



LA MESA-SPRING VALLEY SCHOOLS

# 2019-2020 Parent-Student Handbook

Your Reference for  
Programs, Services,  
Rights & Responsibilities



Dear Students, Parents and Guardians,

State law requires the La Mesa-Spring Valley School District to provide annual notification to students, parents and guardians of their rights and responsibilities pertaining to their child's education. Please read this Annual Notification. The parent or guardian is required to acknowledge their receipt of this notice by signing and returning the signature page to their child's school. The parent's or guardian's signature is an acknowledgment that they have been informed of their rights and does not indicate the parent's or guardian's consent for their child to participate or not participate in any particular program listed within the Annual Notification.

Some legislation requires additional notification to the parents or guardians during the school term prior to a specific activity. (A separate letter will be sent to the parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents or guardians file with the principal of the school a statement in writing requesting that their child not participate.) Other legislation grants certain rights that are to be spelled out in this Annual Notification.

The La Mesa-Spring Valley School District and its Board recognize that parent or guardian involvement in their child's education promotes student achievement and contributes greatly to the student's success. This Annual Notification contains information on the various ways parental involvement is both permitted and encouraged by federal and state laws, as well as the District's policies. The District commits to providing a quality education to all of its students in a safe and healthy environment. We look forward to a successful and positive school year, made possible by the dedicated efforts of its administrators, teachers, paraeducators, support staff, students, and parents and guardians.

Please read this Annual Notification carefully and return the signed forms to your student's school as soon as possible.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Feliciano', written in a cursive style.

David Feliciano  
Superintendent



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**The La Mesa-Spring Valley School District is required to annually notify pupils, parents, and guardians of their rights and responsibilities, pursuant to California Education Code (EC) 48980.**

**An acknowledgment of receipt of this notice must be signed by the parent or guardian and returned to the school as required by EC 48982.**

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**2019 - 2020**

**La Mesa-Spring Valley School District  
4750 Date Ave  
La Mesa, CA 91942**

**(619) 668-5700**

**[www.lmsvschools.org](http://www.lmsvschools.org)**

**LA MESA-SPRING VALLEY SCHOOL DISTRICT  
2019-2020 ACKNOWLEDGMENT OF RECEIPT AND REVIEW**

Dear Parent/Guardian:

The La Mesa-Spring Valley School District is required to annually notify parents and guardians of rights and responsibilities in accordance with Education Code section 48980.

If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact an administrator at your child's school. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Please complete the "Acknowledgment of Receipt and Review" form below, and return it to you child's school.

This annual notification is also available in an electronic format and can be provided to you upon request. If the notice is provided in an electronic format, the parent or guardian shall submit to the school this signed acknowledgement of receipt of the notice. Signature of the notice is an acknowledgment by the parent or guardian that he or she has been informed of his or her rights but does not indicate that consent to participate in any particular program has either been given or withheld.

**ACKNOWLEDGMENT OF RECEIPT AND REVIEW**

Pursuant to Education Code section 48982, the parent/guardian shall sign this notice and return it to the school. Signature on the notice is an acknowledgment by the parent or guardian that he or she has been informed of his or her rights but does not necessarily indicate that consent to participate in any particular program or activity has been given or withheld.

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

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

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

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

\_\_\_\_\_

Preferred Telephone Number: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

**THIS PAGE MUST BE COMPLETED, SIGNED AND RETURNED  
TO YOUR CHILD'S SCHOOL**

**LA MESA-SPRING VALLEY SCHOOL DISTRICT  
2019-2020 RELEASE OF DIRECTORY INFORMATION**

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone No.: \_\_\_\_\_ Grade: \_\_\_\_\_  
School: \_\_\_\_\_

This District makes pupil directory information available in accordance with state and federal laws. Directory information including your child's name, date of birth, birthplace, address, telephone number, participation in school activities, dates of attendance, awards, and previous school attended will be available to specified agencies. The agencies who can receive the information are as follows: (a) federal, state, and local governmental agencies; (b) nonprofit youth organizations, including Parent-Teacher Associations; (c) news media in conjunction with activities, honors, awards, etc. and (d) military recruiters (grades 7 and 8). The District will withhold directory information about your child if you submit a written request within 30 days of receipt of this notification.

The Family Education Rights and Privacy Act (FERPA) and Education Code section 49073 permits the La Mesa-Spring Valley School District to disclose appropriately designated "directory information" without written consent, unless you have advised the District that you do not want your student's directory information disclosed without your prior written consent.

**STUDENT DIRECTORY INFORMATION**

- I do not wish to have any directory information for the student named above released to any individual or organization.
- I do not wish to have any directory information for the student named above released to the agencies indicated:
  - PTA
  - Health Department (information regarding immunizations and communicable diseases)
  - Third Party Providers of Online Educational Tools (used within the classroom for educational purposes only)
  - Military Recruiters (grades 7 and 8 only)
- I am a homeless and unaccompanied youth over the age of 14, or am a parent of a homeless and unaccompanied youth and authorize the release of my directory information in accordance with the law and District policy.

**MEDIA RELEASE**

- The student may be interviewed, photographed, or filmed by members of the media.
- The student may not be interviewed, photographed, or filmed by members of the media.

\_\_\_\_\_  
Signature of Parent/Guardian

\_\_\_\_\_  
Date

**THIS PAGE MUST BE COMPLETED, SIGNED AND RETURNED  
TO YOUR CHILD'S SCHOOL**

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## 2019-2020 CALENDAR

Each year a calendar, including starting and ending dates, staff development days, holidays, and conference dates, is approved by the Board of Education.

**First Day of Pupil Attendance** August 12

**Parent-Teacher Conferences:**

**Elementary Schools (Minimum Days)** November 18, 19, 20, 21, 22

**Parent-Teacher Conferences:**

**Middle Schools**

**Minimum Days** November 18, 19, 20, 21, 22

**Modified Days:**

**Early Dismissal Each Tuesday** Contact School for Dismissal Times

**Holidays (No School):**

**Labor Day** Monday, September 2

**Fall Break** October 7-18

**Veterans' Day** Monday, November 11

**Thanksgiving Week** November 25-29

**Winter Break** December 23 to January 3

**Staff Development** January 6

**Martin Luther King Jr. Day** Monday, January 20

**President Lincoln's Day** Monday, February 10

**Presidents' Day** Monday, February 17

**Spring Break** March 30 to April 10

**Memorial Day** Monday, May 25

**Last Day of School** Tuesday, June 16

## **REQUIREMENTS FOR ENROLLMENT**

### **Attendance Options:**

**Intradistrict Attendance (EC 35160.5(b)):** Residents of the District may apply to other schools within the District for their child to attend on a space available basis.

**Interdistrict Attendance (EC 46600):** The parent or guardian of a pupil may seek release from the home district to attend a school in any other school district. Each school district of resident and school district of proposed enrollment shall post on its Internet Web site the procedures and timelines, including a link to the policy of the governing board of the school district, regarding a request for an interdistrict transfer permit in a manner that is accessible to the public without a password. The information posted on the Internet Web site shall include, but need not be limited to, the following:

- The date upon which the school district will begin accepting and processing interdistrict transfer requests for the subsequent school year.
- The reasons for which the school district may approve or deny a request, and any information or documents that must be submitted as supporting evidence.
- If applicable, the process and timelines by which denial of a request may be appealed within the school district before the school district renders a final decision.
- That failure of the parent to meet any timelines established by the school district shall be deemed an abandonment of the request.
- Applicable timelines for processing a request, including statements that the school district shall do both of the following:
  - Notify a parent submitting a current year request, as defined in Section 46600.1, of its final decision within 30 calendar days from the date the request was received.
  - Notify a parent submitting a future year request, as defined in Section 46600.1, of its final decision as soon as possible, but not later than 14 calendar days after the commencement of instruction in the school year for which interdistrict transfer is sought.

### **Child Health and Disabilities Prevention Program—HSC 124085, 124105:**

California law requires all children to have a health exam within 18 months before first grade or up to 90 days after starting first grade. Parents may decline the exam by signing a waiver of medical examination. Parents are encouraged to obtain health exam simultaneously with required immunizations. Parents may inquire in the school office about free health exams for low-income children provided under the Child Health and Disabilities Prevention Program.

### **Immunizations and Communicable Diseases—EC 48216, 49403:**

The La Mesa-Spring Valley School District shall follow all laws, rules, and regulations regarding immunizations required for students to enroll. The District shall not admit any student until the student is properly immunized as required by law. If there is good cause to believe a student has been exposed to a disease and his or her proof of immunization does not show proof of immunization against that disease, the District may temporarily exclude the child from school until the local health officer is satisfied that the child is no longer at risk of developing or transmitting the disease.

A student shall be exempt from the immunization requirements if the parent or guardian files with the school a signed, written statement by a licensed physician stating: (1) The specific nature of the physical condition or medical circumstance for which the licensed physician does not recommend immunization; (2) The probable duration of the physical condition or medical circumstance; (3) Each specific required immunization from which the pupil is exempt; and (4) The date that the medical exemption expires for each respective immunization or that the physical condition or medical circumstance is permanent.

### **Oral Health Assessment—EC 49452.8:**

California law requires that children entering public school for the first time (at kindergarten or first grade) have an oral health assessment performed by a California licensed dentist or registered dental hygienist within 12 months prior to or by May 31 of the child's first year in public school. A parent may obtain an oral health assessment waiver if he/she cannot find a dental office that takes his/her child's insurance, cannot afford to pay for the assessment, or chooses not to have his/her child have an oral health assessment. Additional information regarding the importance of oral health may also be found online at [www.sharethecaredental.org](http://www.sharethecaredental.org), and [https://www.cda.org/Portals/0/pdfs/fact\\_sheets/oral\\_health\\_english.pdf](https://www.cda.org/Portals/0/pdfs/fact_sheets/oral_health_english.pdf).

### **Personal Belief Exemptions**

Effective January 1, 2016: The California Legislature eliminated the exemption from specified immunization requirements based upon personal beliefs. A pupil who, prior to January 1, 2016, submitted a letter or affidavit on file with the District stating beliefs opposed to immunization shall be allowed enrollment to any District school until the pupil enrolls in the next grade span. Grade span means (1) from birth to preschool; (2) Kindergarten and grades 1 to 6, inclusive, including transitional kindergarten; and (3) grades 7 to 12 inclusive.

## 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

### Physical Examination / Parent Refusal to Consent—EC 49451:

A parent or guardian may file annually a signed, written statement indicating that he/she will not consent to a physical examination of his/her 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, the child 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.

### Residency Requirements—EC 48200, 48204, 48204.3, 48204.4, 482046:

Each person between the ages of 6 and 18 years (and not exempted) is subject to compulsory full-time education. Each person subject to compulsory full-time education and not exempted shall attend the public full-time day school or continuation school or classes and for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she meets any of the following:

1. Placed within the boundaries of the school district in a foster home or licensed children's institution as defined in Section 56155.5 or a family home within the boundaries of the school district pursuant to a commitment or a placement under the Welfare and Institutions Code;
2. A pupil who is a foster child who remains in his or her school of origin pursuant to subdivisions (d) and (e) of Section 48853.5.
3. A pupil for whom interdistrict transfer has been approved;
4. An emancipated pupil who resides within the boundaries of the school district;
5. A pupil who lives in the home of a care giving adult that is located within the boundaries of the school district;
6. A pupil residing in a state hospital located within the boundaries of the school district.
7. A pupil whose parent or legal guardian resides outside of the boundaries of that school district but is employed and lives with the pupil at the place of his or her employment within the boundaries of the school district for a minimum of three days during the school week.

8. A pupil whose parent is transferred or is pending transfer to a military installation within the boundaries of the school district while on active military duty pursuant to an official military order. A school district shall allow a pupil who is a child of a military family to continue his or her education in the school of origin, regardless of any changes of residence of the military family during that school year, for the duration of the pupil's status as a child of a military family.
9. A pupil whose parent or parents were residents of this state and have departed California against their will, and if the pupil seeks admission to a school of a school district, shall be admitted, regardless of his or her current residency, provided the pupil has:
  - a. Official documentation evidencing the departure of his or her parent or legal guardian;
  - b. Moved outside of California as a result of his or her parent or legal guardian departing against their will and the pupil lived in California immediately before moving outside of California; and,
  - c. Provides documentation that the pupil was enrolled in a California public school immediately before moving outside of California.

The governing board of the La Mesa-Spring Valley School District has adopted a board policy regarding the process it follows for conducting investigations to determine whether a pupil meets residency requirements for school attendance in the school district. A copy of the District Board Policy 5111.1 is located at [www.lmsvschools.org](http://www.lmsvschools.org).

#### **Vision and Hearing Screenings:**

Education Codes 49452 and 49455 require a pupil's vision and hearing to be appraised by the school nurse or other authorized person during kindergarten or upon first enrollment or entry in a California school district, and in grades 2, 5, and 8. A parent or guardian may file annually a signed, written statement indicating that he/she will not consent to a vision or hearing screening of his/her child.

#### **ATTENDANCE**

##### **Absence for Confidential Medical Services—EC 46010.1:**

Students in grades 7 to 12 may be excused for the purpose of obtaining confidential medical services without consent of the pupil's parent or guardian.

##### **Absence for Religious Instruction—EC 46014:**

Permissive absence may be granted for governing board approved religious exercises or instruction if a pupil has attended at least the minimum school day, and for not more than four days per school month.

#### **Excused Absences:**

1. Notwithstanding Section 48200, a pupil shall be excused from school when the absence is:
  - a. Due to the pupil's illness.
  - b. Due to quarantine under the direction of a county or city health officer.
  - c. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
  - d. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
  - e. For the purpose of jury duty in the manner provided for by law.
  - f. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent, including absences to care for a sick child for which the school shall not require a note from a doctor.
  - g. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, or attendance at an employment conference, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - h. For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
  - i. For the purpose of spending time with a member of the pupil's immediate family, who is an active duty member of the uniformed services, as defined in EC § 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district
  - j. For the purpose of attending the pupil's naturalization ceremony to become a United States citizen.
  - k. Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260. A valid excuse may include other reasons that are within the discretion of school administrators, and, based on the pupil's circumstances.
2. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given

full credit therefore. The teacher of any class from which a pupil is absent shall determine the tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

3. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
4. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
  - a. Immediate family, “as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to “employee” shall be deemed to be references to “pupil.” Immediate family, as used in this section, means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.

**Excused Absence / Justifiable Personal Reasons / Credit (EC 48205) Truancy (EC 48260, et seq.):**

State law permits students to be absent for justifiable reasons and allows for completion of missed assignments. Students who are absent without valid excuse, and their parents/guardians, may be subject to truancy and/or criminal proceedings under Education Code section 48260, et seq.

**Grade Reduction / Loss of Academic Credit—EC 48980(j):**

No pupil shall have his/her grade reduced or lose academic credit for any excused absence pursuant to EC 48205 for missed assignments/tests that can reasonably be provided/completed.

**Notification of Minimum Days and Pupil-Free Staff Development Days—EC 48980(c):**

A schedule of minimum days and pupil-free staff development days will be made available at [www.lmsvschools.org](http://www.lmsvschools.org) at the beginning of the school year or as early as possible (no later than one month prior) to the scheduled minimum or pupil-free day.

**Protection of Instructional Minutes:**

Continuous and consistent attendance is of utmost importance for your child’s education and learning. Therefore, it is important they attend school all day, each day. PLEASE do not schedule appointments (doctor, dentist, etc.) during the school day. IF you must, then please be sure your child is in school before and after the appointment. DO NOT keep them out all day long.

**Truancy:**

1. The first time a truancy report is issued, the pupil and, as appropriate, the parent or legal guardian, may be requested to attend a meeting with a school counselor or other school’s designees to discuss attendance issue and develop plan to improve attendance
2. The second time a truancy report is issued within the same school year, the pupil may be given a warning by a peace officer pursuant to Penal Code section 830.1. The pupil may also be assigned to an afterschool or weekend study program located within the same county as the pupil’s school.
3. The third time a truancy report is issued within the same school year, the pupil shall be classified as a habitual truant and may be required to attend an attendance review board or a truancy mediation program pursuant to EC 48263.
4. The fourth time truancy is issued within the same school year, the pupil may be within jurisdiction of the Juvenile Court that may adjudge the pupil to be a ward of the court pursuant to Welfare and Institutions Code section 601.

**CHILD NUTRITION—EC 49510-49520; 49564-49564.5**

**Free and Reduced Price Meals—EC 49520, 48980, 42 USC 1758, 7 CFR 245.5:**

Do you know that your child may be eligible for free meals at school? Children from families whose income is at or below the levels shown on an eligibility scale established by the federal government are eligible for free meals. Applications for free or reduced meals will be sent home to all pupils at the beginning of the school year. You may also apply online after August 1 at [www.schoolcafe.com](http://www.schoolcafe.com) or click the application icon on the school district website for faster service. Applications for free meals will be sent home to all pupils at the beginning of the school year. A new application must be turned in each school year. The information on the application is confidential and will only be used to determine eligibility for meal benefits. Notification indicating eligibility or non-eligibility will be provided within five days after the application has been submitted. If you do not agree with the decision or have questions about your application, please contact the school office. You may also call the Director of Child Nutrition, Jill Whittenberg, at (619) 668-5764 ext. 4720 if you have any questions about the process of applying for free meals. You must pay for all meals until your application has been processed.

**Free Meals—Direct Certification:**

Households that receive CalFresh benefits (formerly food stamps) or CalWorks Benefits may receive a letter stating their children are approved for free lunches based on information received by the CalFresh or CalWorks office. Applications do not need to be submitted for children whose names are listed on the letter. If you receive a letter and the name of a child living in the household is not listed, an application must be completed for that child. All newly enrolled pupils need an application submitted, including kindergarteners. If you receive a letter and do not want your child(ren) to receive free meals, please contact the Child Nutrition

Department. If you have not received a letter by the time school starts, please complete and turn in an application for free or reduced-price meals with the appropriate case number listed.

**Online Payment System:**

Parents may pay online for their child's breakfasts and lunches through *www.schoolcafe.com*. Please log on and register your child. There is a small transaction fee per transaction.

**School Breakfast Program:**

Breakfast is served during the half hour prior to the start of each school day. Pupils select from a variety of hot entrees, cereal, bread and grain products, fruit, juice, and low-fat white milk. Pupils eligible for a free or reduced-price lunch are also eligible for a free or reduced-price breakfast. The full cost of a breakfast is \$1.50. Prepayment may also be made at a weekly rate of \$7.50.

Schools offering a breakfast program include Avondale, Bancroft, Casa de Oro, Highlands, Kempton, La Mesa Dale, La Mesa Arts Academy, La Presa Elementary, STEAM Academy @ La Presa, Loma, Murdock, Murray Manor, Parkway Middle, Rancho, Rolando, Spring Valley Academy, and Sweetwater Springs.

**School Meal Program:**

The Child Nutrition Department provides balanced, healthful, and delicious meals. The Summit Café Program offers three nutritious entree selections. Pupils may select fruits and vegetables at the salad bar. Milk is the only beverage offered with lunch. If your child has an allergy to milk, a doctor's note is required in order to receive a milk substitute.

The price of a complete lunch at the elementary schools is \$3.00. Meals may be purchased for a week or more at a time at a weekly rate of \$15.00. Preprinted envelopes for paying in advance are available in the school office. Snack, milk, and juice can be paid for in advance by purchasing ticket booklets, available for \$20.00. Payments should be brought to the school office before the lunch period. Pupils may also pay cash for meals on a daily basis when they come to the cafeteria.

The price of a complete lunch at the middle schools and academies is \$3.00 per meal or \$15.00 per week. Payments at the middle schools and academies should be brought to the cafeteria before the lunch period. At the middle schools and academies pupils may purchase food items separately rather than as a complete meal. Prices vary by item and are compliant with the California snack and beverage regulations.

Checks are accepted and should be made payable to the La Mesa-Spring Valley School District. If checks are returned because of insufficient funds, a \$10 service fee will be charged.

Computerized System—All District schools have a computerized system to record when meals are served and when a payment is received. The computer maintains students' account balances.

**Tax Credit Information Act (Earned Income Tax Credit) - School Nutrition (CA Dept. of Education):**

Based on your annual earnings, you may be eligible to receive the Earned Income Tax Credit from the Federal Government (Federal EITC). The Federal EITC is a refundable federal income tax credit for low-income working individuals and families. The Federal EITC has no effect on certain welfare benefits. In most cases, Federal EITC payments will not be used to determine eligibility for Medicaid, Supplemental Security Income, food stamps, low-income housing, or most Temporary Assistance For Needy Families payments. Even if you do not owe federal taxes, you must file a federal tax return to receive the Federal EITC. Be sure to fill out the Federal EITC form in the Federal Income Tax Return Booklet. For information regarding your eligibility to receive the Federal EITC, including information on how to obtain the Internal Revenue Service (IRS) Notice 797 or any other necessary forms and instructions, contact the IRS by calling 1-800-829-3676 or through its Web site at [www.irs.gov](http://www.irs.gov).

You may also be eligible to receive the California Earned Income Tax Credit (California EITC) starting with the calendar year 2018 tax year. The California EITC is a refundable state income tax credit for low-income working individuals and families. The California EITC is treated in the same manner as the Federal EITC and generally will not be used to determine eligibility for welfare benefits under California law. To claim the California EITC, even if you do not owe California taxes, you must file a California income tax return and complete and attach the California EITC Form (FTB 3514). For information on the availability of the credit eligibility requirements and how to obtain the necessary California forms and get help filing, contact the Franchise Tax Board at 1-800-852-5711 or through its Web site at [www.ftb.ca.gov](http://www.ftb.ca.gov).

This institution is an equal opportunity provider.

## **DISCIPLINE RULES AND REGULATIONS–EC 35291**

### **Attendance of Suspended Child’s Parent or Guardian for Portion of School Day-EC 48900.1:**

Pursuant to board policy, a teacher may require a parent or guardian of a pupil who has been suspended by a teacher pursuant to Section 48910 for either committing an obscene act, engaging in habitual profanity or vulgarity or disrupting school activities or otherwise willfully defying the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties, to attend a portion of a school day in the classroom of his or her child or ward. More information can be found online at [www.lmsvschools.org](http://www.lmsvschools.org).

### **Cyber Sexual Bullying–EC 234.2:**

The La Mesa-Spring Valley School District may suspend or expel students who engage in cyber sexual bullying consistent with the District’s disciplinary procedures described herein. The California Department of Education has developed information regarding cyber sexual bullying available at <http://www.cde.ca.gov/ls/ss/se/bullyingprev.asp>.

### **Duty Concerning Conduct of Pupils–EC 44807:**

All students participating in La Mesa-Spring Valley School District programs or activities will comply with District policies, rules and regulations, pursue their studies and obey the valid authority of District staff. Any student who feels another participant is disrupting the student’s learning environment is strongly encouraged to report that misconduct to a District staff member. The District staff member will, in turn, report to the designated District staff member in charge of handling student complaints. District staff expects all students enrolled in District programs or activities to conduct themselves in a manner that enriches the educational environment and does not disrupt the learning process. The District believes all students enrolled in District programs or activities should experience a positive learning environment. All students participating in District programs or activities are expected to cooperate by respecting the rights of other participants, which includes the right to a learning environment free from disruptions. Student conduct includes conduct on school grounds, going to and from school and during recess and lunch periods.

Every teacher has a duty to hold pupils accountable for their conduct on the way to and from school, and on the playground, or during recess. A teacher, vice principal, principal or any other certificated employee of a school district, shall not be subject to criminal prosecution or criminal penalties for the exercise, during the performance of his duties, of the same degree or physical control over a pupil that a parent would be legally privileged to exercise but which in no event shall exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

### **Expulsion:**

A student may be recommended for expulsion for any of the reasons enumerated in Education Code 48915, and pursuant to the expulsion procedures identified in Education Code 48918 and 48918.5.

### **Harassment, Intimidation or Threats–EC 48900.4:**

A pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against school district personnel or pupils, that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of either school personnel or pupils by creating an intimidating or hostile educational environment.

### **Hate Violence–EC 48900.3:**

A pupil in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, or threatened to cause, or participated in an act of, hate violence, as defined in EC 233(e).

### **Sexual Harassment Policy–EC 231.5, 48980(g), 48900.2:**

The La Mesa-Spring Valley School District will not tolerate sexual harassment by anyone participating in any District program or activity. This includes student-to-student or peer sexual harassment as well as harassment between a student and any District participant. The District takes all complaints of sexual harassment seriously, investigates and addresses identified sexual harassment, and if the investigation results in the determination that sexual harassment has occurred, will take reasonable, immediate corrective action to stop the harassment, eliminate a hostile environment, and prevent future sexual harassment. Alleged pupil sexual harassment in violation of District policy or federal or state law will be handled pursuant to District policy and procedures which can be found online at [www.lmsvschools.org](http://www.lmsvschools.org). A pupil in grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined by EC 212.5.

**Suspension–EC 48900:**

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r) inclusive:

- (1) Caused, attempted to cause or threatened to cause physical injury to another person; (2) Willfully used force or violence upon the person of another, except in self-defense.
- (2) Possessed, sold or otherwise furnished a firearm, knife, explosive or other dangerous object, unless in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or designee of the principal.
- (3) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (4) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance or material as a controlled substance, alcoholic beverage or intoxicant.
  - a. Committed or attempted to commit robbery or extortion.
  - b. Caused or attempted to cause damage to school property or private property.
  - c. Stole or attempted to steal school property or private property.
  - d. Possessed or used tobacco, or 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 or possession by a pupil of his or her own prescription products.
  - e. Committed an obscene act or engaged in habitual profanity or vulgarity.
  - f. Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
  - g. Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties. (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion.
  - h. Knowingly received stolen school property or private property.
  - i. Possessed an imitation firearm. As used in this section “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
  - j. Committed or attempted to commit sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
  - k. Harassed, threatened, or intimidated a pupil 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.
  - l. Unlawfully offered, arranged to sell, negotiated to sell or sold the prescription drug Soma.
  - m. Engaged in, or attempted to engage in hazing. For purposes of this subdivision, “hazing” is any method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current or prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events
  - n. Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
    - i. “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - ii. Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
    - iii. Causing a reasonable pupil to experience substantially detrimental effect on his or her physical or mental health.
    - iv. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
    - v. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
    - vi. “Electronic act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone or other wireless communication device, computer, pager, of a communication including, but not limited to, any of the following:
      1. A message, text, sound, video, or image.



2. A post on a social network Internet Web site, including but not limited to: a) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (i); b) creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (i). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purposes of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated; c) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (i). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
3. An act of cyber sexual bullying. For purposes of this clause, "cyber sexual bullying" means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs (1)-(4), inclusive of paragraph (i). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other visual recording, or other electronic act. For purposes of this clause, "cyber sexual bullying" does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned events.
  - a. Notwithstanding paragraph (i) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
  - b. "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.
- o. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for the acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but not limited to, any of the following:
  - i. While on school grounds;
  - ii. While going to or coming from school;
  - iii. During the lunch period whether on or off the campus;
  - iv. During, or while going to or coming from, a school sponsored activity.
- p. A pupil who aides or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil 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 subdivision (a).
- q. As used in this section, "school property" includes, but is not limited to electronic files and databases.
- r. For a pupil subject to discipline under this section, a superintendent of the school district may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil's misbehavior as specified in Section 48900.5.
- s. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

**Suspension / Expulsion: Alternative and Other Means of Correction—EC 48900, 48900.5, 48911:**

Generally, suspension shall be imposed only when other means of correction fail to bring about proper conduct. The District may document other means of correction short of suspension and expulsion and place the documentation in the pupil's record. Other means of correction may include: a conference between school personnel, the pupil's parent or guardian and the pupil; referrals to the school counselor or psychologist; study teams, guidance teams or other intervention-related teams that assess behavior and develop and implement behavior plans; referral for psycho-educational assessment; after-school programs that address specific behavioral issues; and community service on school grounds during non-school hours. A pupil may be suspended, for any of the reasons enumerated in Section 48900 upon a first offense, if the principal or superintendent of schools determines that the pupil violated subdivision (a), (b), (c), (d), or (e) of Section 48900 or that the pupil's presence causes a danger to persons. A suspension shall be preceded by an informal conference between the principal, the principal's designee or the District's superintendent of schools and the pupil, and whenever practicable, the teacher, supervisor, or school employee who referred the student to the principal. At this conference, the pupil shall be informed of the reason for the disciplinary action and other means of correction that were attempted before the suspension.

**Terroristic Threats Against School Officials, School Property, or Both—EC 48900.7:**

A pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both. A “terroristic threat” includes 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 one thousand dollars (\$1,000), with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is 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.

**DRESS CODE****Gang Apparel—EC 35183:**

Students are expected to come to school appropriately dressed. Students failing to dress appropriately will be asked to change. The District’s dress code is available online at [www.lmsvschools.org](http://www.lmsvschools.org).

**Sun Protective Clothing / Use of Sunscreen—EC 35183.5:**

The La Mesa-Spring Valley School District allows for outdoor use of sun-protective clothing and the use of sunscreen by students during the day. Each school is authorized to establish a policy regarding the use of sunscreen. School personnel are not required to assist pupils in applying sunscreen.

**EMPLOYEE STANDARDS AND CONDUCT****Employee Interactions with Pupils—EC 44050:**

La Mesa-Spring Valley School District Board Policies 4119.21/4219.21/4319.21 detail the professional standards to which all District employees are held.

**Inappropriate Conduct:**

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon
2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity
9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information
11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities
12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity
  - a. Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.
13. Causing damage to or engaging in theft of property belonging to students, staff, or the district
14. Wearing inappropriate attire

**Notifications:**

The section(s) of the District's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

**Professional Standards:**

The Governing Board expects District employees to maintain the highest ethical standards, behave professionally, follow District policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the District, advances the goals of the District's educational programs, and contributes to a positive school climate.

The Board encourages District employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

**Reports of Misconduct:**

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the District's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The District prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the District's complaint process shall be subject to discipline.

**Teacher Qualifications:**

Parents or guardian of all pupils may request specified professional qualifications of the student's classroom teacher(s) and assigned paraprofessional(s).

**EXTENDED SCHOOL SERVICES (ESS)**

The ESS program is a self-supporting program that provides before-and after-school supervision for Early Admission Kindergarten (EAK) through eighth-grade students. The program operates at each school from 6:00 a.m. to 6:00 p.m. year round, except major holidays and some school breaks. Daily activities include homework/enrichment, sports, crafts, technology, and playground time. Throughout the year, children are offered opportunities to participate in areas that focus on academics, fine arts, and athletics. The fee during the academic year is \$90 per week for the first child and \$81 per week for each additional child in the family. ESS also offers an AM only program for \$45 per week and a PM only program for \$66 per week during the academic school year. There are no sibling discounts for these two programs. The break time fee is \$135 per week for the first (youngest) child and \$125 for each additional (older) child. Break time fees include all field trip costs and one ESS T-shirt.

Families are required to pre-register and pre-pay for ESS. ESS accepts Visa, MasterCard, Discover, and debit cards online and by phone. The weekly fee is a flat rate regardless of the number of hours or days the child attends the program. ESS accepts the following programs: CDA, SD County Programs, RESPITE, and YMCA. Families pay an annual registration fee of \$40 for one child and \$60 for two or more children. To register visit [lmsvschools.ce.eleyo.com](http://lmsvschools.ce.eleyo.com). For additional information, call the ESS Department at (619) 644-3800 or visit their website at [www.lmsvschools.org/ess/](http://www.lmsvschools.org/ess/).

**FOSTER YOUTH AND HOMELESS CHILDREN****Children in Homeless Situations-42 U.S.C. 11432:**

The District has appointed a liaison for homeless children responsible for ensuring the dissemination of public notice of the educational rights of students in homeless situations.

1. Liaison contact information: Program Manager, Student Supports, Foster and Homeless Youth Liaison (619-668-5700).
2. Circumstances for eligibility include: 1) Students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals. 2) Students who have a primary nighttime residence that is a public or private place not designated for or ordinarily used as regular sleeping accommodations for human beings. 3) Students who are living in cars, parks, public spaces, abandoned

- buildings, substandard housing, bus or train stations, or similar settings. 4) Migratory children who qualify as homeless because they are living in conditions described in items 1-3 above.
3. Right to immediate enrollment in school of origin or school where currently residing without proof of residency, immunization records or tuberculosis skin-test results, schools records, or legal guardianship papers;
  4. Right to education and other services including to participate fully in all school activities and programs for which child is eligible, to qualify automatically for school meal programs, to receive transportation services, and to contact liaison to resolve disputes that arise during enrollment;
  5. That no homeless youth shall be required to attend a separate school for homeless children or youth; and
  6. That homeless youth shall not be stigmatized by school personnel.

**Foster Youth Bill of Rights—EC 48853; 48853.5; 49069.5; 51225.1; 51225.2:**

“Foster child” means a child who has been removed from his or her home pursuant to Section 309 of the Welfare and Institutions Code (“WIC”), is the subject of a petition filed under Section 300 or 602 of the WIC, or has been removed from his or her home and is the subject of a petition filed under WIC section 300 or 602.

A foster child who is placed in a licensed children's institution or foster family home shall attend programs operated by the local educational agency in which that licensed children's institution or foster family home is located, unless one of the following applies:

1. The pupil is entitled to remain in his or her school of origin
2. The pupil has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency
3. The parent or guardian, or other person holding the right to make educational decisions for the pupil pursuant to Section 361 or 726 of the WIC or Section 56055 (“educational rights holder”), determines that it is in the best interests of the pupil to be placed in another educational program and has submitted a written statement to the local educational agency that he or she has made that determination. This statement shall include a declaration that the parent, guardian, or educational rights holder is aware of all of the following:
  - a. The pupil has a right to attend a regular public school in the least restrictive environment
  - b. The alternate education program is a special education program, if applicable
  - c. The decision to unilaterally remove the pupil from the regular public school and to place the pupil in an alternate education program may not be financed by the local educational agency
  - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent, guardian, or educational rights holder

The parent or guardian, or educational rights holder shall first consider placement in the regular public school before deciding to place the foster child in a juvenile court school, a community school, or another alternative educational setting.

A foster child may still be subject to expulsion under applicable law and board policy.

Foster children are subject to other laws governing the educational placement in a juvenile court school, of a pupil detained in a county juvenile hall, or committed to a county juvenile ranch, camp, forestry camp, or regional facility, notwithstanding the rights contained in this notice.

Foster children living in emergency shelters (as referenced in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.)), may receive educational services at the emergency shelter as necessary for short periods of time for either of the following reasons:

1. For health and safety emergencies.
2. To provide temporary, special, and supplementary services to meet the child's unique needs if a decision regarding whether it is in the child's best interests to attend the school of origin cannot be made promptly, it is not practical to transport the child to the school of origin, and the child would otherwise not receive educational services.

The educational services may be provided at the shelter pending a determination by the educational rights holder regarding the educational placement of the child.

All educational and school placement decisions shall be made to ensure that the child is placed in the least restrictive educational programs and has access to academic resources, services, and extracurricular and enrichment activities that are available to all pupils. In all instances, educational and school placement decisions shall be based on the best interests of the child.

The La Mesa-Spring Valley School District has designated a Program Manager, Student Supports (619-668-5700) as the educational liaison for foster children. The role of educational liaison is advisory with respect to placement decisions and determination of school of origin and does not supersede the role of the parent or guardian retaining educational rights, a responsible adult appointed by the

court, a surrogate parent or a foster parent exercising their legal rights with respect to the foster child's education. The educational liaison serves the following roles:

1. Ensures and facilitates proper educational placement, enrollment in school, and checkout from school for foster children;
2. Assists foster children when transferring from one school to another school or from one school district to another school district in ensuring proper transfer of credits, records and grades.
3. When designated by the Superintendent, notifies a foster child's attorney and child welfare agency representative(s) of pending disciplinary proceedings and pending manifestation determination proceedings if the foster child is also eligible to receive special education and related services under the IDEA.

At the initial detention or placement by the Juvenile Court, or any subsequent change in placement of a foster child by the Court, the local educational agency serving the child shall allow the foster child to continue his or her education in the school of origin for the duration of the jurisdiction of the court. If the jurisdiction of the court is terminated prior to the end of the academic year:

1. Former foster children in grades kindergarten, or 1 to 8, inclusive, shall be allowed to continue his or her education in the school of origin through the duration of the academic year;
2. Former foster children in high school shall be allowed to continue his or her education in the school of origin through graduation;
3. Transportation is not required unless the former foster child has an IEP and the IEP team determines transportation is a necessary related service, required by the unique educational needs of the pupil in order to benefit from their special education program. Transportation may be provided at the local educational agency's discretion. The rights of foster children do not supersede any other law governing special education for eligible foster children.
4. To ensure that the foster child has the benefit of matriculating with his or her peers in accordance with the established feeder patterns of school districts, if the foster child is transitioning between school grade levels, the foster child shall be allowed to continue in the school district of origin in the same attendance area, or, if the foster child is transitioning to a middle school or high school, and the school designated for matriculation is in another school district, to the school designated for matriculation in that school district.

In consultation with the foster child and educational rights holder, the educational liaison may recommend that the foster child waive his or her right to attend the school of origin and enroll in a public school within his or her attendance area. The educational liaison's recommendation must be accompanied by a written explanation for the basis of the recommendation and how it serves the foster child's best interests.

1. If the educational liaison, foster child and educational rights holder agree it is in the best interest of the foster child to waive his or her right to attend the school of origin and attend the recommended school, the foster child shall immediately be enrolled within the recommended school.
2. The recommended school shall immediately enroll the foster child regardless of any outstanding fees, fines, textbooks or moneys due to any previous schools of attendance or if the foster child is unable to produce clothing or records normally required for enrollment, such as previous academic records, medical records, including proof of immunization, proof of residency or other documentation.
3. Within two business days of the foster child's request for enrollment, the educational liaison for the new school shall contact the school last attended by the foster child to obtain all academic and other records. The last school attended by the foster child shall provide all required records to the new school regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended. The educational liaison for the school last attended shall provide a complete copy of the foster child's education record to the new school within two business days of receiving the request.

If any dispute arises as to the school placement of a pupil under this section, the pupil has the right to remain in his or her school of origin, pending resolution of the dispute.

"School of origin" means the school that the foster child attended when permanently housed or the school in which the foster child was last enrolled. If the school the foster child attended when permanently housed is different from the school in which the foster child was last enrolled, or if there is some other school that the foster child attended with which the foster child is connected and that the foster child attended within the immediately preceding 15 months, the educational liaison, in consultation with, and with the agreement of, the foster child and the educational rights holder, shall determine, in the best interests of the foster child, the school that shall be deemed the school of origin.

If the foster child is absent from school due to a decision to change the placement of the foster child made by a court or placing agency, the grades and credits of the foster child will be calculated as of the date the foster child left school and no lowering of grades will occur as a result of the absence of the foster child under these circumstances. If the foster child is absent from school due to a verified court appearance or related court ordered activity, no lowering of his or her grades will occur as a result of the absence of the pupil under these circumstances.

A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations. A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal. If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

**Homeless Youth in Afterschool Programs—EC 8483.1:**

The La Mesa-Spring Valley School District currently operates an afterschool program pursuant to the After School Education and Safety Program Act of 2002. The District provides priority enrollment to students as follows: First priority shall go to pupils who are identified by the program as homeless youth, as defined by the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. § 11434a), at the time that they apply for enrollment or at any time during the school year, and to pupils who are identified by the program as being in foster care. For programs serving middle and junior high school pupils, second priority shall go to pupils who attend daily. Requests for enrollment in afterschool programs for homeless and foster children should begin with the District Homeless and Foster Liaison, Program Manager, Student Supports at 619-668-5700.

**INSTRUCTION AND EDUCATIONAL PROGRAMS**

**California Healthy Youth Act—EC 51934, 51938:**

Students enrolled in La Mesa-Spring Valley School District programs or activities may receive instruction in personal health and public safety, which may include accident prevention, first aid, fire prevention, conservation of resources, and health education including comprehensive sexual health education and HIV prevention.

**Excuse from Health Instruction Which Conflicts with Religious or Moral Beliefs—EC 51240:**

Whenever any part of the instruction in health, family life education, and sex education conflicts with the religious training and beliefs, or personal or moral convictions of the parent or guardian or any pupil, the pupil shall be excused from such instruction upon written request of the parent or guardian.

**Home Independent Study (Trust Blended Learning):**

The District maintains a Home Independent Study program for parents wishing to educate their child at home. Instructional support, materials, and consultation are provided. The Home Independent Study program is located at 9009 Park Plaza Dr, La Mesa 91942. Information about this program may be obtained by calling (619) 619-771-6080.

**Independent Study Program—EC 51745:**

The Independent Study Program may be offered to an individual or group of pupils as an alternative to a regular classroom program of instruction. Independent study refers to a formal independent learning arrangement in which a written agreement exists between a pupil and a designated supervisor in a school. The program does not allow parents to keep school-age children at home without a legal reason. Independent study contracts may not be written for less than five consecutive school days.

**Language Programs:**

Parents/Guardians may choose a language acquisition program that best suits their child. 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 310a). Parents may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan. For additional information contact the Learning Support Department at (619) 668-5700, ext. 6395.

**Notice of Alternative Schools—EC 58501:**

“California State law authorizes all school districts to provide for alternative schools. The Education Code defines alternative school as a school or separate class group within a school, which is operated in a manner designed to:

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

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the *County Superintendent of Schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information.* This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.”

A copy of the notice shall also be posted in at least two places normally visible to pupils, teachers, and visiting parents in each attendance unit for the entire month of March in each year.

**Notification of Family Life and Sex Education—EC 51550, 51553, 51938:**

Parents shall be notified in writing prior to any instruction or class in which human reproductive organs and their functions or processes are described, illustrated, or discussed. Opportunity is provided for parents or guardians to request in writing that their child not attend the class. Such requests shall be valid for the school year in which they are submitted. Curriculum and materials are available for review upon request. Please contact the school principal.

**Notification of Sexually Transmitted Disease Instruction—EC 51820:**

Parents shall be notified in writing at least fifteen (15) days prior to beginning a unit of instruction in sexually transmitted disease education. Parents may review textbooks, audiovisual aids, and any other instructional materials to be used prior to the instruction provided by District personnel. Parents may request in writing that their child be exempted from sexually transmitted disease instruction programs.

**Overdue, Damaged, or Lost Instructional Materials—EC 48904:**

When property of the District is lent to students, the District expects it shall be returned in a timely manner, with no more than usual wear and tear.

**PACE Program (Formerly the GATE Program)—5 C.C.R. 3831:**

The Program for Acceleration, Challenge and Enrichment (PACE) is a recently re-designed program whose purpose is to provide maximum opportunities for advancement to high ability students in a rigorous and flexible learning environment. Students are identified based on multiple measures that assess ability and achievement, in addition to parent and teacher input, and may allow for identification as early as kindergarten. Students who qualify for PACE will be clustered with other PACE identified students where they will receive specialized and differentiated instruction that promotes intellectual challenge and critical thinking, in addition to the core program. For additional information, contact the Learning Support Department at (619) 668-5700, ext. 6395.

**Pupil Safety: Human Trafficking Prevention Resources—EC 49381**

The governing board of the La Mesa Spring Valley School District will work with their schools that maintain any grades 6 to 12, inclusive, to identify the most appropriate methods of informing parents and guardians of pupils in those grades of human trafficking prevention resources and to implement the identified methods in those schools by January 1, 2020. Information on human trafficking shall include both of the following:

1. Information on the prevalence, nature, and strategies to reduce the risk of human trafficking, techniques to set healthy boundaries, and how to safely seek assistance.
2. Information on how social media and mobile device applications are used for human trafficking.

**Sexual Health and HIV/AIDS Prevention Intervention—EC 48980, 51201.5, 51938:**

Parents shall be notified in writing prior to any instruction, class, or assembly on HIV/AIDS and HIV/AIDS prevention. The instruction is provided by certificated staff. The pupil shall be excused from such instruction upon written parental request. Copies of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act are available upon request from the Student Support Department.

**Surveys—EC 51513; 20 U.S.C. 1232(h):**

The La Mesa-Spring Valley School District will notify parents or guardians of the need for their written permission before any test, questionnaire, survey or examination containing any questions about their child’s personal beliefs or practices (or the pupil’s family’s beliefs or practices) in sex, family life, morality and religion, may be administered to any pupil in kindergarten, or grades 1-8, inclusive. Notification will include specific or approximate dates of when any survey containing sensitive, personal information is to be administered and provide an opportunity for parents to opt pupils out of participating in the survey. Upon request, parents or guardians will be given the opportunity to inspect any third party survey.

**MEDICATIONS / MEDICAL INFORMATION / MEDICAL SERVICES**

**Access to Student Mental Health Services:**

The La Mesa – Spring Valley School District provides student mental health services and supports through specially trained staff members and partnerships and referrals to community agencies. Students with disabilities may also be served through Educationally

Related Mental Health Services (ERMHS). If you have a concern for your student's wellbeing, please reach out to your site principal and ask about a Healthy Start Referral and about the student supports in place on your child's campus.

**Anaphylaxis Treatment—EC 49414:**

Education Code authorizes districts to provide epinephrine auto-injectors to trained personnel to use to provide emergency medical aid to persons suffering from anaphylactic reaction.

**Assistive Devices / Crutches / Wheelchairs:**

Occasionally students may need to use assistive devices such as crutches, wheelchairs, casts, or walking boots to attend school. To reduce risk to the student and others, parent/guardian will provide notification from a physician responsible for managing the student's condition. The notification must:

1. Specify equipment prescribed for use at school
2. Acknowledge that the student received instructions on safe use of the device
3. Include parent permission for District staff to communicate with prescribing health professional if clarification is required
4. Include anticipated amount of time equipment will be needed

Only school staff members are permitted to propel an injured student in a wheelchair, unless the student can self-propel safely. Other students are prohibited from pushing an injured student in a wheelchair. Parent/guardian can request a copy of the form entitled *Orthopedic/Medical Equipment Orders for School*.

**Confidential Medical Services—EC 46010.1:**

Education Code authorizes districts to excuse pupils in grades 7–12 inclusive from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent/guardian.

**Continuing Medication Regimen—EC 49480:**

The parent or legal guardian of any public school pupil on a continuing medication regimen for a non-episodic condition, shall inform the school nurse or other designated certificated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian of the pupil, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the drug on the child's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

**Cooperation in Control of Communicable Disease and Immunization of Pupils—EC 49403:**

The District may permit a licensed physician, physician assistant, or nurse to administer immunizing agents to prevent or control communicable diseases to pupils whose parents have consented in writing to such immunization.

The following guidelines should be followed to protect your child and other children from communicable disease:

1. Children should remain home until free from a fever 100.5° or above for at least 24 hours without the help of fever-reducing medication such as acetaminophen (Tylenol) or ibuprofen (Advil).
2. Children who have diarrhea or vomit at home, or are sent home from school because of this, should stay home until free from symptoms for 24 hours.
3. Children should not come to school with an undiagnosed rash.

Children who exhibit signs of passable contagious conditions will be sent home until symptom-free or cleared to return by a medical provider. Children will not be transported by school bus.

**Emergency Information:**

To safeguard your child's health and welfare, the school must have current emergency information on file. Such information should include home address, home and work telephone numbers of the parents or guardians, name and telephone number of at least one relative or friend who is authorized to provide transportation and/or care for the child, and childcare provider information if applicable. This is especially important in cases of crisis situations or natural disasters. Students WILL NOT be released to anyone who is not listed on the emergency contact list.

**Head Lice Policy—BP 5141.33(a):**

The District recognizes head lice infestations among students require treatment but do not pose a risk of transmitting disease. If a student is found with active, adult head lice, he/she shall be allowed to stay in school until the end of the school day. Upon return to school, the student will be checked before he/she can return to the classroom and may remain at school if no active, adult lice are detected. Staff shall maintain the privacy of students identified as having head lice.

**Medical and Hospital Services for Pupils—EC 49471, 49472:**

The La Mesa-Spring Valley School District does not provide medical, accident, or dental insurance for pupils injured on school premises or during school activities; however, the District does offer an optional pupil medical or hospital insurance to parents wishing to purchase coverage for injuries arising from school programs or activities. Information regarding the coverage offered will



be sent home with each pupil at the beginning of the school year. Additional information and applications can be found on the District website at [www.lmsvschools.org](http://www.lmsvschools.org).

Under state law, school districts are required to ensure that all members of school athletic teams have accidental injury insurance that covers medical and hospital expenses. This insurance requirement can be met by the school district offering insurance or other health benefits that cover medical and hospital expenses. Health coverage will be confirmed for each extracurricular athletic team member prior to athletic participation.

**Medical Record Sharing—HSC 120440:**

Medical information may be shared with local health departments and the State Department of Public Health. Any information shared shall be treated as confidential medical information. The student or parent or guardian has the right to examine any immunization-related information shared in this manner and to correct any errors in it; and the student or parent or guardian may refuse to allow this information to be shared in the manner described, or to receive immunization reminder notifications at any time, or both. More information regarding medical record sharing including information regarding the immunization registry with which the information may be shared may be found online at [www.sdiz.org](http://www.sdiz.org).

**Medication—EC 49423:**

The parent or guardian of any student who must take prescribed medication at school and who desires assistance of school personnel must submit a written statement of instructions from the physician, physician assistant, or nurse practitioner, and a parental request for assistance in administering the medications. Any student may carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication only if the student submits a written statement of instructions and confirmation that the pupil is able to self-administer the medication from the physician or physician assistant and written parental consent authorizing the self-administration of medication, providing a release for the school nurse or other personnel to consult with the child's health care provider as questions arise, and releasing the District and personnel from civil liability if the child suffers any adverse reaction as a result of the self-administration of medication.

**Medi-Cal Reimbursement Program:**

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

School health services currently provided to all students will not be charged for this program. Students will not be denied services they require to attend school, and parents will not be billed for these services by the school district.

**Pupils with Temporary Disabilities—EC 48206.3, 48207, 48207.3, 48207.5 48208:**

The District provides individual home-hospital instruction when a pupil becomes temporarily disabled and is expected to be out of school for longer than two weeks. It is the responsibility of the parent to request this service. The Student Support Department should be contacted and a *Physical Medical Documentation for Home-Hospital, or a Mental Health Documentation for Home-Hospital* form should be completed.

**PRESCHOOL PROGRAMS**

**Preschool - Smart Steps (fee-based):**

La Mesa-Spring Valley School District offers Smart Steps, a fee-based preschool at two locations – Fletcher Hills Elementary (#376700461) in El Cajon and Maryland Avenue Elementary (#376700136) in La Mesa. A child must be three years old by August 1 of the current school year to attend. Smart Steps is a half-day program, 8:30 am – 11:30 am, 2, 3, or 5 days a week. The fee is \$45, \$65, or \$107 a week. To register, contact Maryland Avenue at (619) 668-5744, or Fletcher Hills at (619) 668-5820.

**Preschool - State-Funded:**

La Mesa-Spring Valley School District offers free part day (8:30 am – 11:30am) state funded preschool programs to families meeting income eligibility requirements. Priority is given to children who will be four years of age on or before September 1 of the school year. State funded preschool programs are offered at Avondale (#376600515), Bancroft (#376700372), Kempton (#376701229), La Mesa Dale (#376600883), La Presa Elementary (#376600177), Rancho (#370806360), and Sweetwater Springs (#376700483) Elementary Schools. For additional information regarding the state funded preschool program call (619) 668-5700, ext. 6480 or 6481.

## **RIGHTS AND RESPONSIBILITIES OF STUDENTS AND PARENTS OR GUARDIANS**

### **Acceptable Use of Technology:**

The La Mesa-Spring Valley School District policy on the acceptable use of technology on school campuses and access by pupils to the Internet and on-line sites is available at [www.lmsvschools.org](http://www.lmsvschools.org).

### **Availability of Prospectus (Curriculum)—EC 49091.14:**

If requested, the La Mesa-Spring Valley School District will provide a prospectus of the curriculum for any of the schools within the District, which includes titles, descriptions and instructional goals for each course offered by the school. Please contact the Learning Support Department at 619-668-5700 for a copy of a prospectus.

### **Children of Military Families—EC 49701, 51225.1, 51225.2**

A pupil who is a “child of a military family” is defined as school-aged child or children, enrolled in kindergarten through eighth grade, in the household of an active duty member. “Active duty” means full-time status in the active uniformed service of the United States, including member of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. Sections 1209 and 1211.

A complaint of noncompliance with the requirements of this section may be filed with the local educational agency under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title V of the California Code of Regulations. A complainant not satisfied with the decision of a local educational agency may appeal the decision to the CDE and shall receive a written decision regarding the appeal within 60 days of the CDE's receipt of the appeal. If a local educational agency finds merit in a complaint, or the Superintendent finds merit in an appeal, the local educational agency shall provide a remedy to the affected pupil.

The above protections shall also apply to pupils in foster care, pupils who are homeless, former juvenile court school pupils, migratory children, and pupils participating in a newcomer program, as defined in Education Code section 51225.2(a).

### **Custody Issues:**

Schools are not a forum to settle custody disputes. The school has no legal jurisdiction to refuse a biological parent access to his or her child and the child's school records unless a signed restraining order or proper divorce papers specifically setting forth limitations are on file at the school office. Custody disputes must be handled by the courts.

### **Directory Information—EC 49073:**

“Directory Information” includes one or more of the following items: student's name, date of birth, address, telephone number, participation in school activities, dates of attendance, awards, and previous schools attended. The La Mesa-Spring Valley School District has determined that the following individuals, officials, or organizations may receive directory information:

1. PTA
2. Health Department (regarding immunization and communicable diseases)
3. Third Party Providers of Online Educational Tools (used within the classroom for educational purposes only)
4. Military Recruiters (grades 7 and 8 only)

No information may be released to a private profit-making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil's directory information. However, directory information related to homeless and unaccompanied children will not be released without the express written consent for its release by the eligible pupil, his/her parent or guardian.

The District may disclose appropriately designated "directory information" as specified herein without written consent unless advised to the contrary in accordance with procedures. Parents/guardians must notify the District in writing every year if they do not want the District to disclose directory information from their child's education records without prior written consent. Also, in accordance with Section 49073.2, the LEA shall not include the directory information or the personal information of a pupil or of a parent or guardian of a pupil in the minutes of its governing body, except as required by judicial order or federal law, if a pupil who is 18 years of age or older or a parent or guardian of a pupil has provided a written request to the secretary or clerk of the governing body to exclude his or her personal information or the name of his or her minor child from the minutes of a meeting of the governing body. Personal information includes a person's address, telephone number, date of birth, and email address.

### **Disabled Pupils—Section 504 of the Rehabilitation Act of 1973:**

Section 504 of the federal Rehabilitation Act of 1973, and the Americans with Disabilities Act (42 USC 12101, et seq.) prohibits discrimination on the basis of disability. Section 504 requires school districts to identify and evaluate children with disabilities in order to provide them a free, appropriate public education. Individuals with a physical or mental impairment that substantially limits one or more major life activities, including seeing, hearing, walking, breathing, working, performing manual tasks, learning, eating, sleeping,

standing, lifting, bending, reading, concentrating, thinking, speaking, are eligible to receive services and aids designed to meet their needs as adequately as the needs of non-disabled students are met.

1. Name and contact information of the District's designated individual for implementing Section 504: Program Manager, Student Supports. Phone: 619-668-5700.
2. Screening and evaluation procedures used by the District when there is a reason to believe a student has a disability under Section 504: Contact the District Program Manager, Student Support.
3. A student has the right to a written accommodation plan if the student qualifies for services under Section 504.
4. A student has the right to be educated with non-disabled students to the maximum extent appropriate based on the student's needs.
5. A copy of the parents or guardians legal safeguard can be obtained contacting the District Program Manager, Student Support.

#### **Electronic Products or Services that Disseminate Advertising—EC 35182.5**

If LMSV Schools enters into a contract for electronic products or services that requires the dissemination of advertising to students, the district must provide written notice to the parents or guardians of the students that the advertising will be used in the classroom or other learning centers.

#### **Fingerprinting Program for Students—EC 32390:**

The District does not offer a voluntary student fingerprinting program.

#### **Illegal Recording of Confidential Communication—PC 632, EC 51512:**

It is unlawful to intentionally eavesdrop or record the confidential communication between two or more parties without the consent of all parties to the confidential communication. The eavesdropping or recording of a confidential communication includes by means of any electronic amplifying or recording device whether the communication is carried on among the parties in the presence of one another or by means of a telegraph, telephone, or other device, except a radio. Such an act is punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or imprisonment in the county jail not exceeding one year, or in the state prison, or by both that fine and imprisonment. Additionally, pursuant to Education Code section 51512, the use by any person, including a student, of any electronic listening or recording device in any classroom without prior consent of the teacher and the principal is prohibited. Any person, other than the student, willfully in violation shall be guilty of a misdemeanor. Any pupil in violation is subject to La Mesa-Spring Valley School District's disciplinary procedures.

#### **Imitation Weapons: Prohibitions on Sale, Possession and Use—Penal Code 12550, 12556:**

No weapons of any kind are allowed on school campuses. This includes "imitation firearms" described as "any BB device, toy gun, replica of a firearm, or other device that is substantially similar in coloration and overall appearance to an existing firearm as to lead a reasonable person to perceive that the device is a firearm." The Penal Code further states, "no person may openly display or expose any imitation firearm in a public place." This includes on the way to and home from school. Many of these illegal imitation weapons are sold at local swap meets. Please remind your child(ren) they are never to bring such items to school.

#### **Laser Pointers: Prohibitions on Sale, Possession and Use—Penal Code 417.27:**

Pupils may not possess, sell, or use laser pointers while on school premises. Pupils are also prohibited from directing the beam of a laser pointer into the eyes of another person, guide dog, or into a moving vehicle.

#### **Liability of Parent or Guardian for Willful Pupil Misconduct—EC 48904:**

The parent or guardian of any minor may be held financially liable for the pupil's willful misconduct which results in injury or death to any pupil or person employed or volunteering for the La Mesa-Spring Valley School District or injury to real or personal property belonging to District or a District employee. The parent or guardian of a minor shall be liable to the District for all property belonging to the District loaned to the minor and not returned upon demand of an employee of the District authorized to make the demand. The District shall notify the parent or guardian of the pupil in writing of the pupil's alleged misconduct before withholding the pupil's grades, diploma or transcript pursuant to this section.

#### **Possession and Use of Cellular Telephones and Other Electronic Signaling Devices:**

All students may use their cellular devices, pagers, and other electronic signaling devices before school begins and after school ends. These devices must be kept out of sight and turned off during the instructional program. Unauthorized use of such devices disrupts the instructional program and distracts from the learning environment. Therefore, unauthorized use is grounds for confiscation of device by school officials, including classroom teachers. Repeated unauthorized use of such devices may lead to disciplinary action.

#### **Pupil Collection of Debt—EC 49014**

A pupil or former pupil, unless emancipated at the time the debt is incurred, shall not owe or be billed for a debt owed to an LEA. An LEA cannot take negative action against a pupil or former pupil for a debt owed, including, but not limited to, all of the following:

- Denying full credit for any assignments for a class;

- Denying full and equal participation in classroom activity;
- Denying access to on-campus educational facilities, including, but not limited to, the library;
- Denying or withholding grades or transcripts;
- Denying or withholding a diploma;
- Limiting or barring participation in an extracurricular activity, club, or sport; and
- Limiting or excluding from participation in an educational activity, field trip, or school ceremony

**Pupil Fees—EC 49010:**

The La Mesa-Spring Valley School District maintains a policy concerning the provision of a free education to pupils and for filing a complaint of non-compliance pursuant to the Uniform Complaint Procedures with the principal of the school alleged to be in non-compliance. More information is available online at [www.lmsvschools.org](http://www.lmsvschools.org).

**Pupil Protections Relating to Immigration and Citizenship Status—EC 234.7:**

Except as required by state or federal law or as required to administer a state or federally supported educational program, the La Mesa-Spring Valley School District shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

Should any request be made for information or access to a school-site by an officer or employee of a law enforcement agency for the purpose of enforcing immigration laws, the District’s Superintendent shall report to the governing board any such requests in a timely manner that ensures the confidentiality and privacy of any potentially identifying information.

If the District becomes aware that a pupil’s parent or guardian is not available to care for the pupil, District staff shall first exhaust any parental instruction relating to the pupil’s care in the emergency contact information it has for the pupil to arrange for the pupil’s care. The District will not contact Child Protective Services to arrange for the pupil’s care unless it is unable to arrange care through the use of emergency contact information provided by the parents or other information provided by the parent or guardian.

All children have a right to a free public appropriate education, regardless of immigration status or religious beliefs. Therefore, LMSV’s policies include, but are not limited to, refraining from collecting national origin information during the school enrollment process, accepting all forms of evidence listed in California Education Code section 48002 for the purpose of verifying student age, and not including citizenship status, immigration status, place of birth, or any other information indicative of national origin as directory information. Please visit the State of California’s Attorney General’s “Know Your Rights” page at <https://oag.ca.gov/immigrant/rights>.

**Pupil Records / Notification of Rights—20 U.S.C. 1232(g); EC 49063, 49068, 49069, 49073:**

Parents, pupils 18 and over, pupils 14 and over that are both homeless and an unaccompanied youth, and individuals who have completed and signed a Caregiver’s Authorization Affidavit, have rights concerning pupil records under Education Code Section 49063. These rights include:

1. The right to inspect and review the student's education records within five (5) business days of the day the school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will forward requests to the Custodian of Records. The Custodian of Records will make arrangements for access and notify the parent or eligible student.
2. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write 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 them of their 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 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 from officials of another school district in which a student seeks or intends to enroll, the La Mesa-Spring Valley School District shall disclose education records without parental consent.
4. When a student moves to a new district, the District will forward the student’s records upon the request of the new school district within 10 school days.

A foster family agency with jurisdiction over a currently enrolled or former pupil, a short-term residential treatment program staff responsible for the education or case management of a student, and a caregiver who has direct responsibility for the care of a pupil may access the current or most recent records of grades, transcripts, attendance, discipline, online communications on school platforms, any IEPs or Section 504 plans maintained by the responsible LEA of that pupil. The above-referenced individuals may

access the pupil records listed above solely for the purpose of monitoring the pupil's educational progress, updating and maintaining the pupil's education records as required by Welfare and Institutions Code section 16010, and to ensure the pupil has access to educational services, supports and activities, including enrolling the pupil in school, assisting the pupil with homework, class assignments, and college and scholarship applications, and enrolling the pupil in extracurricular activities, tutoring and other afterschool or summer enrichment programs.

“Student Records” do not include:

1. Instructional, supervisory or administrative notes by District staff that are made only for that staff member or his/her substitute
2. Records of a law enforcement unit that were created for use by the law enforcement unit
3. Employee records made for personnel use
4. Records of a doctor, psychologist, psychiatrist or other treatment provider and/or assistant regarding a student who is 18 or older or who is attending a postsecondary educational institution. In this case, “treatment” does not include remedial instructional measures.

Parents have a 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 is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5920

### **Rights of Parents or Guardians to Information—EC 51101:**

Parents/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:

1. Within a reasonable period of time following making the request, to observe the classroom or classrooms in which their child is enrolled or for the purpose of selecting the school in which their child will attend pursuant to intra-district or inter-district pupil attendance policies or programs.
2. Within a reasonable time of their request, to meet with their child's teacher or teachers and the principal of the school in which their child is enrolled.
3. 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.
4. To be notified on a timely basis if their child is absent from school without permission.
5. To receive the results of their child's performance on standardized tests and statewide tests and information on the performance of the school that their child attends on standardized statewide tests.
6. To request a particular school for their child, and to receive a response from the school district. This paragraph does not obligate the school district to grant the parent's request.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of the class or classes in which their child is enrolled.
9. To be informed of their child's progress in school and of the appropriate school personnel whom they should contact if problems arise with their child.
10. To have access to the school records of their child.
11. To receive information concerning the academic performance standards, proficiencies, or skills their child is expected to accomplish.
12. To be informed in advance about school rules, including disciplinary rules and procedures, attendance policies, dress codes, and procedures for visiting the school.
13. To receive information about any psychological testing the school does involving their child and to deny permission to give the test.
14. To participate as a member of a parent advisory committee, school-site council, or site-based management leadership team, in accordance with any rules and regulations governing membership in these organizations. In order to facilitate parental participation, school-site councils are encouraged to schedule a biannual open forum for the purpose of informing parents about current school issues and activities and answering parents' questions. The meetings should be scheduled on weekends, and prior notice should be provided to parents.
15. To question anything in their child's record that the parent feels is inaccurate or misleading or is an invasion of privacy and to receive a response from the school.
16. To be notified, as early in the school year as practicable pursuant to EC § 48070.5, if their child is identified as being at risk of retention and of their right to consult with school personnel responsible for a decision to promote or retain their child and to appeal a decision to retain or promote their child. Parents and guardians of pupils, including those parents and guardians whose primary language is not English, shall have the opportunity to work together in a mutually supportive and respectful partnership with schools, and to help their children succeed in school. Each governing board of a school district shall develop jointly with parents and guardians, and shall adopt, a policy that outlines the manner in which parents or guardians of pupils,

school staff, and pupils may share the responsibility for continuing the intellectual, physical, emotional, and social development and well-being of pupils at each school-site.

**Rights and Options Available to Pregnant and Parenting Pupils—EC 46015:**

A pregnant or parenting pupil is defined as any pupil who gives or expects to give birth, or any parenting pupil who identifies as the parent of an infant. Pregnant and parenting pupils are entitled to at least eight weeks of parental leave, which can be taken before birth of a pupil’s infant if there is a medical necessity, or after childbirth during the school year in which the birth takes place, inclusive of any mandatory summer instruction. The pupil is neither required to take time off nor notify his or her school that he or she is doing so; this is a guaranteed minimum right that can be expanded if deemed medically necessary. Parental leave will be considered an excused absence, and the pregnant or parenting pupil is not required to complete any academic work during this period.

A pregnant or parenting pupil may return to their previous school and course of study, and is entitled to make up opportunities for any work missed during the leave. These students are allowed to enroll in a fifth year of high school in order to complete any state or local graduation requirements, except when the school finds that the pupil is reasonably able to complete these requirements in time to graduate high school by the end of their fourth year.

A pregnant or parenting pupil who does not wish to reenroll in his or her previous school is entitled to alternative education options offered by the local education agency. If so enrolled, the pupil shall be given educational programs, activities, and courses equal to those he or she would have been in if participating in the regular program. Furthermore, a school may not penalize a student for using any of the accommodations mentioned above.

If a student believes that his or her school is discriminating on the basis of sex in opposition to the rights and entitlements listed above, the student can file a complaint through the standard Uniform Complaint Procedures of *California Code of Regulations*, Title 5 Sections 4600, et. seq.

**School Accountability Report Cards—EC 35256, 35258:**

The School Accountability Report Card provides parents and other interested members of the community a variety of information about the school, its resources, its successes, and the areas where it needs improvement. On or before February 1 of each year, an updated copy of the School Accountability Report Card for each District-operated school can be found on the District website at [www.lmsvschools.org](http://www.lmsvschools.org). A hard copy will also be provided upon request to any parent or guardian.

**Sex Equity in Career Counseling and Course Selection—EC 221.5(d):**

Commencing in Grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil’s gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

**Statement of Non-Discrimination Board Policy 5145.3:**

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the District’s academic, extracurricular, and other educational support programs, services, and activities. The Board prohibits, at any District school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying, targeted at any student by anyone, based on the student’s actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics. This policy shall apply to all acts related to school activity or to school attendance occurring within a district school, and to acts which occur off campus or outside of school-related or school-sponsored activities but which may have an impact or create a hostile environment. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin. Title IX prohibits discrimination on the basis of sex. The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination on the basis of disability. The La Mesa-Spring Valley School District will take the required steps to assure that the lack of English will not be a barrier to admission and participation in District programs. This policy applies to all students insofar as participation in programs and activities is concerned, with few exceptions such as contact sports. In accordance with federal law, complaints alleging non-compliance with this policy are investigated through the Uniform Complaint Process. Additional information is available at [www.lmsvschools.org](http://www.lmsvschools.org).

**Student Dismissal**

The District releases students from school each day at the posted end time of the school day. Students who are transported by the District are then dropped off at designated bus stops or as otherwise specified. Parents are responsible for their students wellbeing and safety after the student departs the school or bus.

## **Student Early Release**

La Mesa-Spring Valley Schools has implemented Student Early Release procedures that were developed to ensure the safety of all of our students. If anyone other than the student's custodial parent is picking up a student prior to the end of the school day, BOTH of the following conditions must be met:

- The person picking up the student **must** be listed as an emergency contact in our student database.
- The custodial parent **must** deliver a signed, dated letter notifying the office as to which emergency contact will be picking up the student and the date and time of that pick-up.

Valid ID must be provided to office personnel prior to student release. Custodial parents may add individuals to their child's emergency contact list by visiting the office or contacting the school's Office Manager or Principal for steps needed to add an individual. In case of an urgent (*emergency*) situation only, there are options that can be utilized. The parent must contact the office by phone to relay the situation and then use one of the following options to provide the school with written notification:

- fax written notification of the need for an emergency early release pick-up; the fax must include a handwritten and signed note from the parent informing the school of who will be picking up the student
- parent may send a picture of a written request for pick-up/early release to the office by e-mail attachment

Exceptions:

- Students will be released to an authorized law enforcement officer or social services agency professional acting in accordance with the law; or at the direction of the principal to receive emergency medical care.

## **TITLE I – PARENT INVOLVEMENT POLICY 6020BP**

There are certain requirements in the Elementary and Secondary Education Act (ESEA) for notifying parents of the status of the schools their children attend and their parental options. The Parent Involvement governing board policy can be found at: Policies & Regulations / 6020 BP.

The Superintendent or designee shall ensure 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 6318. (20 USC 6318) The District-Level Parent and Family Engagement Policy describes the means for carrying out designated Title I, Part A parent and family engagement requirements and can be found at: [www.lmsvschools.org](http://www.lmsvschools.org)

When the District's Title I, Part A allocation exceeds the amount specified in 20 USC 6318, the Board shall reserve at least one percent of the funding to implement parent/guardian and family engagement activities. 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 and shall ensure that priority is given to schools in high poverty areas in accordance with law. (20 USC 6318, 6631)

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

Expenditures of such funds shall be consistent with the activities specified in this policy and shall include at least one of the following: (20 USC 6318)

1. Support for schools and nonprofit organizations in providing professional development for district and school staff regarding parent/guardian and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents/guardians and family members
2. Support for programs that reach parents/guardians and family members at home, in the community, and at school
3. Dissemination of information on best practices focused on parent/guardian and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents/guardians and family members
4. Collaboration with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement
5. Any other activities and strategies that the district determines are appropriate and consistent with this policy

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

**Title I -20 U.S.C. 6311:**

Title I permits parents to request information regarding the professional qualifications of the student's classroom teachers, including the following:

1. Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.
3. The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

In addition to the information that parents may request regarding their child's teacher, parents may also request:

1. Information on the level of achievement of the child in each of the State academic assessments, and
2. Timely notice that the child has been assigned, or has been taught for four (4) or more consecutive weeks, by a teacher who is not highly qualified.

Parents may obtain this information by logging on to [www.ctc.ca.gov/](http://www.ctc.ca.gov/) and looking up the child's teacher's credentials by entering the first and last name. The law also requires that parents be notified when a teacher who is not *highly qualified* is hired and teaches the child *four (4) consecutive weeks or more*.

**Title IX:**

Title IX of the Education Amendments of 1972 ("Title IX") is a federal law that prohibits sex-based discrimination in all educational programs and activities, including athletic programs. 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 educational program or activity operated by the District. Title IX protects all participants in the District's educational programs and activities, including students, parents, employees, and job applicants. The District does not discriminate on the basis of sex. Discrimination on the basis of sex can include sexual harassment and sexual violence. In addition to Title IX, the California Education Code prohibits discrimination on the basis of sex in schools. (California Education Code §§ 220-221.1.) Other state and federal laws also prohibit discrimination and ensure equality in education. Please refer to Board Policies 0410, 4030, and 5145.3; and Administrative Regulations 4030 and 5145.3 for more information on the District's anti-discrimination policies. Title IX information provided here applies to every school site and to all District programs and activities.

You have the following rights under Title IX, to the extent applicable at the District:

1. You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
2. You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
3. You have the right to have access to a sex/gender equity coordinator, referred to as the Title IX Coordinator, to answer questions regarding sex/gender equity laws.
4. You have the right to file a confidential discrimination complaint with the United States Department of Education Office for Civil Rights or the California 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.
5. You have the right to pursue civil remedies if you have been discriminated against.
6. You have the right to be protected against retaliation if you file a discrimination complaint (California Education Code § 221.8).

The District and school have a responsibility to respond promptly and effectively to sex-based discrimination, including sexual harassment and sexual violence. If the District and school knows or reasonably should know about sex discrimination, it must take action to eliminate the sex discrimination, prevent its recurrence, and address its effects. The District and school must resolve complaints of sex discrimination promptly and equitably. For more information, and to file a complaint, contact the District's Title IX Coordinator:

Program Manager, Student Supports, Title IX Coordinator  
4750 Date Avenue  
La Mesa, CA 91942  
Telephone: (619) 668-5700

**Uniform Complaint Procedures—5 C.C.R. 4622:**

The La Mesa-Spring Valley School District has adopted a Uniform Complaint Procedure. The District shall follow uniform complaint procedures when addressing complaints involving adult education programs, categorical aid programs, migrant child education, career technical education training programs, child care and developmental programs, allegations of unlawful discrimination, harassment, intimidation or bullying, lactation accommodations, non-compliance with school safety planning requirements, pupil fees, courses of study, instructional minutes for physical education, local control accountability plans, any deficiencies related to preschool health and safety issues for a California state preschool program, and matters pertaining to the right of foster child, homeless child, former



juvenile court school pupils, and children of military families. Information regarding the Uniform Complaint Procedure, including the individual responsible for processing a Uniform Complaint can be found online at [www.lmsvschools.org](http://www.lmsvschools.org).

**Walking or Riding a Bike to School—VC 21212:**

The La Mesa-Spring Valley School District requests that parents or guardians of children who walk or ride their bike to school plan a safe route to school with their children. The route shall not involve shortcuts through private property and all students are expected to exhibit good behavior. California Vehicle Code requires all persons under 18 years of age to wear a properly fitted and fastened bicycle helmet while operating a bicycle on any street, bikeway, or public bicycle path or trail. Pupils violating California Vehicle Code or local school rules governing the safe operation of a bicycle to and from school or on a school campus may have their riding privileges suspended. Furthermore, a student under 18 years of age may be fined for not wearing a properly fitted and fastened helmet, and the parent or legal guardian of a minor who violates this section shall be jointly and severally liable with the minor for the fine.

**Wellness Policy for Schools—AR 5030; EC 49432:**

The La Mesa-Spring Valley School District strives to create, strengthen, and work within existing school health councils to develop, implement, monitor, review, and, as necessary, revise school nutrition and physical activity policies. The councils will also serve as resources to school sites for implementing those policies. A school health council consists of a group of individuals representing the school and community, and should include: parents/guardians, students, representatives of the school food authority, members of the school Board, school administrators, teachers, health professionals, and members of the public. More information can be found on the District website at [www.lmsvschools.org](http://www.lmsvschools.org).

**Williams Complaint Policy and Procedures—EC 35186:**

The La Mesa-Spring Valley School District has adopted a uniform complaint process to help identify and resolve deficiencies related to instructional materials, emergency or urgent facilities conditions that pose a threat to the health and safety of pupils or staff, and teacher vacancy or mis-assignment. Notice of the complaint process and the location at which to obtain a complaint form is posted in all classrooms. Additional information can also be found at [www.lmsvschools.org](http://www.lmsvschools.org).

**SAFETY, SECURITY, AND HEALTH ON CAMPUS**

**Asbestos—40 C.F.R. 763.93:**

The District has completed its required three-year reinspection of all Asbestos Containing Building Materials (ACBM) with an accredited inspector. The reinspection data has been incorporated into the District's Management Plan. A copy of the plan is available for review during normal office hours in the Facilities Office at the Operations Center or in the main office at any of our schools. If copies of the plan are desired, a nominal duplicating fee may be charged.

**Bullying (Safe Place to Learn Act)—EC 234, 234.1:**

The Governing Board is committed to maintaining a learning environment free from bullying. Any student who engages in bullying others may be subject to disciplinary action up to and including suspension and expulsion. Bullying includes one or more acts committed by a pupil or group of pupils and may include hate violence, intimidation, threats, and harassment. The District has adopted policies pertaining to the following:

1. Prohibition of discrimination and harassment based on characteristics set forth in EC § 220 and Penal Code 422.55;
2. Process for receiving and investigating complaints of discrimination and harassment;
3. Maintenance of documentation of complaints and their resolution;
4. Process to ensure complainants are protected from retaliation and the identity of a complainant is kept confidential if appropriate; and
5. Identification of a responsible LEA officer to ensure compliance.

The District's bullying, anti-discrimination and anti-harassment policies are posted in schools and offices and available online at [www.lmsvschools.org](http://www.lmsvschools.org).

**Campus Safety (BP 5142):**

Each principal or designee shall establish school rules for the safe and appropriate use of school equipment and for student conduct consistent with law, Board policy, and administrative regulation. Copies of the rules shall be distributed to parents/guardians and shall be readily available at the school at all times.

**Child Abuse and Neglect Reporting—PC 11164:**

La Mesa-Spring Valley School District staff is required by law to report cases of child abuse and neglect to the appropriate law enforcement agency when they have a reasonable suspicion that a child has been a victim of child abuse and/or neglect. Reasonable suspicion does not require certainty that the child abuse and/or neglect have occurred. The reporting staff member's name and report are confidential. The fact that a child is homeless or an unaccompanied minor is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

**Comprehensive School Safety Plans—EC 32286, 32288:**

Each school is required to develop a school safety plan, which includes a comprehensive disaster preparedness plan. Copies of the school safety plan are available to read at the La Mesa-Spring Valley School District Educational Service Center, 4750 Date Ave., La Mesa, CA 91942 during normal business hours.

**Dangerous Objects—PC 417.27:**

The La Mesa-Spring Valley School District prohibits dangerous objects on campus, such as laser pointers and B.B. guns, unless possession is for valid instructional or other school-related purpose.

**Disruption in a Public School or Meeting—EC 32210:**

Any person who willfully disturbs any public school or public school meeting is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars (\$500).

**Drug and Alcohol Free Schools – HSC 11362.3; HSC 11362.79; BPC 25608:**

The La Mesa-Spring Valley School District prohibits the possession, use or sale of drugs and alcohol at any time in District-owned or leased buildings, on District property, and in District vehicles. Health and Safety Code prohibits a person who has been authorized for medical use of cannabis from smoking cannabis on the grounds or within 1,000 feet of a school or on a school bus; it also prohibits cannabis on District property when children are present. Federal law (21 USC 812, 844) continues to prohibit the possession of cannabis, even by medical users.

The following substances are prohibited on all District property:

1. Any substance which may not lawfully be possessed, used, or sold in California.
2. Cannabis or cannabis products. Health and Safety Code prohibits possession or use of cannabis by persons under age 21 and prohibits all persons from possessing, smoking, or ingesting cannabis or cannabis products on the grounds of a school while children are present.
3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes.

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in District facilities, on District property, in District vehicles, or at school-sponsored activities. As appropriate, the designee may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.

**Megan’s Law-PC 290:**

Information about registered sex offenders in California can be found at <http://meganslaw.ca.gov/>.

**Pesticides - Pesticide Products—Healthy Schools Act – EC 17612, 48980.3, EC 48980.3,**

The District selects and uses the least hazardous methods and materials available to control pests/weeds. Furthermore, pesticides are used only on an as-needed basis and through precision targeting to areas not contacted by students and/or staff. If it is necessary to use a pesticide, parents and staff will be informed 72 hours in advance of use through the school newsletter, flyer, or notice posted at the site. The Healthy Schools Act of 2001 requires the District to provide information with regard to the use of pesticides. Products we expect to use this year will include Nufarm Credit Extra 41 with Glyphosate for weeds, JT Eaton apple bait block, Rodenticide for rodents with Dipahcinore, Max Force Gel Bait with Fipronil and Max Force Grandular with Hydramethylnon, Phantom Termiticide with Chlorfenapyr, Wisdom TC Flowable with Bifenthrin for ants and roaches. Wasp Freeze with d-trans Allethrin-Phenothrin, Alpine dust insecticide with Diatomaceous Earth for bees, Pro Control Aerosol with Pyrethrins Piperonyl Butoxide for insects, Advion insect granule with Methyl for mosquitos, Archer insecticide growth regulator with Pyriproxyfen Pyridine for insects. All chemicals have a CAUTION signal word.

Persons wishing to be notified in advance of individual pesticide applications may register with the District for that purpose. To register, contact: [Daniel.Bradley@lmsvschools.org](mailto:Daniel.Bradley@lmsvschools.org). Additional information on pesticides is made available by the Department of Pesticide Regulation at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

**Substance Abuse Prevention:**

The Board of Education recognizes the use of alcohol and other drugs adversely affects a pupil's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The District offers preventive instruction that helps pupils obtain current and accurate information, develop and maintain a positive self-concept, and use appropriate social and personal skills to resist involvement with alcohol and other drugs. The Board supports prevention and intervention programs that include the involvement of pupils, parents/guardians, and community agencies/organizations.

**Tobacco Free Campus—HSC 104420, 104495:**

Health and Safety Code section 104495 prohibits smoking and use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground. The prohibition does not apply to a public sidewalk located within 25 feet of a playground.

**Transfer of Pupils Convicted of Violent Felony or Misdemeanor—EC 48929, 48980(n):**

The La Mesa-Spring Valley School District has adopted a policy to allowing the governing board of the District to transfer students convicted of violent felonies or misdemeanors to other schools in the District if the pupil to be transferred and the victim of the crime for which the pupil was convicted are enrolled at the same school. A copy of District Board Policy 5116.2 is available at [www.lmsvschools.org](http://www.lmsvschools.org).

**Unsafe School Choice—5 C.C.R. 11993(k); 20 U.S.C. 7912:**

None of the school sites within the La Mesa-Spring Valley School District have been classified as “persistently dangerous”. The District shall notify parents or guardians of pupils in schools considered to be "persistently dangerous" pursuant to California Department of Education guidelines, and of available options for attendance at a safe school. Any firearms violation is an event which must be considered in determining whether a school site is at risk of being classified as persistently dangerous.

**Visitors on Campus—EC 44810, AR 1250:**

Penal Code 627.6 requires schools to post at every entrance a notice of visitor registration requirements, registration hours, registration location, and penalties for the violation of the registration requirements.

All campus visitors must have the consent and approval of the principal/designee. Permission to visit must be given at the time requested if at all possible or within a reasonable period of time following the request. Children who are not enrolled at the school are not to be on the campus during school hours unless prior approval of the principal has been obtained. Visitors may not interfere with, disrupt or cause substantial disorder in any classroom or school activity. District policy states that smoking and the use of all tobacco products, including e-cigarettes and peripherals, is prohibited on all District property, including District-owned or leased buildings, and in District vehicles at all times, by all persons, including employees, students, and visitors at any school or District site, or attending any school-sponsored events. Visitors are expected to:

1. Follow the established school policy in requesting a classroom visitation
2. Complete a visitor’s permit upon arrival at the site
3. Enter and leave the classroom as quietly as possible
4. Not converse with the students, teacher and/or instructional aides during the visitation
5. Not interfere with any school activity
6. Keep the length and frequency of classroom visits reasonable
7. Follow the school’s established procedures for meeting with the teacher and/or principal after the visit, if needed
8. Learn and follow the school-wide behavioral expectations
9. Return the visitor’s permit to the point of origin before leaving the campus.

Any individual who disrupts a school site or fails to follow school rules and/or procedures is subject to removal from the school site and may be further restricted from visiting the school.

**SPECIAL EDUCATION****Child Find System IDEA; EC 56301:**

Federal and state 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. Any parent suspecting a child has exceptional needs due to a disability may request an assessment for eligibility for special education services. The District’s Child Find policy and procedures are available at [www.lmsvschools.org](http://www.lmsvschools.org).

**Private School Placement of Special Education Pupils—20 USC 1412 (a); EC 56174, 56175, 56176; 34 CFR 300.453:**

Children who are enrolled by their parents in private, non-profit schools may participate in publicly funded special education programs. While school districts have the clear responsibility to offer a free and appropriate public education to pupils with disabilities, federal law significantly limits the school districts’ responsibility to provide services to pupils whose parents have chosen for them to attend private schools. Federal law limits the amount that school districts may spend for these services to a proportionate share of federal IDEA funds. Parents are entitled to reimbursement for costs associated with the private school placement only if a court or hearing officer determines the public agency had not made a free and appropriate public education available to the child. Reimbursement may be reduced or denied if a parent does not make a child available for an assessment upon notice from the District before the child is removed from public school. Reimbursement may also be denied if the District was not properly informed of the rejection of the proposed special education placement. Notice to the District must be given either:

1. At the most recent IEP meeting attended before removing the child from the public school; or

2. In writing to the District at least ten business days (excluding holidays) before removing the child from the public school.

**Special Education Complaints—EC 56500.2:**

Parents or guardians have a right to file a written complaint with the school if they believe the school is in violation of federal or state law governing the identification or placement of special education students, or similar issues. State regulations require the party filing the complaint to forward a copy of the complaint to the La Mesa-Spring Valley School District at the same time the party files the complaint with the California Department of Education. Procedures are available from your school principal.

**Special Education Due Process Hearings—EC 56502:**

The State Superintendent is required to develop a model form to assist parents and guardians in filing requests for due process. The model form is available at [www.dgs.ca.gov/oah/SpecialEducation.aspx](http://www.dgs.ca.gov/oah/SpecialEducation.aspx) for parents that wish to initiate due process hearings relating to special education rights.

**Special Education Inspection of Records—EC 56043(n):**

Upon request, parents or guardians of children with exceptional needs may examine and receive copies of the student’s records within five business days after a request is made and prior to any Individualized Education Program meeting, hearing or resolutions session regarding their child.

**STATE ASSESSMENT: CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS—EC 52052, 60640:**

The California Assessment of Student Performance and Progress (“CAASPP”) System was established on June 1, 2014. Commencing with the 2014-2015 school year, the CAASPP System includes Smarter Balanced Summative assessments in English Language Arts and Math in grades three through eight and eleven and California Alternate Assessments (“CAA”) in English Language Arts and Math in grades three through eight and eleven for students with significant cognitive disabilities. The California Science Test (“CAST”) for science is required for all students in grades five, eight and once in high school unless the student’s IEP indicates administration of the CAA. The La Mesa-Spring Valley School District will administer a standards based test in Spanish for reading/language arts in grades two through eleven for Spanish-speaking English learners who either receive instruction in their primary language or have been enrolled in a school in the United States for less than twelve months. A parent or guardian may make a written request to excuse his or her child from any or all parts of the assessment.

**TRANSPORTATION AND BUS SAFETY**

**School Bus and Passenger Safety—EC 39831.5:**

Bus safety regulations, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops, can be found online at [www.lmsvschools.org](http://www.lmsvschools.org).

**Transportation of Pupils:**

The District provides limited home-to-school-of-residence transportation to pupils in grades K–6 living beyond the established transportation boundary line. This transportation service is provided for a fee. The Transportation Fee Program provides the option of purchasing an annual bus pass for \$200.00, a semester bus pass for \$125.00, or \$2.50 per day (\$1.25 each way). Single-ride tickets are also available in book form, which includes 40 tickets for \$50.00. Sibling discounts are available. Applications may be obtained from the school site, the Transportation Department, or the bus driver. Free transportation is available to children whose families qualify for Child Nutrition’s free lunch program and who reside within the appropriate transportation area. Bus transportation is provided for pupils living within the appropriate transportation area, beyond the following distances:

Grades K–3: 1 mile                      Grades 4–6: 1 ½ miles

If you have any questions, please contact the Transportation Department at (619) 668-5767.