaint with the United States Office for Civil Rights or the state Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- (i) You have the right to pursue civil remedies if you have been discriminated against. (j) You have the right to be protected against retaliation if you file a discrimination complaint.

### **Additional Resources**

- United States Department of Education Office for Civil Rights:  
<https://www2.ed.gov/about/offices/list/ocr/index.html>
- United States Department of Education Office for Civil Rights Complaint:  
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>
- United States Department of Education Office for Civil Rights Contact Information: 1-800-421- 3481 or ocr@ed.gov
- California Department of Education Office of Equal Opportunity:  
<https://www.cde.ca.gov/re/di/or/oeo.asp>
- Link to the District’s Office of Educational Equity: <https://www.wccusd.net/Page/13203> • Link to Access Board Policy and Administrative Regulation 1312.3 – Uniform Complaint Procedures, Board Policy and Administrative Regulation 5145.3 – Nondiscrimination/Harassment, Board Policy and Administrative Regulation 5145.7 – Sexual Harassment, and other District policies: <https://www.wccusd.net/Page/8195>

## Training Materials

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process are available upon request, and may be found on the District’s website at [https://www.wccusd.net/cms/lib/CA01001466/Centricity/Domain/1146/Implementing the New Title IX Regulations Training.pdf](https://www.wccusd.net/cms/lib/CA01001466/Centricity/Domain/1146/Implementing%20the%20New%20Title%20IX%20Regulations%20Training.pdf).

### **7.18 CHILDREN IN HOMELESS/FOSTER CARE SITUATIONS, FORMER JUVENILE COURT SCHOOL STUDENTS, MIGRANT STUDENTS, AND NEWCOMERS**

Each local district shall designate a staff person as a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (Ed. Code, § 48852.5, 42 U.S.C. § 11432(g)(1)(J)(ii))

A district serving a homeless child must allow the child to continue his/her education in the school of origin through the duration of homelessness at the point of any change or any subsequent change in residence once a child becomes a homeless child. If the child’s status changes before the end of the academic year so that he/she is not homeless, the district must allow a child in high school to continue his/her education in the school of origin through graduation. For a child in grades K through 8, the district must allow the formerly homeless child to continue his/her education in the school of origin until the end of the academic school year. A homeless child transitioning between school grade levels must be allowed to continue in the school district of origin in the same attendance area. If a homeless child is transitioning to a middle or high school where the school designated for matriculation is in another school district, the homeless child must be allowed to continue to the school designated for matriculation in that school district. The new school is required to enroll the child immediately regardless of any outstanding fees, fines, textbooks or other items or money due to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including medical records, proof of immunization history, and proof of residency. (Ed. Code, § 48852.7)

Each local district shall also designate a staff person as the educational liaison for foster children. The educational liaison shall disseminate a standardized notice to foster children that has been developed by the State Department of Education and includes complaint process information. (Ed. Code, § 48853.5)

The district serving the foster child shall allow the foster child to continue his/her education in the school of origin under specified circumstances. If it is determined that it is in the best interests of the foster child to transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including immunization history. The last school attended must provide all records to the new school within two business days of receiving the request. (Ed. Code, §§ 48853, 48853.5)

The district receiving a transfer request or notification of a student in homeless/foster care shall, within two business days, transfer the student out of school and deliver the educational information and records to the next educational placement. Grades and credits will be calculated as of the day the student left school and no lowering of grades will occur as a result of the student’s absence due to the decision to change placement or for a verified court appearance or related court activity. (Ed. Code, § 49069.5)

The district shall exempt from local graduation requirements a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or a pupil participating in a newcomer program for recently arrived immigrant pupils and who transfers between schools under certain circumstances. (Ed. Code, §§ 51225.1, 51225.2)

A district shall accept coursework done by a student who is in foster care, a homeless child or youth, a child of a military family, a former juvenile court school student, a migratory child, or a pupil in a newcomer program while attending another school. The district is prohibited from requiring those students to retake courses or partial courses they have satisfactorily completed elsewhere. (Ed. Code, § 51225.2)

A complaint of noncompliance alleging violations of these sections, except for Education Code section 48852.7, may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

### 7.19 COMPLAINTS (SPECIAL EDUCATION)

Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Parents may submit a description of the manner in which the parent believes special education programs for handicapped do not comply with state or federal law or regulations to:

Kristen Hardy, SELPA Director  
2465 Dolan Way  
San Pablo CA 94806

### 7.20 CONTINUED EDUCATION OPTIONS FOR JUVENILE COURT SCHOOL STUDENTS

A Juvenile court school student, or the person holding the right to make educational decisions for the student, may voluntarily defer or decline issuance of their diploma until after the student is released from the juvenile detention facility, thereby allowing the student to take additional coursework at a local education agency. The county office of education will notify the student, the person holding to right to make educational decisions for the student, and the student's social worker or probation officer of all of the following:

- a) The student's right to a diploma;
- b) How taking coursework and meeting other educational requirements will affect the student's ability to gain admission to a post-secondary educational institution;
- c) Information about transfer opportunities available through the California Community Colleges; and
- d) The option to defer or decline the diploma and take additional coursework. (Ed. Code, §§ 48645.3(a), 48645.7)

### 7.21 FLYER DISTRIBUTION

The West Contra Costa Unified School District expects the primary focus of each school to be at all times the academic program of that school. Accordingly, it expects time at school to be devoted to teaching and learning and intends to protect this time from unnecessary disruptions. At the same time, the school district recognizes that because of its obligation to serve the community and the school district's respect for the valuable work that external organizations contribute toward preparing young people to be successful and satisfied citizens, the district should assist those agencies in making students and parents aware of additional opportunities for growth and development. The following is an overview of the procedures for distributing/posting flyers within our district establishments.

The District will approve electronic flyers from Community Groups and Outside Organizations that meet the following requirements:

- They publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians offered by community-based, non-profit organizations.
- Information shared is reasonably related to the District's educational mission and offers learning or enrichment opportunities for children, families and/or staff.
- Bear the name and contact information of the sponsoring entity.
- Include the following disclaimer stating that the distribution, posting, or publishing of the materials does not imply district endorsement of the group's activities, products, or services. "This event/activity/program (choose one) is not sponsored by WCCUSD. Approval to distribute flyers is a community service rather than an endorsement."

Prior to the distribution, the District will review the materials and may impose content-based restrictions in order to minimize chances of abuse, the appearance of favoritism and the risk of imposing upon a captive audience.

The District will not accept for distribution, or allow on school property, any materials or advertisements that:

- Are lewd, obscene, libelous, or slanderous
- Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools
- Promote any particular political interest, candidate, party, or ballot measure, unless the candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act
- Contain prayer or proselytizing language (flyers informing families of student clubs held in school facilities during non-school hours are allowed).
- Position the district on any side of a controversial issue
- Discriminate against, attack, or denigrate any group on account of any unlawful consideration

- Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including, but not limited to, materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children
- Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code 49430-49434.
- Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy
- Distribute unsolicited merchandise for which an ensuing payment is requested
- Require the use of District/school resources beyond the use of Peachjar platform to assist in the printing, posting, or promotion of non-school material.

The District may also consider the educational value of the materials or advertisements, the age or maturity of the students in the intended audience, and whether the materials or advertisements support the basic educational mission of the district, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

Each school site Principal or designee shall decide whether it wishes to distribute/post to its students **district approved** flyers submitted by external organizations. If a school elects to distribute/post flyers from external organizations, the external organization must abide by the rules, procedures and schedules established by the site administration in accordance with the rules set forth in the Rules for Distribution/Posting of Flyers at WCCUSD Schools. If a school elects not to distribute/post flyers from external organizations, it must be consistent and fair in its consideration.

## 7.22 INSPECTION OF STUDENT RECORDS

State law requires that the District notify you of the following rights pertaining to student records. [Ed. Code § 49063]

- a. A parent or guardian has the right to inspect and review student records relating directly to their child during school hours or obtain a copy of such records within five (5) business days of his/her request.
- b. Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child's school. The principal of each school is ultimately responsible for maintenance of student records.
- c. A parent with legal custody has a right to challenge information contained in his/her child's records. Any determination to expunge a student's record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student's record. The right to challenge becomes the sole right of the student when the student becomes eighteen (18) years of age.

A parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

1. Inaccurate
2. An unsubstantiated personal conclusion or inference
3. A conclusion or inference outside of the observer's area of competence
4. Not based on the personal observation of a named person with the time and place of the observation noted.
5. Misleading
6. In violation of the privacy or other rights of the pupil.

Within thirty (30) days, the Superintendent shall meet with the parent/guardian and the certificated employee, who recorded the information, if any, and if the person is still employed with the District, to sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within thirty (30) days. The Board shall determine whether to sustain or deny the allegations. If the Board sustains the allegation, it shall order the Superintendent immediately to correct, remove or destroy the information from the written records of the student.

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student's school record until the time that the information objected to is removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision-making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.

- d. A Student Records Log is maintained for each student. The Student Record Log lists persons, agencies or organizations regarding, and/or receiving information from, the records to the extent required by law. Student Record Logs are located at each school and are open to inspection by parents or guardians.
- e. School officers or employees having a legitimate educational interest may access student records without first obtaining parental consent. “School officers and employees” are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel) a Board member, a person or company with whom the District has contracted to perform a special service (auditor, medical consultant, special education service provider or therapist) or a parent or student serving as an official in performing his or her tasks. A “legitimate educational interest” is one held by a school officer or employee whose duties and responsibilities create a reasonable need for access.
- f. Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records.
- g. Parents and guardians will be charged ten cents (\$.10) per page for the reproduction of student records.
- h. Parents have the right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records.
- i. Parents may obtain a copy of the District’s complete student records policy by contacting the Director of Student Services.

### **7.23 LOCAL CONTROL ACCOUNTABILITY PLAN**

California's Local Control Funding Formula (LCFF) provides base and supplemental / concentration (S&C) funding to school districts. S&C funds are targeted to improve student outcomes for all students - especially for English learners, foster youth, and low income students. The Local Control Accountability Plan (LCAP) shows how these funds will improve student outcomes and performance for all students - especially English learners, low-income students, and foster youth.

The LCAP process relies heavily on input from stakeholders: parents, students, teachers, staff, and community members. Learn how to become involved at [www.wccusd.net/lcap](http://www.wccusd.net/lcap).

### **7.24 LOST OR DAMAGED PERSONAL PROPERTY**

Parents are advised that the district is not responsible for any personal property of a student that is lost or stolen. Additionally, the district is not responsible for vandalism to automobiles or bicycles that are stolen or vandalized while parked on school property.

### **7.25 PUPIL-FREE STAFF DEVELOPMENT DAY AND MINIMUM DAY SCHEDULE**

A copy of the District’s pupil-free staff development day and minimum day schedules is attached for reference. A pupil’s parent or guardian will be notified during the school year of any additional minimum days and pupil-free staff development days no later than one month before the actual date. (Ed. Code, §48980(c))

### **7.26 NOTIFICATION OF RIGHTS UNDER FERPA**

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

1. The right to inspect and review the student’s education records within 45 days of the day the School receives a request for access.

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

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

Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write to the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise the parent or eligible student of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

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

Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll.

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

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

The general rule under FERPA is that personally identifiable information (PII) from education records cannot be disclosed without written consent. However, FERPA includes several exceptions that permit the disclosure of PII from education records without consent. Two of these exceptions are discussed in this document: the studies exception and the audit or evaluation exception. The two exceptions contain specific, and slightly different, requirements, described more fully in the implementing regulations (34 CFR Part 99).

### ***What is the purpose of this document?***

The audience for this document includes schools, school districts (also referred to as local educational agencies (LEAs)), postsecondary institutions, and State educational authorities (such as State educational agencies (SEAs)) that may disclose PII from education records. Our intent is to provide these entities with information about requirements and best practices for data disclosures under the studies exception and the audit or evaluation exception.

### ***What is the Studies Exception? (see 20 U.S.C. §1232g(b)(1)(F) and §99.31(a)(6))***

The studies exception allows for the disclosure of PII from education records without consent to organizations conducting studies for, or on behalf of, schools, school districts, or postsecondary institutions. Studies can be for the purpose of developing, validating, or administering predictive tests; administering student aid programs; or improving instruction.

**Example:** An SEA may disclose PII from education records without consent to an organization for the purpose of conducting a study that compares program outcomes across school districts to further assess what programs provide the best instruction and then duplicate those results in other districts.

What is the Audit or Evaluation Exception? (see 20 U.S.C. 1232g(b)(1)(C), (b)(3), and (b)(5) and §§99.31(a)(3) and 99.35)  
The audit or evaluation exception allows for the disclosure of PII from education records without consent to authorized

representatives of the Comptroller General of the U.S., the Attorney General, the Secretary of Education, and State or local educational authorities (FERPA-permitted entities). Under this exception, PII from education records must be used to audit or evaluate a Federal- or State-supported education program, or to enforce or comply with Federal legal requirements that relate to those education programs (audit, evaluation, or enforcement or compliance activity). The entity disclosing the PII from education records is specifically required to use reasonable methods to ensure to the greatest extent practicable that its designated authorized representative complies with FERPA and its regulations.

**Example:** An LEA could designate a university as an authorized representative in order to disclose, without consent, PII from education records on its former students to the university. The university then may disclose, without consent, transcript data on these former students to the LEA to permit the LEA to evaluate how effectively the LEA prepared its students for success in postsecondary education.

The audit or evaluation exception allows for the disclosure of PII from education records without consent to authorized representatives of the Comptroller General of the U.S., the Attorney General, the Secretary of Education, and State or local educational authorities (FERPA-permitted entities). Under this exception, PII from education records must be used to audit or evaluate a Federal- or State-supported education program, or to enforce or comply with Federal legal requirements that relate to those education programs (audit, evaluation, or enforcement or compliance activity). The entity disclosing the PII from education records is specifically required to use reasonable methods to ensure to the greatest extent practicable that its designated authorized representative complies with FERPA and its regulations.

**Example:** An LEA could designate a university as an authorized representative in order to disclose, without consent, PII from education records on its former students to the university. The university then may disclose, without consent, transcript data on these former students to the LEA to permit the LEA to evaluate how effectively the LEA prepared its students for success in postsecondary education.

## 7.27 NUTRITION PROGRAM

The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. [Ed. Code § 49510, et seq.]

## 7.28 PUPIL FEES

A pupil enrolled in a public school must not be required to pay a pupil fee for participation in an educational activity. (Ed. Code, § 49011)

- a. The following requirements apply to prohibited pupil fees:
  - I. All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.
  - II. A fee waiver policy shall not make a pupil fee permissible.
  - III. School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
  - IV. A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school.
- b. Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. School districts, schools, and other entities are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (Ed. Code, § 49010 et seq.)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 49013)

## 7.29 RELEASE OF STUDENT INFORMATION

The District does not release information or records concerning a child to non-educational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. The following categories of directory information may be made available to various persons, agencies or institutions unless the parent or guardian notifies the District in writing not to release such information:

Name, address, telephone, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and most recent previous educational institution attended. (Ed. Code, §§ 49060 et seq., 49073, 20 U.S.C. § 1232g, 34 C.F.R. § 99.7) In accordance with state and federal law, the District may also make available photographs, videos, and class rosters. Directory information will not be released regarding a pupil identified as a homeless child or youth unless a parent, or pupil accorded parental rights, has provided written consent that directory information may be released. (Ed. Code, § 49073(c), 20 U.S.C. § 1232g, 42 U.S.C. § 11434a(2))

## 7.30 STUDENT PARENT LACTATION ACCOMMODATIONS

The District is required to provide reasonable accommodations to a lactating student on a school campus to address breast-feeding needs. (Ed. Code, § 222)

A student may not be penalized academically because of the reasonable accommodations provided during the school day. A student must also be given the opportunity to make up missed work.

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

## 7.31 TEMPORARY DISABILITY

**Temporary Disability:** A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil's parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil's need for individualized instruction.

**Home Instruction:** The district in which the student resides is to provide individual instruction if the student is receiving the instruction in his or her home. Individual instruction in a pupil's home pursuant to section 48206.3 shall commence no later than five working days after a school district has determined that the pupil shall receive this instruction.

**Hospital or Health Facility Instruction:** The school district in which the hospital or other residential health facility, excluding a state hospital, is located must provide individual instruction to a student with a temporary disability. Within five working days of receipt of the notification, the district must determine whether the pupil will be able to receive individual instruction, and, if so, when the individual instruction will begin. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student's school district of residence shall be deemed to comply with the residency requirements of the school district in which the hospital is located. A school district may continue to enroll a pupil with a temporary disability who is receiving individual instruction in a hospital or residential health facility to facilitate the timely reentry of the pupil after the hospitalization has ended, or in order to provide a partial week of instruction. On days in which the student is not receiving individual instruction in a hospital or other residential health facility, he or she may attend school in his or her district of residence if well enough to do so. A pupil receiving individual instruction who is well enough to return to a school shall be allowed to return to the school, including a charter school, that he or she attended immediately before receiving individual instruction, if returning during the same school year. (Ed. Code, §§ 48206.3, 48207, 48207.3, 48207.5, 48208, 48980(b))

Pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom shall be treated in the same manner and under the same policies as any other temporary disabling condition. (Ed. Code, § 221.51)

## 7.32 BECOME A VOLUNTEER

# BECOME A VOLUNTEER!

Make a difference in the life of a child

**Why Volunteer?**

Becoming actively involved in education at the local level can help influence the direction and quality of learning for all students. Children are dependent on an involved and caring community to have positive impact in their lives. Your involvement can make a world of difference in the life of a child.

**Where do I start?**

Parent volunteers (Parents/legal guardians) and community members (non-parents) who wish to volunteer at any WCCUSD schools:

1. **Apply online** on the link below. You will receive a welcome email once you complete the volunteer application and the health questionnaire.

[www.Beamentor.org/now](http://www.Beamentor.org/now)



2. A **second email** will be sent to you with your login information and instructions to do the following:

- Download and complete the Live-Scan form
- Schedule your **FREE** fingerprinting appointment online

Fingerprints are scheduled on:

- Tuesdays 9 - 11 am
- Thursday 1 - 3 pm

Fingerprint appointments are held at:

1108 Bissell Avenue  
Richmond, CA 94801

3. **Please bring** the following documents to your fingerprint appointment:

- Live Scan form completed
- Valid US Government Issued picture I.D. or consulate I.D./Passport

4. A WCCUSD volunteer badge will be mailed to you after all documentation is received and verified. **(This process may take up to 30 days)**

**\*Proof of Covid-19 Vaccination Required\***



**Family and Community Engagement Department**

1108 Bissell Avenue, Richmond CA, 94801

Ph: 510-307-4526

Fax: 510-910-7963

## 8.DISTRICT FORMS

**8.1 ANNUAL NOTIFICATION KNOW YOUR EDUCATIONAL RIGHTS****WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

1108 Bissell Avenue, Richmond CA 94801 • (510) 231-1100 • www.wccusd.net

**ANNUAL NOTIFICATION KNOW YOUR EDUCATIONAL RIGHTS 2021-2022****Addendum to Board Policy 5145.13**

For students, employees, parents/guardians, school and district advisory committee members, private school officials, and other interested parties

The West Contra Costa Unified School District annually notifies our students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of the know your educational rights process.

**Know Your Educational Rights****Your Child has the Right to a Free Public Education**

- All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students' parents or guardians.
- In California:
  - All children have the right to a free public education.
  - All children ages 6 to 18 years must be enrolled in school.
  - All students and staff have the right to attend safe, secure, and peaceful schools.
  - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

**Information Required for School Enrollment**

- When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

**Confidentiality of Personal Information**

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If they do, then each year, your child's school district must provide parents/guardians with written notice of the school's directory information policy, and let you know of your option to refuse release of your child's information in the directory.

**Family Safety Plans if You Are Detained or Deported**

- You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You 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 your child.

**Right to File a Complaint**

- Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated, or bullied on the basis of his or her actual or perceived nationality, ethnicity, or immigration status.

Please return bottom portion of this form to with signature to your child's school.




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 Parent Signature

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 Date

The West Contra Costa Unified School District does not store Social Security Numbers or Immigration Status.

The West Contra Costa Unified School District stores Country / State of Birth when that is provided by the family during enrollment.

Information Stored on our Student Information System:

Addresses (home and mailing)  
 Parent/Guardians contacts  
 Phones  
 Federal Ethnicity and Race  
 Gender  
 Foster Program  
 Homeless Program  
 Armed Forces Family Member  
 Email addresses  
 Emergency contacts and medical info  
 Health (immunizations etc.)  
 Attendance  
 Enrollment  
 Grades  
 Graduation Progress  
 Incidents  
 Educational Setting & Programs  
 Career Technical Education Pathway  
 Workplace Education

The Governing Board recognizes the importance of maintaining the confidentiality of directory information and therefore authorizes the release of such information only in accordance with law, Board policy, and administrative regulation. The Superintendent or designee may release student directory information to representatives of the news media or nonprofit organizations in accordance with Board policy and administrative regulation.

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

Colleges and prospective employers, including military recruiters, shall have access to directory information. Military recruiters shall have access to a student's name, address, and telephone number, unless the parent/guardian has specified that the information not be released in accordance with law and administrative regulation. (20 USC [7908](#); 10 USC [503](#); Education Code [49603](#)) Under no circumstances shall directory information be disclosed to a private profit-making entity, except for representatives of the news media and prospective employers, in accordance with Board policy. Private schools and colleges may be given the names and addresses of 12th-grade students and students who are no longer enrolled provided that they use this information only for purposes directly related to the institution's academic or professional goals. (Education Code [49073](#))

The directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin and the district will not release such information without parental consent or a court order.

The District will not release information to third parties for immigration enforcement purposes, except as required by law or court order. Unless the District is providing information for a legitimate educational purpose under FERPA and the California Education Code or directory information, the District shall notify parents or guardians and eligible students—and receive their written consent—before it releases a student's personally identifiable information. If the District decides to release directory information, the District shall provide an annual notice to parents and guardians, and “eligible students” in attendance, of the District's directory information policy that includes:

1. The categories of information that the District has classified as public directory information that may be disclosed without parental consent and which should only include the information specifically identified in Education Code section 49061, subdivision (c).
2. A statement that directory information does not include citizenship status, immigration status, place of birth, or any other information indicating national origin (except where the district receives consent as required under state law).
3. The recipients of the directory information.
4. Parents or guardians may refuse the release of the student's directory information by making such a request to the principal or the District office. Forms will be available for this purpose.
5. The deadline to notify the school in writing that he or she does not want the information designated as directory information to be released is October 1<sup>st</sup> of each school year.

District personnel must receive consent from the student's parent or guardian before a student can be interviewed or searched by any officer seeking to enforce the civil immigration laws at the school, unless the officer presents a valid, effective warrant signed by a judge, or presents a valid, effective court order.

District personnel shall immediately notify the student's parents or guardians if a law-enforcement officer requests or gains access to a student for immigration-enforcement purposes, unless such access was in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the parent or guardian.

## 8.2 ANTI-HARASSMENT STATEMENT

## WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT



1108 Bissell Avenue | Richmond, CA 94801-3135  
 Office: (510) 231-1101 | Fax: (510) 236-6784  
[www.wccusd.net](http://www.wccusd.net)

**Kenneth C. Hurst Sr., Ed.D.**  
 Superintendent

### West Contra Costa School District – *Anti-Harassment Statement*

The West Contra Costa School District is committed to providing a safe educational environment and positive school climate to all students. In our schools, all students have the right to be educated in a positive and safe environment that is free from sexual harassment and gender-based harassment.

To put it simply, sexual harassment and gender-based harassment will not be tolerated in our District.

Any student who believes they have been a victim of sexual or gender-based harassment is strongly encouraged to immediately report the harassment to Rhonda Haney, Director, Office of Educational Equity/Title IX Coordinator. She can be reached by phone at (510) 307-7861, by email at [rhoney@wccusd.net](mailto:rhoney@wccusd.net), or in person at 1108 Bissell Avenue, Richmond, CA 94801. Students, parents, and staff can also talk to a teacher or administrator at their school, who will immediately report the complaint to Ms. Haney.

The District will promptly investigate all reports of sexual and gender-based harassment. When the District has determined that harassment has occurred, we will take prompt, appropriate action to end the harassment, prevent its recurrence, and address its effects on the victim and the school community.

Any student who engages in sexual or gender-based harassment of anyone at school or at a school sponsored or school-related program or activity will receive interventions and may be subject to disciplinary action. Examples of interventions include counseling, guidance, education about the impact of harassment, positive behavior support, referral to a student success team, transfer to alternative programs and denial of participation in extracurricular or co-curricular activities or other privileges. For students in grades four and higher, disciplinary action may include suspension and/or expulsion.

The District will also respond to off-campus sexual or gender-based harassment that occurs outside of District programs and activities if the harassment contributes to a hostile environment on campus, poses a threat or danger to the safety of students or substantially disrupts school activities.

We encourage you to carefully review the definitions and examples included on the back of this page and have a family discussion that sets clear limits and consequences around this unacceptable behavior.

By working together - students, parents, and staff- we can prevent sexual and gender based harassment. Sincerely,

Kenneth C. Hurst Sr., Ed.D., Superintendent

**Definition of Sexual Harassment.** Sexual harassment is unwelcome conduct of a sexual nature.

Examples of conduct that may constitute sexual harassment, if unwelcome, include:

1. Suggestive or obscene letters, notes, invitations, graffiti, jokes, or comments; slurs; epithets; sexual gestures; and displays of sexually suggestive objects, pictures, or cartoons;
2. Groping, sexual touching, leering, and impeding or blocking movement;
3. Sexual conduct that would be considered criminal activity, including sexual assault and sexual exploitation;
4. Continuing to express sexual interest after being informed that the interest is unwelcome (reciprocal attraction, among peers, is not considered sexual harassment);
5. Threatening to withhold grades earned or deserved or suggesting a scholarship recommendation or college application will be denied, as a condition of receiving sexual favors;
6. Engaging in sexual behavior to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student;
7. Offering favors or educational benefits, such as grades, assessments, assignments, and recommendations in exchange for sexual favors;
8. Inappropriate sexual touching between students that, even if consensual, contributes to a sexually charged environment for other students who witness the behavior;
9. Any sexual conduct or expression of sexual interest by an adult toward a student regardless of reciprocity.

**Definition of Gender-Based Harassment.** Gender-based harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, although they are not necessarily sexual in nature. Prohibited conduct includes harassment of a student for their gender identity or gender expression, or for exhibiting what is perceived as a stereotypical characteristic for their sex, or for nonconformance with stereotypical notions of masculinity and femininity. *Gender identity* is a person's personal sense of gender (e.g., being a boy or a girl), which may or may not be the same as their biological sex at birth. For transgender persons, the sex at birth (i.e., male or female) does not match their own internal sense of their gender identity. Since gender identity is internal, it isn't necessarily visible to others. *Gender expression* is a person's external manifestation of their gender identity. Gender expression is visible to others – it's the way a person expresses their gender identity through clothing, behavior, posture, mannerisms, speech patterns, activities and more. Examples of conduct that may constitute gender-based harassment include:

1. Disparaging remarks made to a student or aggression toward a student because that student displays mannerisms or a style of dress perceived as indicative of the other sex;
2. Hostility toward a student because that student participates in an athletic activity more typically favored by a student of the other sex;
3. Intimidating a student to discourage that student from enrolling in a particular area of study because of his/her gender;
4. Use of gender-specific slurs, whether written or spoken;
5. Taunting a student who wishes to participate in an extracurricular activity because that activity is more typically favored by a student of the other sex.

**8.3 SECONDARY SCHOOL CODE OF CONDUCT**



**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
SECONDARY SCHOOL CODE OF CONDUCT**

It is the mission of West Contra Costa Unified School District, in partnership with staff, parents, students, and the community, to provide a quality educational program for all students. We strive to help students develop the knowledge, skills, abilities, and values they need to flourish and reach their full potential.

We have two purposes in establishing a district discipline plan: (1) to promote learning and growth for students as they develop self-discipline; and (2) to provide a caring and respectful environment for all. Only in such an environment can our children become the responsible young adults of the future.

To achieve these goals, students must understand their rights and adhere to their responsibilities.

**Student Rights:**

- To be safe. We need to guarantee that students have the best environment conducive to learning.
- To be respected and treated with compassion, courtesy, and dignity regardless of race/ethnic background, gender, age, national origin, religion, physical/mental disability, sexual orientation, family structure, political beliefs, physical appearance, or financial status.
- To hear and be heard; to express opinions, ideas, and feelings without infringing on the rights of others. Communication is essential to support learning, teaching, working, and participating.
- To have their property respected.
- To have privacy.
- To be informed about what is expected of them.
- To have fun and enjoy their high school years.

**Student Responsibilities:**

- To take advantage of the academic opportunities offered and to strive for high achievement.
- To follow district and school rules and to demonstrate knowledge of all student rights and responsibilities delineated in this and related school documents, and the secondary District Basic Commitment Program.
- To attend school regularly and be in class, in my seat or assigned station with materials out, and ready to work when the tardy bell rings.
- To be considerate, respectful, and non-disruptive in classrooms, hallways, study areas, libraries, cafeteria, and public transportation.
- To respect private, school, and district property, i.e. no littering, no graffiti, no stealing, no extortion, etc.
- To wear safety IDs around the neck, visible at all times, while on campus, and to refrain from altering the safety IDs and lanyards.
- To refrain from using electronic devices including CD players, cell phones, games, etc., at school, except before and after school and during lunch. And to comply with the WCCUSD rule that the use of electronic equipment during class time and passing times is strictly prohibited.
- To dress according to the dress code defined in the school planner and Secondary District Basic Commitment Program. This means no garments exposing the torso; no strapless tube tops; no vests without shirts; no short shorts or short skirts; no garments with obscene or inappropriate words or pictures; no hats or other head coverings; no gang affiliated or related clothing; no see-through blouses or shirts; no low-cut dresses; no sunglasses in class unless prescribed, etc.
- To stay off every school campus, other than my own, unless I have explicit written permission from my principal or my principal’s designee.
- To understand and accept that the following are not tolerated on campus:
  1. Sexual harassment of any individual.
  2. Committing an obscene act or engaging in profanity or vulgarity
  3. Alcohol, tobacco, and other drugs.
  4. Weapons or other dangerous items.
  5. Fighting (which is a cause for expulsion), as well as encouraging or instigating a disruption or fight; spreading harmful rumors or falsehoods that result in a student conflict; leaving class or campus to watch a disruption; or refusing to respond to requests to leave the scene of a conflict.

**Parent/Guardian Responsibilities:**

- To support all students in reaching their full potential by making sure they are in school daily and completing all required homework on time.
- To ensure that students understand their rights and their responsibilities—including students being in class every day and being on time
- To help the school promote the basic values listed above, and to provide the students with what they need to succeed.
- To protect and nurture all students demonstrating the true meaning of community spirit.

Students who do not fulfill the responsibilities listed above will be subject to disciplinary action.

\_\_\_\_\_  
Student Name (Please print clearly)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Name (Please print clearly)

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**This form must be signed and returned to your child's school.**

## 8.4 CAL GRANT GPA OPT-OUT FORM

## Instructions

**1. Student's Last Name:** Enter student's last name as it appears/will appear on the student's FAFSA or Dream Act Application.

**2. Student's First Name:** Enter student's first name as it appears/will appear on the student's FAFSA or Dream Act Application.

**3. Permanent Mailing Address:** Enter the student's permanent mailing address, street address, city, state and zip code.

**4. Student's Date of Birth:** Enter student's date of birth. For example, June 25, 1997 should be entered as 06-25-1997.

**5. Student's E-Mail:** Enter the student's e-mail address as it appears/will appear on the FAFSA or Dream Act Application.

----- STUDENT AND PARENT CERTIFICATION -----

**Student's Phone #:** Enter the student's phone number as it appears/will appear on the FAFSA or Dream Act Application.

**Parent's Phone #:** Enter the parent's phone number as it appears/will appear on the FAFSA or Dream Act Application.

**Print Parent's Name:** Please print parent's full name as it appears/will appear on the FAFSA or Dream Act Application.

**Parent's E-Mail:** Enter the parent's e-mail address as it appears/will appear on the FAFSA or Dream Act Application.

----- FOR SCHOOL USE ONLY -----

**Note: As requested by the student and/or parent, please do NOT submit this student's GPA to the California Student Aid Commission.**



## 8.5 CONCUSSION INFORMATION SHEET

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
CONCUSSION INFORMATION SHEET

## Page 1

A concussion is a brain injury and all brain injuries are serious. They are caused by a bump, blow, or jolt to the head, or by a blow to another part of the body with the force transmitted to the head. They can range from mild to severe and can disrupt the way the brain normally works. Even though most concussions are mild, **all concussions are potentially serious and may result in complications including prolonged brain damage and death if not recognized and managed properly.** In other words, even a “ding” or a bump on the head can be serious. You can’t see a concussion and most sports concussions occur without loss of consciousness. Signs and symptoms of concussion may show up right after the injury or can take hours or days to fully appear. If your child reports any symptoms of concussion, or if you notice the symptoms or signs of concussion yourself, seek medical attention right away.

**Symptoms may include one or more of the following:**

<ul style="list-style-type: none"> <li>• Headaches</li> <li>• “Pressure in head “Nausea or vomiting</li> <li>• Neck pain</li> <li>• Balance problems or dizziness</li> <li>• Blurred, double, or fuzzy vision</li> <li>• Sensitivity to light or noise</li> <li>• Feeling sluggish or slowed down</li> <li>• Feeling foggy or groggy</li> <li>• Drowsiness</li> <li>• Change in sleep patterns</li> </ul>	<ul style="list-style-type: none"> <li>• Amnesia</li> <li>• “Don’t feel right”</li> <li>• Fatigue or low energy</li> <li>• Sadness</li> <li>• Nervousness or anxiety</li> <li>• Irritability</li> <li>• More emotional</li> <li>• Confusion</li> <li>• Concentration or memory problems (forgetting game plays)</li> <li>• Repeating the same question/comment</li> </ul>
---	---

**Signs observed by teammates, parents, and coaches include:**

<ul style="list-style-type: none"> <li>• Appears dazed</li> <li>• Vacant facial expression</li> <li>• Confused about assignment</li> <li>• Forgets plays</li> <li>• Is unsure of game, score, or opponent</li> <li>• Moves clumsily or displays incoordination</li> <li>• Answers questions slowly</li> </ul>	<ul style="list-style-type: none"> <li>• Slurred speech</li> <li>• Shows behavior or personality changes</li> <li>• Can’t recall events prior to hit</li> <li>• Can’t recall events after hit</li> <li>• Seizures or convulsions</li> <li>• Any change in typical behavior or personality</li> <li>• Loses consciousness</li> </ul>
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**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
CONCUSSION INFORMATION SHEET**

Page 2

**What can happen if my child keeps on playing with a concussion or returns to soon?**

Athletes with the signs and symptoms of concussion should be removed from play immediately. Continuing to play with the signs and symptoms of a concussion leaves the young athlete especially vulnerable to greater injury. There is an increased risk of significant damage from a concussion for a period of time after that concussion occurs, particularly if the athlete suffers another concussion before completely recovering from the first one. This can lead to prolonged recovery, or even to severe brain swelling (second impact syndrome) with devastating and even fatal consequences. It is well known that adolescent or teenage athletes will often under report symptoms of injuries. And concussions are no different. As a result, education of administrators, coaches, parents and students is the key for student-athlete’s safety.

**If you think your child has suffered a concussion**

-  
Any athlete even suspected of suffering a concussion should be removed from the game or practice immediately. No athlete may return to activity after an apparent head injury or concussion, regardless of how mild it seems or how quickly symptoms clear, without medical clearance. Close observation of the athlete should continue for several hours. The new CIF Bylaw 313 now requires implementation of long and well-established return to play concussion guidelines that have been recommended for several years:

“A student-athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from competition at that time and for the remainder of the day.”

**and**

“A student-athlete who has been removed may not return to play until the athlete is evaluated by a licensed healthcare provider trained in the evaluation and management of concussion and received written clearance to return to play from that health care provider.”

You should also inform your child’s coach if you think that your child may have a concussion. Remember it’s better to miss one game than miss the whole season. And when in doubt, the athlete sits out.

-  
For current and up-to-date information on concussions you can go to:

<http://www.cdc.gov/headsup/youthsports/index.html>

\_\_\_\_\_  
Student-athlete Name Printed

\_\_\_\_\_  
Student-athlete Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent or Legal Guardian Printed

\_\_\_\_\_  
Parent or Legal Guardian Signature

\_\_\_\_\_  
Date

**8.6 EXTRA-CURRICULAR**



**West Contra Costa Unified School District**

**SIGNATURE FORM FOR STUDENTS’ PARTICIPATING IN  
EXTRA-CURRICULAR AND CO-CURRICULAR ACTIVITIES**

**Name of Student (PLEASE PRINT)**

THE WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT IS CONCERNED FOR YOUR WELL-BEING. IN ORDER FOR THE SCHOOL TO KNOW THAT YOU AND YOUR PARENT/GUARDIAN ARE AWARE OF THE DRUG, ALCOHOL AND TOBACCO DISCIPLINE POLICY/STUDENT CODE OF BEHAVIOR AND UNDERSTAND THE GOALS OF ASSISTING STUDENTS AND SETTING CLEAR LIMITS, YOU AND YOUR PARENT/GUARDIAN ARE REQUIRED TO SIGN THIS SIGNATURE FORM. THANK YOU.

I have read the Drug, Alcohol and Tobacco Discipline Policy/Student Code of Behavior, which encourages students to be drug, alcohol and tobacco free. I understand that students in extracurricular and co-curricular activities who violate the Drug and Tobacco Policy will be subject to disciplinary action that will also affect eligibility for performance.

**Student Signature**

**Date**

I have read the Drug, Alcohol and Tobacco Discipline Policy/Student Code of Behavior that encourages students to be drug, alcohol and tobacco free. I understand that students in extracurricular and co-curricular activities who violate the Drug, Alcohol and Tobacco Policy will be subject to disciplinary action and will affect their eligibility for performance. I agree to support the Drug, Alcohol and Tobacco Policy and consequences for students.

**Parent/Guardian Signature**

**Date**

Activity\_\_\_\_\_

Sponsor/Coach/Advisor\_\_\_\_\_

School\_\_\_\_\_ Date\_\_\_\_\_

**8.7 HIV/AIDS EDUCATION – HIGH SCHOOL****WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**

Teaching, Learning, and Leading  
 1108 Bissell Ave. Room 208  
 Richmond, CA 94801  
 Phone No. 510-231-1130

August 2020

Dear Parent/Guardian of a High School Student (Grades 9-12):

The goal of a comprehensive health education program is to empower teens to make responsible decisions regarding their knowledge, attitudes and behaviors and to encourage them to change their risk-taking and sometimes life-threatening behaviors.

While promoting abstinence as the only 100% effective means for preventing the transmission of HIV and other sexually transmitted diseases, the School Board also recognizes that some students are engaging in sexual activity and other risk-taking behaviors that can lead to increased risk of infection of HIV and other sexually transmitted diseases.

Believing all students deserve to be safe, the School Board has taken steps to prevent the spread of HIV among and by students who choose not to abstain from sexual activity by implementing a Condom Availability Program as part of HIV/AIDS Education for high school students. This program includes an education component prior to receiving condoms. The education component shall include the following:

- Abstinence---the safest and only 100% effective choice in preventing HIV and other sexually transmitted diseases.
- Free choice in sexual decision-making and the right to change your mind.
- Risks of sexual activity.
- Sexually transmitted diseases, symptoms, treatment.
- Influence of alcohol and other drugs on decision-making and behavior.
- Proper condom use, effectiveness rates.
- Community resources for health care.
- Development of refusal and decision-making skills.

Instructional materials can be previewed at the high school's main office. Questions regarding this can be directed to the school administrator. In accordance with California Education Code, parents have an option to withdraw their student from the Condom Availability Program. If you do not want your student to participate in this program, check one of the two choices on the parent form below, sign and return it to the school office.

Sincerely,

**Gabriel Chilcott**

*Director Curriculum, Instruction, & Assessment*

**8.8 COMPREHENSIVE SEXUAL HEALTH EDUCATION (CSE)**

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
 Teaching, Learning, and Leading  
 1108 Bissell Ave. Room 208  
 Richmond, CA 94801  
 Phone No. 510-231-1130

Dear Parent/Guardian:

The California Healthy Youth Act requires that comprehensive sexual health education and HIV prevention education be provided to students at least once in middle school or junior high school and once in high school, starting in grade 7. Middle school students will receive comprehensive sexual health education in the 7th/8th grade Science, and high school students will receive it in the 9th/10th grade Biology, or in a class designated by site administration.

Instruction must encourage students to communicate with parents, guardians or other trusted adults about human sexuality. Instruction must be medically accurate, age-appropriate and inclusive of all students. It must include the following:

- Information about HIV and other sexually transmitted infections (STIs), including transmission, FDA approved methods to prevent HIV and STIs, and treatment
- Information that abstinence is the only certain way to prevent unintended pregnancy and HIV and other STIs, and information about the value of delaying sexual activity
- Discussion about social views of HIV and AIDS
- Information about accessing resources for sexual and reproductive health care
- Information about pregnancy, including FDA approved prevention methods, pregnancy outcomes, prenatal care, and the newborn safe surrender law
- Information about sexual orientation and gender, including the harm of negative gender stereotypes
- Information about healthy relationships and avoiding unhealthy behaviors and situations

Parents have the right to view the curriculum at the office of Curriculum, Instruction & Assessment (510-307-4567) or online at [www.wccusd.net/science](http://www.wccusd.net/science). State law allows you to remove your student from this instruction. **If you do not want your student to participate** in comprehensive sexual health and HIV prevention education, please submit a written note to the principal or vice principal before the delivery of instruction. Any questions regarding your child's participation in the curriculum can be directed to your school administration.

**8.11 CONTRA COSTA HEALTH SERVICES**

WILLIAM B. WALKER, M.D.  
HEALTH SERVICES DIRECTOR  
DAN PEDDYCORD, RN, MPA/HA  
DIRECTOR OF PUBLIC HEALTH



Contra Costa Public Health  
597 Center Avenue, Suite 150  
Martinez, California 94553



Dear Parent or Guardian:

Continuing in the 2020-21 school year, Contra Costa Health Services (CCHS) will offer a full range of health care services for students at several middle and high schools throughout West Contra Costa Unified School District. These services will include any of the following: healthy teen exams, sports physicals, immunizations, hearing, vision, confidential services, behavioral health, and dental health (services may vary at each school site). A consent for medical services must be signed annually by a parent or guardian before a student can receive medical services by CCHS, unless the student is receiving confidential services.

**Who can access these services?**

- West Contra Costa Unified School District students who are covered through Medi-Cal and Contra Costa Health Plan are eligible to receive services.
- Students who are uninsured may receive limited services. We encourage students to apply.
- Those students with Kaiser or other private health insurance will not be eligible for health care services by CCHS, but may receive assistance with making appointments or contacting their health care provider.
- In addition, all students regardless of insurance are eligible for confidential sensitive services.

**How can a student make an appointment?**

- Stop by the Health Center or CCHS Mobile Clinic at the school campus

We look forward to making this a healthy year for all students.

Sincerely,

*Sue Crosby*

Sue Crosby

Public Health Clinics Services Director  
CCHS School-Based Clinic Program




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• Contra Costa Behavioral Health Services • Contra Costa Emergency Medical Services • Contra Costa Environmental Health •  
• Contra Costa Hazardous Materials • Contra Costa Health Plan • Contra Costa Public Health • Contra Costa Regional Medical Center and Health Centers •

## 8.12 STUDENT TECHNOLOGY ACCEPTABLE USE & INTERNET SAFETY POLICY



### WCCUSD STUDENT Technology Acceptable Use & Internet Safety Policy

WCCUSD strongly believes in the educational value of technology and the Internet. In this connected world, students must have access to tools that enable them to effectively communicate, collaborate, and create in order to prepare them to become effective, responsible global citizens.

**Chromebooks** WCCUSD is dedicated to ensuring access to learning for all students. As with textbooks, Chromebooks are available to all students to be checked out for take-home use. Once checked out, the student will keep the device from year to year. While off campus, content is filtered on the Chromebooks just as it would be if the device were at school.

Students are expected to take proper care of all district-issued devices and report any misuse immediately. In case of theft, the [Stolen Device Reporting](#) procedure must be followed. See the Student Device Handbook on the [WCCUSD website](#).

**Google accounts** are provided for all WCCUSD students allowing them to use the Google suite of tools, including Google Drive, Docs, Classroom, Meet, to foster communication, collaboration and creativity.

- Gmail accounts enabling communication outside of WCCUSD are for students grades 9 to Adult
- Gmail accounts enabling communications only within WCCUSD are for students in middle school
- Gmail accounts will not be provided to elementary students (with few exceptions in grades 5 & 6)

Students shall use their Google accounts for video conferencing using Google Meet and Zoom. Video conferences may be recorded by the teacher to be posted for flexible, anytime learning by all students. It is recommended that students keep their cameras turned ON during video conferences to allow for maximum connection and engagement. Parents may opt their student out of having their camera on and shall discuss such exceptions with the student's teachers and school Principal.

**Internet safety** Teachers will instruct students in the proper use of the Internet and will guide them in digital citizenship. Outside of school, families bear the same responsibility for guiding students in their search for appropriate learning resources. It is a shared responsibility of district staff and parents/guardians to supervise student access to Internet content, and it is the student's responsibility to avoid accessing inappropriate material. Inappropriate content is filtered by WCCUSD's content filter in accordance with the Children's Internet Protection Act ([CIPA](#)).

**Student Data Privacy** WCCUSD has a duty to protect the privacy of our students and families when using electronic tools and resources. We take this responsibility seriously and have taken steps to secure the personally identifiable information (PII) both inside and outside our physical network. We take the approach that the information must be secured while it is stored in our servers, transits our network, and by limiting access to the information to staff who have a "need to know" in order to provide educational resources to our students. We take the same approach with our external providers and contracts.

- We require contract language that specifies that our providers have implemented the same type of specific safeguards that we have implemented with our internal systems to verify that no unauthorized third party will access our students' PII while the data resides in their systems.
- We require contract language that states that these providers comply with [FERPA](#) and [COPPA](#) rules.
- These contracts can be viewed on the [California Student Data Privacy Alliance website](#)
- A list of WCCUSD vetted and approved applications is available on our [WCCUSD website](#)

Under the Children's Online Privacy Protection Act (COPPA), third party service providers must provide parental notification and obtain parental consent before collecting personal information from children under the age of 13. The law permits school districts such as ours to consent to the collection of personal information on behalf of all of its students, thereby eliminating the need for individual parental consent given directly to the website operator.

COPPA also provides parents or guardians the right to opt their students aged 13 and younger out of online services. The Federal Educational Records Privacy Act (FERPA) and COPPA provide parents or guardians the right to inspect their student's records, including the PII that is contained in these electronic systems. If you are a parent or guardian of a student in the district, and you have concerns about your student's use of online electronic systems that store PII, we encourage you to speak with your school's principal or teachers to find out why we use the system and to inspect your student's stored work and information.

## Student agreements

We value communication, collaboration, and creativity. We will:

- use thoughtful and appropriate words and be mindful of how they may be interpreted by others.
- help our classmates by using words to give directions instead of completing the task for them
- be open to different solutions to problems, and appreciate help that is offered.
- keep our cameras on during video conferences, unless there are exceptions discussed between our parent and teachers/administrators

We value privacy. We will:

- keep our login accounts secret from anyone other than our family and teachers.
- not give out any private information - such as full name, date of birth, address, phone number, or photos of ourselves or others - without family permission.
- understand that anything we do online is public and can be monitored.

We value honesty and safety. We will:

- access, post, submit, publish, and display appropriate, constructive, or educational content.
- represent ourselves honestly both online and offline.
- properly give credit to those whose work we reference in our own projects.
- stop talking to anyone who makes us feel pressured or uncomfortable online, and we will tell our family and/or teacher about it.

We value respect for self and others. We will:

- not bully, humiliate, or upset anyone online – whether through sharing photos, videos, or screenshots; spreading rumors or gossip; or setting up fake profiles – and stand up to those who do.
- use only our own district-issued Google accounts on district-issued devices at all times.
- take proper care of our devices and immediately report misuse or lost devices to adults. As with all school property, vandalism, misuse, and/or intentional damage will be subject to disciplinary action.
- Respect our devices for what they do and not attempt to install, run, or circumvent software on them.

We value learning. We will:

- use the internet responsibly and primarily for educational purposes.
- carefully evaluate the validity of information presented online.
- bring our devices to school fully charged every day

In exchange, our school community agrees to:

- recognize that using technology devices and digital media are important components of learning.
- talk with us about our concerns with digital media and technology use.
- talk with us about our interests and embracing our world, including helping us find tools that help us to learn, create, and collaborate.
- Take action to keep us safe online.

## Signatures

- **STUDENTS:** I have read the Acceptable Use Policy and agree to follow these rules and guidelines when using technology. This applies while I am at WCCUSD as well as when I am off campus.
- **PARENT / GUARDIANS:** I have read the Acceptable Use Policy and agree to support my child in following these rules and guidelines when using technology. This applies while at WCCUSD as well as when off campus. I understand that WCCUSD encourages parents and guardians to supervise and monitor any online activity.

PARENT/GUARDIAN: If you **DO NOT** want your student to have access to district-provided Internet or devices and learning applications for school, please notify your student's Principal in written form to OPT OUT. This opt out process must take place at the beginning of every school year to remain in effect. **Warning:** Opting your student out of these services will make it more difficult for the school to properly assess your student's academic needs and meet them. Because we believe these tools are essential to a 21st Century learning experience, we encourage you to speak with your principal or teachers before you elect to opt your student out of these tools.

**8.13 MEDIA RELEASE FORM**

## MEDIA OPT-OUT FORM

Please sign and return the attached form only if you **DO NOT** want your child to be photographed or filmed by school or district staff, media outlets or other organizations for use in print, television, film, radio or Internet publications.

Dear Parent or Guardian,

There are times when your child's school may be featured in various media. District staff may wish to photograph, film, record or interview your student for articles or promotional materials that may be featured in district newsletters, social media, websites, printed publications or other forms of media. News reporters, photographers and/or film crews from newspapers, magazines, internet publications or TV and radio stations may wish to photograph, film, record or interview your child in relation to a story about district schools, programs or students. Your child's name, image and grade may be included in the report.

District schools are also visited by community organizations or partners who are providing services to students. These organizations or partners may wish to photograph your child and may want to use the photograph and/or your child's name and the name of the school in their publications and informational materials.

We will make every effort to honor your request, however, please be aware that there may be circumstances when your child may be photographed or filmed beyond our control. Please discuss your wishes with your child so that s/he knows if you do not want your child to be photographed or filmed.

**PLEASE SIGN AND RETURN TO YOUR CHILD'S SCHOOL** only if you do not want your child to be photographed or filmed.

\_\_\_ I **DO NOT** want my child to be photographed, filmed, recorded or interviewed by school or district employees, members of the media, organizations or agencies at school, for use in print or Internet publications, documentaries, films or video, to the extent that the school can prevent such contact.

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

Grade: \_\_\_\_\_ Teacher: \_\_\_\_\_

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

WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT

Communications Department (510) 231-1150

**Office Note: Please file under Media Release Binder**

**8.14 MILITARY PARENT OPT-OUT FORM**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
 1108 Bissell Avenue  
 Richmond, CA 94801-3135  
 Phone: 510.231.1140

Dear Parent/Guardian

Our school may be requested to provide the names, addresses, and telephone numbers of secondary students to military recruiters, colleges, and other groups. **You do not have to participate in this program**

If you do not wish to have your child's name, address, and phone number disclosed to the groups that may request it, check the appropriate box(es) below. *If you filled out this form as an 11<sup>th</sup> grader, you MUST fill this form out again if you want your information to remain unavailable to requesting parties.*

**If you do not return this form, the school/district will assume that you authorize us to release the requested information and, therefore, the student's name, address, and phone number may be released.**

**MILITARY ADULT STUDENT CONSENT FORM**  
**For**  
**RELEASE OF STUDENT NAME, ADDRESS, AND PHONE NUMBER**

DO NOT DISCLOSE my child's contact information without my prior permission.

**or**

DO NOT DISCLOSE my child's name, address, and telephone number to the entities checked below without my prior permission:

- US military (Army, Navy, Air Force, Marines, etc.)
- Colleges and other educational institutions
- Prospective employers
- Other Vendors

Student's Name: \_\_\_\_\_ Parent/Guardian Name: \_\_\_\_\_

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

**8.15 PESTICIDE USE LETTER AND INDIVIDUAL NOTIFICATION REQUEST**

**Facilities and Operations Center  
1400 Marina Way South  
Richmond, CA 94804  
Tel: (510) 231-1109 | Fax: (510) 620-2237**

Director, Maintenance & Operations

**PESTICIDE USE LETTER AND INDIVIDUAL NOTIFICATION REQUEST**

Dear Parents, Guardians and Staff,

The West Contra Costa Unified School District has adopted a policy to reduce the use of pesticides and herbicides at schools in our district. This policy, called an Integrated Pest Management Policy (IPM), will guide our staff in finding non-chemical, preventative measures to use first in controlling pests, including weeds, at our facilities. Our goal is to protect the health and safety of students and staff and to maintain school buildings and grounds both by controlling pests and by using the safest methods for people and the environment.

While we are working to reduce and eliminate the use of chemical pesticides, including herbicides, we recognize that the district may need to apply these chemicals when all other alternatives have failed. Attached is a list of pesticides and herbicides that the district **may** need to apply. Under the Healthy Schools Act of 2000, California School Districts are required to provide parents and/ or guardians of students with an annual written notification of expected pesticide use on school sites. Additionally, schools will be posted for use of pesticides on a case-by-case basis as the school season progresses. The notification identifies the active ingredient(s) in each product and lists the Internet address (<http://www.cdpr.ca.gov>) for further information on pesticides and their alternatives.

Besides a general notice, parents, guardians and staff may also request prior notification of individual pesticide applications at school sites. If you would like to receive this notification, please complete the form below and mail it to:

**West Contra Costa Unified School District  
Attn: Director of Maintenance and Operations  
1400 Marina Way South  
Richmond, CA 94804**

If you have any questions, please contact Director of Maintenance and Operations at (510) 231-1109

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**



**REQUEST FOR INDIVIDUAL PESTICIDE APPLICATION NOTIFICATION**

I understand that, upon request, the West Contra Costa Unified School District is required to supply information about individual pesticide applications at least 72 hours before application. I would like to be notified before each pesticide application at the listed site (s) indicated below.

I would prefer to be contacted by (circle one)      U.S. Mail      E-mail      Phone

Name of Parent, Guardian, Staff: \_\_\_\_\_

School Site(s): \_\_\_\_\_

Street Address: \_\_\_\_\_ City and Zip Code \_\_\_\_\_

E-mail: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Night Phone: \_\_\_\_\_

**8.16 PESTICIDE WEED CONTROL**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**Facilities and Operations Center**  
**1400 Marina Way South**  
**Richmond, CA 94804**  
**Tel: (510) 231-1109**

Director, Maintenance & Operations

**PARENT LETTER REGARDING USE OF PESTICIDE WEED CONTROL**

July 1, 2021

Dear Parents,

The District Maintenance Department may be spraying pesticides throughout the District for weed control using:

<b>Name of Product</b>	<b>Active Ingredient</b>	<b>EPA Registration #</b>	<b>Manufacturer</b>	<b>USE/ Type</b>
<a href="#">Burnout Weed Killer</a>	Citric Acid, Clove Oil	Exempt	Bonide	Paved areas, beds & cinder/ non-selective
<a href="#">Turflon Ester Ultra</a>	Triclopyr	62719-566	Dow AgroSciences	Turf weeds/ Selective broadleaf
<a href="#">Weed Slayer</a>	Clove Oil, Molasses Oil	Exempt	Agro Research International LLC	Paved areas, beds & cinder/ non-selective
WeedRot Naturally Systemic Weed Killer	Citric Acid - 14% Sodium Lauryl Sulfate-4%	Exempt	WeedRot	Paved areas, beds & cinder/ non-selective
Mirimichi Green Pro Weed Control	Ammonium Nonanoate	8766-90778	Mirimichi Green	Paved areas, beds & cinder/ non-selective

The proposed timeline is as follows:

**December 20, 2021 – January 3, 2022- Weeds as needed**

**February 21– 25, 2022 - Weeds as needed**

**April 4 – 8, 2022 – Weeds and Poison Oak as needed**

24-hour notices will be posted prior to any application.

Sincerely,  
 Director  
 Maintenance and Operations

**8.17 PESTICIDE LIST**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT**  
**Facilities and Operations Center**  
**1400 Marina Way South**  
**Richmond, CA 94804**  
**Tel: (510) 231-1109**

Director, Maintenance & Operations

**PESTICIDE LIST**

Dear Parent, Guardian and Staff,

The Healthy Schools Act of 2000 requires all California School Districts to notify parents, guardians and staff of pesticides, including herbicides, which they **may** expect to apply during the school year. Our goal is to utilize the least toxic materials whenever possible. However, should a situation arise where a least toxic material is not adequate to control a specific infestation, the following materials **may** be used at any District site this year. If you have any questions, please contact the Director of Maintenance and Operations for West Contra Costa Unified School District at 510.231.1109.

Listed below are pesticides, including herbicides, which **may** be used during the WCCUSD 2021-22 school year and will require an annual, written notification of expected use. You can find more information regarding these pesticides and pesticide use reduction at the Department of Pesticide Regulation's website at [www.cdpr.ca.gov](http://www.cdpr.ca.gov)

<b>Name of Product</b>	<b>Active Ingredient</b>	<b>EPA Registration #</b>	<b>Manufacturer</b>
Advion Ant Bait Arena	Indoxacab	100-1485-AA	Dupont
Advion Ant Gel	Indoxacab	100-1498-AA	Dupont
Advion Roach Gel Bait	Indoxacab	100-1484-AA	Dupont
Advion WDG	Indoxacab	100-1501-ZA	Dupont
Alpine Flea with IGR	Dinotefuran, Pyriproxyfen, Prallethrin	499-540-ZA	BASF
Fendona	alpha-Cypermethrin	499-570-AA	BASF
Gentrol Point Source	Hydroprene	2724-469-ZA	Wellmark
Niban Granular Bait	Orthoboric Acid	64405-2-AA	US Borax
Premise Pro	Imidacloprid	432-1449-ZA	Bayer
Suspend Polyzone	Deltamethrin	432-1514-AA	Bayer
Suspend SC	Deltamethrin	432-763-ZB	Bayer
Termidor SC	Fipronil	7969-210-AA	Aventis

8.18 COMPLAINT CONCERNING DISTRICT PERSONNEL



WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT  
**Complaint Concerning District Personnel**

Preliminary steps in AR 1312.1 must be followed prior to submitting this form

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

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

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

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

Home Phone ( ) \_\_\_\_\_ Message/Work Phone ( ) \_\_\_\_\_

Date of Incident: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Has the complaint been discussed with the school principal, employee or his/her supervisor?  
\_\_\_\_\_

To whom have you spoken? (Write name(s) in space provided.)

- District Office Staff \_\_\_\_\_ Date: \_\_\_\_\_
- Principal \_\_\_\_\_ Date: \_\_\_\_\_
- Assistant Principal \_\_\_\_\_ Date: \_\_\_\_\_
- Counselor \_\_\_\_\_ Date: \_\_\_\_\_
- Teacher \_\_\_\_\_ Date: \_\_\_\_\_
- Supervisor \_\_\_\_\_ Date: \_\_\_\_\_
- Staff Member \_\_\_\_\_ Date: \_\_\_\_\_

What was the result of the discussion?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Explanation of complaint (Please print or type. Use additional sheets if necessary):

If you desire a remedy or wish the District to take a particular course of action, please specify what you would like:

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

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date submitted

Distribution:

- Superintendent/Designee
- Supervisor
- Employee

Complaint #: \_\_\_\_\_

Date Received: \_\_\_\_\_

**8.19 TITLE IX COMPLAINT FORM**

## WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT TITLE IX COMPLAINT FORM

The West Contra Costa Unified School District's Office of Educational Equity (OEE) follows Board Policy 5145.7 when addressing complaints alleging failure to comply with applicable State and Federal laws and regulations related to sexual and/or gender-based harassment. A copy of Board Policy 5145.7 is available free of charge.

Please complete the following Title IX Complaint form to the best of your ability. If you would like help completing the form, please contact OEE by phone at (510) 307-7861, by email at [jespinoza2@wccusd.net](mailto:jespinoza2@wccusd.net) or [rhaney@wccusd.net](mailto:rhaney@wccusd.net), or in person at 1108 Bissell Avenue, Richmond, CA 94801.

Once completed, please send in the form by email at [jespinoza2@wccusd.net](mailto:jespinoza2@wccusd.net) or [rhaney@wccusd.net](mailto:rhaney@wccusd.net), or by mail or in person at 1108 Bissell Avenue, Richmond, CA 94801.

I. Your Contact Information:

Your Name:

Street Address:

City:

Zip:

Home Phone:

Work / Mobile Phone:

II. Complainant

You are filing this complaint on behalf of:

Yourself

Your child

Another student

Other: \_\_\_\_\_

III. School Information

School Name / Location:

IV. Basis of Complaint:

Please identify the type(s) of discrimination, harassment, intimidation, bullying or non-compliance leading to your complaint.

Sex

Sexual Orientation

Gender / Gender Identity / Gender Expression



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d) **What steps**, if any, have you taken to resolve this issue before filing a complaint?

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**FOR OFFICE USE ONLY**

Received By (Print Name & Title):

Signature:

Date Filed:

Time Filed: \_\_\_\_\_: \_\_\_\_\_ AM PM

8.20 UNIFORM COMPLAINT FORM



## West Contra Unified School District Uniform Complaint Form

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

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

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

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

City: \_\_\_\_\_

Zip: \_\_\_\_\_

Home Phone: (    ) \_\_\_\_\_

Message/Work Phone: (    ) \_\_\_\_\_

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

Please check the category(ies) referred to in your complaint:

Adult Education

Consolidated Categorical Aid Programs

Pre-school

Student Fees

Child Nutrition Programs

Physical Educational Instructional Minutes

Special Education

Migrant Education

Implementation of Local Control Funding Formula and Accountability Plan

Foster and Homeless Youth

Career and Technical Education

Regional Occupation Centers and Programs

Unlawful Discrimination (based on actual or perceived race, ancestry, national origin, immigration status, ethnic group identification, religion, age, gender, gender identity, gender expression, color, sex, sexual orientation, physical or mental 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)

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**Office Use Only**

Date Received: \_\_\_\_\_

By: \_\_\_\_\_

Informal Complaint

Date of Informal Resolution

Formal Complaint

Date of Formal Resolution

Not Resolved

**Explanation of complaint:** (please print or type. Give detailed information such as date, times, places, types of complaints, witness names. Use additional sheets of paper if necessary.)

Rev.9.23.13/ 10.19.15/4.13.16/10.5.18