

# 2025-26 Annual Notification

---

**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.**

**El Distrito Escolar de La Mesa-Spring Valley tiene la obligación de notificar anualmente a los alumnos, padres y tutores legales de sus derechos y responsabilidades, conforme al Código de Educación de California (EC) 48980**



**LA MESA-SPRING VALLEY SCHOOLS**



August 2025

Dear Students, Parents, and Guardians,

This annual notification is provided to students, parents, and guardians about their rights and responsibilities regarding school enrollment. You are required to acknowledge receipt of this notice in the Aeries Parent Portal. Your acknowledgment means that you have been informed of your rights; it does not provide consent for your child to participate or not participate in any particular program listed within the annual notification. Please read the entire annual notification.

Your involvement in your student's education is integral to their learning and well-being. This annual notification contains information about the various ways you can support their education. Our mission, to nurture and inspire every child to learn, achieve, and find their unique voice, is made possible by the dedicated efforts of the entire LMSV community: staff, students, parents, and guardians alike. Thank you for your continued partnership.

Sincerely,

David Feliciano, Superintendent  
La Mesa-Spring Valley School District



### **ACKNOWLEDGMENT OF RECEIPT AND REVIEW OF ANNUAL NOTIFICATIONS**

The La Mesa-Spring Valley School District is required to annually notify the 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. They will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

### **RELEASE FORM FOR DIRECTORY INFORMATION**

The primary purpose of directory information is to allow the La Mesa-Spring Valley School District (LMSVSD) to include this type of information from your child's education records in certain school publications, or the PTA. Directory information includes the pupil's name, address, telephone number, date of birth, e-mail address, photograph, video, participation in officially recognized activities and sports, dates of attendance, and the most recent previous public or private school attended by the pupil, information that is generally not considered harmful or an invasion of privacy released.

The Family Education Rights and Privacy Act (FERPA) and Education Code section 49073 permits LMSVSD to disclose appropriately designated "directory information" without written consent, unless you have advised LMSVSD that you do not want your student's directory information disclosed without your prior written consent. Please provide your preference on the authorization step.

### **PERMISSION TO PUBLISH STUDENT NAME WITH PHOTOS AND VIDEOS**

Your child may appear in photos and videos taken during the school activities and events and published on school/district content platforms, such as the school website, social media pages, district promotional materials, etc. However, with the exception of yearbooks, your child's name may only be included with published photos and videos if you provide your consent on the authorization step.

## Table of Contents

<b>Academic Program .....</b>	<b>3</b>	School Meals .....	25
California Healthy Youth Act.....	3	Sun Protective Clothing/Use of Sunscreen.....	25
Course Prospectus.....	3	Type 1 Diabetes .....	25
Course Selection and Career Counseling.....	3	Type 2 Diabetes .....	27
Exemption from Harmful or Destructive Use of Animals.....	3	Water Consumption .....	28
Exemption from Health Instruction .....	4	<b>Parent and Family Engagement .....</b>	<b>28</b>
Homework Policy .....	4	Parent and Family Engagement Policy.....	28
Participation in Statewide Assessments.....	5	Professional Qualifications.....	28
Program For Acceleration, Challenge and Enrichment (PACE).....	5	Rights of Parents.....	29
Promotion, Acceleration, & Retention .....	6	School Accountability Report Card.....	30
Screening for Reading Difficulties .....	7	Student Wellness Policy .....	30
<b>English Learner Program .....</b>	<b>7</b>	<b>Safety and Well-being.....</b>	<b>30</b>
Advisory Committees .....	7	Asbestos Management Plan.....	30
Identification and Assessments.....	8	Cal-KIDS Savings .....	30
Language Acquisition Program .....	8	Child Abuse Prevention and Neglect Reporting .....	30
<b>Equity and Access .....</b>	<b>10</b>	Dangers of Synthetic Drugs.....	31
Educational Equity: Immigration and Citizenship Status.....	10	Disruption in Public School or Meeting .....	31
Married, Pregnant, and Parenting Students .....	11	Dress Code.....	31
Menstrual Equity for all act .....	12	Employee Interaction with Students.....	33
Nondiscrimination in Programs and Activities..	12	Megan’s Law/Sex Offenders .....	33
Nondiscrimination in Child Nutrition Programs (updated language).....	12	Pesticide Products .....	34
Rights of Foster Youth.....	13	Safe Storage of Firearms .....	34
Rights of students experiencing homelessness..	13	School Bus Safety .....	35
Safe Place to Learn Act .....	14	Tobacco-Free Campus .....	35
Section 504 .....	15	Visiting School Procedures .....	35
Sexual Harassment.....	16	Walking or Riding a Bike to School.....	36
Special Education .....	18	<b>School Attendance.....</b>	<b>37</b>
Student Fees.....	18	Absence due to Confidential Medical Services .....	37
Title IX: Sex Equity in Education Act.....	18	Absence due to Religious Exercises or Instruction .....	37
Uniform Complaint Procedures .....	20	Addressing Absences.....	37
Williams Complaint.....	21	Exclusion from School .....	38
<b>Health and Wellness.....</b>	<b>22</b>	Excused Absences .....	38
Access to Student Mental Health Services .....	22	School Calendar.....	39
Administration of Prescribed Medication.....	22	Students with Temporary Disabilities .....	39
Consent to Physical Examination .....	22	<b>School Enrollment and Options.....</b>	<b>40</b>
CYBHI Statewide Multi-Payer School-Linked Fee Schedule .....	23	Admission – age of admittance to TK, K, and 1 <sup>st</sup> Grade .....	40
HPV Immunization .....	23	Independent Study .....	40
Immunizations .....	23	Interdistrict Permit Transfer .....	41
Medical or Hospital Services.....	24	Intradistrict Transfers .....	43
Oral Health Assessment.....	24	Involuntary Transfer .....	44
		Meeting Residency Requirements for School Attendance .....	45

Notice of Alternative Schools.....	45	Duplication of Student Records.....	52
Special Program Options .....	46	Maintenance of Student Records.....	52
<b>Student Behavior.....</b>	<b>46</b>	Medical Record Sharing .....	53
Assignments and Tests during Suspension.....	46	Temporary Use of Orthopedic Equipment at School .....	53
Dangerous Object .....	47	Protection of Pupil Rights Amendment.....	54
Discipline Rules .....	47	Student Records from Social Media .....	55
Grounds for Suspension and Expulsion.....	47	<b>Technology .....</b>	<b>55</b>
Involvement of Law Enforcement .....	48	Electronic Listening and Recording Devices ....	55
Property Loss or Damage .....	49	Internet Safety.....	55
Suspension by Teacher from Class .....	49	Online Access to La Mesa County Library .....	56
Suspension from School .....	49	Use of District Technology.....	56
Reporting Threats .....	50	Use of Mobile Communication Devices .....	60
<b>Student Records .....</b>	<b>50</b>	ADDENDUM – Parent and Family Engagement Policy & Uniform Complaint Procedures .....	60
Access to Student Records.....	50		
Challenging Student Records .....	51		
Directory Information.....	52		

# ACADEMIC PROGRAM

## CALIFORNIA HEALTHY YOUTH ACT

**Reference:** EC 48980, 51938

**BP/AR:** 6142.1 – Sexual Health and HIV/AIDS Prevention Instruction

The California Healthy Youth Act requires schools to offer integrated, comprehensive, medically accurate, and unbiased sexual health and human immunodeficiency virus (HIV) prevention education at least once in middle school and once in high school. It is intended to ensure that students in grades 7-12 are provided with the knowledge and skills necessary to protect them from risks presented by HIV and other sexually transmitted infections, pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. It also promotes students' understanding of sexuality as a normal part of human development, and their development of healthy attitudes and behaviors concerning adolescent growth and development, menstrual health, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family.

Parents have the right to:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV prevention education.
2. Request in writing that their child not receive comprehensive sexual health or HIV prevention education, or participate in research on student health behaviors and risks. When a parent does not permit their child to receive such education, the child may not be subject to disciplinary action, academic penalty, or other sanction.
3. Request a copy of EC 51930-51939, the California Healthy Youth Act.
4. Be informed whether comprehensive sexual health or HIV prevention education will be taught by LMSV personnel or outside consultants. When LMSV chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV prevention education, be informed of:
  - a. The date of the instruction
  - b. The name of the organization or affiliation of each guest speaker
  - c. The right to receive a copy of EC 51933, 51934, and 51938

If arrangements for this instruction are made after the beginning of the school year, notice will be provided by mail or another commonly used method of notification, no fewer than 14 days before the instruction is delivered.

## COURSE PROSPECTUS

**Reference:** EC 49063, 49091.14

**BP/AR:** 5125 – Student Records

At least once every year, LMSVSD compiles a prospectus that provides the curriculum, including titles, descriptions, and instructional goals of every course offered by its schools. To review the prospectus or to obtain a copy of it, please contact the Learning Support Department at 619-668-5700.

## COURSE SELECTION AND CAREER COUNSELING

**Reference:** EC 221.5

**BP/AR:** 6164.2 – Guidance/Counseling Services

A school counselor, teacher, instructor, administrator, or aide shall not offer vocational or school program guidance to a student or, in counseling a student, differentiate career, vocational, or higher education opportunities on the basis of the student's sex. Any school personnel acting in career counseling or course selection capacity for a student shall explore with the student the possibility of careers or courses leading to careers that are nontraditional for that student's sex. Parents of students in grades 7-8 are encouraged to participate in such counseling sessions and decisions. Contact your child's school for details.

## EXEMPTION FROM HARMFUL OR DESTRUCTIVE USE OF ANIMALS

**Reference:** EC 32255 *et seq.*

**BP/AR:** 5145.8 – Refusal to Harm or Destroy Animals

Any student with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, shall notify the teacher of the objection. Objections shall be substantiated by a note from the student's parent.



When a student chooses to refrain from participation in an educational project involving the harmful or destructive use of animals, the teacher may work with the student to develop and agree upon alternate project, if such a project is possible, so that the student may still obtain the knowledge, information, or experience required for the course. The alternative project shall require a comparable time and effort invested by the student – it shall not be more difficult than the original education project as a means to penalize the student. Students choosing an alternative educational project shall pass all exams for the course in order to receive credit; however, if the test requires the harmful or destructive use of animals, the student may, similarly, request an alternative test. No student shall be discriminated against based upon their decision to exercise these rights.

## **EXEMPTION FROM HEALTH INSTRUCTION**

**Reference:** EC 51240

**BP/AR:** 6142.8 – Comprehensive Health Education

LMSVSD is required to teach certain health-related topics. If any part of a school's instruction in health conflicts with the religious training and beliefs, including personal and moral convictions of the student's family, the student's parent may submit a written request to the principal or designee to excuse the student from that part of the instruction.

## **HOMEWORK POLICY**

**Reference:** EC 52000

**BP/AR:** 6154 – Homework/Makeup Work

The Governing Board recognizes that meaningful homework assignments can be a valuable extension of student learning time, provide enrichment, and assist students in developing good study habits. Homework and/or makeup work shall be assigned when necessary to support classroom lessons, enable students to complete unfinished assignments, or review and apply academic content for better understanding.

Students may use technology to assist with homework and/or makeup work in conducting research, correcting grammar and spelling, and learning from educational applications such as tutoring systems and language learning applications, as specified in Board Policy 5131.9 - Academic Honesty and Board Policy 6163.4 - Student Use of Technology.

The Superintendent or designee shall collaborate with school administrators and teachers to develop and regularly review guidelines for the assignment of homework and the related responsibilities of students, staff, and parents/guardians.

Homework assignments shall be reasonable in length and appropriate to the grade level and course. The Board expects that the number, frequency, and degree of difficulty of homework assignments will increase with the grade level and the maturity of students. Teachers shall assign homework only as necessary to fulfill academic goals and reinforce current instruction.

As needed, teachers may receive training in designing relevant homework assignments that reinforce classroom learning objectives and inspire students' interests.

Although on-time completion of homework is important to maintain academic progress, the Board recognizes that students learn at different rates. Students shall receive credit for work that is completed late in order to encourage their continued learning.

Age-appropriate instruction may be given to help students allocate their time wisely, meet their deadlines, learn to work independently, and develop good personal study habits.

At the beginning of the school year, teachers shall communicate homework expectations to students and their parents/guardians. Homework guidelines shall also be included in student and/or parent/guardian handbooks. These communications shall include the manner in which homework relates to achievement of academic standards and course content, the impact of homework assignments on students' grades, any school resources and programs that are available to provide homework support, and ways in which parents/guardians may appropriately assist their children.

Although it is the student's responsibility to undertake assignments independently, parents/guardians may serve as a resource and are encouraged to ensure that their child's homework assignments are completed. Students may also work with other students and use approved outside resources as directed by the teacher.

To further support students' homework efforts, the Superintendent or designee may establish and maintain electronic forums, provide access to school library media centers and technological resources, and/or provide before-school and after-school programs where students can receive homework assistance from teachers, volunteers, and/or student tutors. The Board encourages the Superintendent or designee to design class and transportation schedules that will enable students to make use of homework support services.

Teachers shall review all completed homework to assess the student's understanding of academic content and shall provide timely feedback to the student.

If a student repeatedly fails to complete homework, the teacher shall notify the student's parents/guardians as soon as possible so that corrective action can be taken prior to the release of any final grades or report cards.

### **Makeup Work**

Students who are absent from school shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

The Superintendent or designee shall notify parents/guardians that no student may have a grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time. Such notification shall include the full text of Education Code 48205. (Education Code 48980)

### **Suspended Students**

When a parent/guardian of a student who has been suspended for two or more school days requests homework that the student would otherwise have been assigned, the student's teacher shall provide such homework. If a homework assignment is requested and is turned in to the teacher by the student either upon the student's return from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and is not graded before the end of the academic term, the homework assignment shall not be included in the calculation of the student's overall grade in the class. (Education Code 48913.5)

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

## **PARTICIPATION IN STATEWIDE ASSESSMENTS**

**Reference:** 5 CCR 852; EC 60615

**BP/AR:** 6162.51 – State Academic Achievement Tests

The California Assessment of Student Performance and Progress (CAASPP) is a system that includes a number of assessments that are administered each spring to students in specified grade levels. These tests were created specifically to gauge each student's performance and progress in English language arts, mathematics, and science. The assessments measure the skills called for by the standards, including the ability to write clearly, think critically, and solve problems. CAASPP tests are given statewide and, therefore, provide an opportunity to measure the skills of all students against the same academic standards.

The CAASPP system consists of the following assessments:

- The Smarter Balanced summative assessments for English language arts and mathematics in grades 3-8.
- The California Science Tests (CAST) in grades 5, and 8.
- The California Alternate Assessments (CAA) in English language arts, mathematics, and science, administered to students with significant cognitive disabilities who are unable to take the Smarter Balanced summative assessments and the CAST.

Parents may annually submit to the school a written request to excuse their child from any or all parts of the CAASPP assessments for the school year. If a parent submits an exemption request after testing has begun, any test(s) completed before the request is submitted will be scored, and the results will be reported to the parent and included in the student's records.

## **PROGRAM FOR ACCELERATION, CHALLENGE AND ENRICHMENT (PACE)**

**Reference:** None

**BP/AR:** 6172 – Gifted and Talented Student Program



LMSVSD's written plan for PACE identification includes procedures to inform parents or guardians of their pupil's participation or non-participation in the identification process. More information is available at [www.lmsvschools.org/learning-support](http://www.lmsvschools.org/learning-support).

## **PROMOTION, ACCELERATION, & RETENTION**

**Reference:** EC 46300, 48010, 48011, 48070.5; 5 CCR 200

**BP/AR:** 5123 – Promotion, Acceleration & Retention

### **Acceleration from Kindergarten to First Grade**

Any student who meets the age eligibility requirement and has completed one year of kindergarten shall be admitted to first grade unless the parent/guardian and the Superintendent or designee agree that the student shall continue in kindergarten.

A student who does not meet the age eligibility requirement may be admitted to first grade at the discretion of the Superintendent or designee and with the consent of the parent/guardian upon determination that the student is ready for first-grade work, subject to the following minimum criteria:

1. The student is at least five years of age.
2. The student has attended a public school kindergarten for a long enough time to enable school personnel to evaluate his/her ability.
3. The student is in the upper five percent of his/her age group in terms of general mental ability.
4. The physical development and social maturity of the student are consistent with his/her advanced mental ability.
5. The parent/guardian of the student has filed a written statement with the district approving the placement in first grade.

### **Continuation in Kindergarten**

Whenever the Superintendent or designee and the parents/guardians agree that a student shall continue in kindergarten for an additional year, the Superintendent or designee shall secure an agreement, signed by the parent/guardian, stating that the student shall continue in kindergarten for not more than one additional school year. (Education Code 46300, 48011) The Superintendent or designee shall not approve a student's continuation in kindergarten until the student has been enrolled in kindergarten for close to one school year.

### **Retention at Other Grade Levels**

If a student is identified as performing below the minimum standard for promotion to the next grade level based on the indicators specified in Board policy, the student shall be retained in their current grade level unless the student's regular classroom teacher determines, in writing, that retention is not the appropriate intervention for the student's academic deficiencies. This determination shall specify the reasons that retention is not appropriate for the student and shall include recommendations for interventions other than retention that, in the opinion of the teacher, are necessary to assist the student in attaining acceptable levels of academic achievement. (Education Code 48070.5)

If the teacher's recommendation to promote is contingent on the student's participation in a summer school or interim session remediation program, the student's academic performance shall be reassessed at the end of the remediation program, and the decision to retain or promote the student shall be reevaluated at that time. The teacher's evaluation shall be provided to and discussed with the student's parents/guardians and the principal before any final determination of retention or promotion. (Education Code 48070.5)

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

### **Appeal Process**

Whenever a student's parent/guardian appeals the teacher's decision to promote or retain a student, the burden shall be on the parent/guardian to show why the teacher's decision should be overruled. (Education Code 48070.5)

To appeal a teacher's decision, the parent/guardian shall submit a written request to the Superintendent or designee specifying the reasons that the teacher's decision should be overruled. The appeal must be initiated within 10 school days of the determination of retention or promotion.

The teacher shall be provided an opportunity to state orally and/or in writing the criteria on which his/her decision was based.

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

The Superintendent or designee's decision shall be final.

If the final decision is unfavorable to the parent/guardian, they shall have the right to submit a written statement of objections which shall become part of the student's record.

## **SCREENING FOR READING DIFFICULTIES**

**Reference:** EC 53008

**BP/AR:** 6142.91 Reading/Language Arts Instruction

To ensure that all students learn to read by third grade, all students in kindergarten and grades 1 and 2 will be screened for risk of reading difficulties. Screenings are intended to be part of a comprehensive instructional strategy to inform instruction, measure progress, identify learning needs, and enable parents and staff to discuss learning in an informed way. Screening assessments will not be used for any high-stakes purpose (e.g., teacher or other school staff evaluation, accountability, student grade promotion or retention, identification for gifted or talented education, reclassification of English learners, or identification as an individual with exceptional needs). Rather, the screening results are to be used as a flag for potential risk of reading difficulties, not as a diagnosis of a disability – they are to be used as part of a broader process that further evaluates student needs and progress, identifies supports for classroom instruction, enables targeted individual intervention as needed, and allows the further diagnosis if concerns do not resolve.

If a student is identified as being at risk of having reading difficulties, the district will provide the student with supports and services, appropriate to the specific challenges identified by the screening instrument and other pertinent information about the student. Supports and services may include evidence-based literacy instruction focused on the student's specific needs, progress monitoring, early intervention in the regular general education program, one-on-one small group tutoring, and further evaluation or diagnostic assessment.

For the 2025-2026 school year, students in kindergarten through grade 2 will be assessed during a two to three week window (as determined by the school site) between January 6 – March 27. If a student enrolls after this date, the student will be assessed within 45 calendar days of enrollment. A district must provide parents or guardians of pupils eligible for screening with information about the screening, including the date(s) of the screening and instructions for how parents or guardians may opt out of the screening on behalf of their child, no later than 15 calendar days before the administration of the screening instrument(s).

## **ENGLISH LEARNER PROGRAM**

### **ADVISORY COMMITTEES**

**Reference:** 5 CCR 11308; EC 52063, 52174, 52176

**BP/AR:** 6174 – Education for English Learners

#### **English Learner Advisory Committee**

A school-level English Learner Advisory Committee (ELAC) shall be established when there are more than 20 English learners at the school. Parents of English learners, elected by parents of English learners at the school, shall constitute committee membership in at least the same percentage as English learners representing the total number of students in the school. The school may designate for this purpose an existing school-level advisory committee provided that it meets these criteria for committee membership.

The ELAC shall be responsible for assisting in the development of a schoolwide needs assessment, recommending ways to make parents aware of the importance of regular school attendance, and advising the principal and school staff in the development of a detailed master plan for English learners for the individual school and submitting the plan to the Governing Board for consideration of inclusion in the School Plan for Student Achievement.

Where applicable, the ELAC shall have the opportunity to elect at least one member to the District English Learner Advisory Committee (DELAC).

### **District English Learner Advisory Committee**

When the District has more than 50 English learners, the Superintendent or designee shall establish a District English Learner Advisory Committee (DELAC), the majority of whose membership shall be composed of parents of English learners who are not employed by the district. Alternatively, the District may use a subcommittee of an existing districtwide advisory committee on which parents of English learners have membership in at least the same percentage as English learners representing the total number of students in the district.

The DELAC shall advise the Governing Board on at least the following tasks:

1. Developing a district master plan for education programs and services for English learners, taking into consideration the school site master plans.
2. Conducting a districtwide needs assessment on a school-by-school basis.
3. Establishing a district program, goals, and objectives for programs and services for English learners.
4. Developing a plan to ensure compliance with applicable teacher and/or teacher aide requirements.
5. Administering the annual language census.
6. Reviewing and commenting on the district's reclassification procedures.
7. Reviewing and commenting on the required written parental notifications.
8. Reviewing and commenting on the development or annual update of the LCAP if the DELAC acts as the ELAC pursuant to EC 52063 and 52062.

In order to assist the advisory committee in carrying out its responsibilities, the Superintendent or designee shall ensure that DELAC and ELAC committee members receive appropriate training and materials. This training shall be planned in full consultation with the members.

### **IDENTIFICATION AND ASSESSMENTS**

**Reference:** 5 CCR 11307, 11518.5; EC 313, 52164.1

**BP/AR:** 6174 – Education for English Learners

Upon initial enrollment in school, each student's primary language shall be determined through the use of a home language survey. Any student who is identified as having a primary language other than English as determined by the home language survey, and who has not previously been identified as an English learner by a California public school or for whom there is no record of results from an administration of an English language proficiency test, shall be assessed for English proficiency using the Initial English Language Proficiency Assessments for California (ELPAC). For students who are identified as having a primary language other than English while enrolled in transitional kindergarten, the Initial ELPAC shall be administered to those students in kindergarten. The parents of such students shall be notified in writing prior to the administration of the ELPAC.

Administration of the Initial ELPAC, including the use of variations and accommodations in test administration when authorized, shall be conducted in accordance with test publisher instructions and 5 CCR 11518.5-11518.37. Any student with a disability shall take the assessment with the supports and accommodations delineated in the student's IEP or Section 504 plan. If the student is unable to participate in the assessment or a portion of the assessment even with appropriate accommodations, an alternative assessment for English language proficiency shall be administered.

Each year after a student is identified as an English learner and until the student is redesignated as English proficient, the Summative ELPAC shall be administered to the student during a four-month period after January 1 as determined by the CDE.

The following are CDE's parent guides:

- *Understanding the ELPAC* – <https://www.cde.ca.gov/ta/tg/ca/documents/elpacpgtu.pdf>
- *Understanding the Alternate ELPAC* – <https://www.cde.ca.gov/ta/tg/ep/documents/altelpacpgtu.pdf>

### **LANGUAGE ACQUISITION PROGRAM**

**Reference:** 20 USC 6312; 5 CCR 11309, 11310; EC 310

**BP/AR:** 6142.2 – World Language Instruction; 6174 – Education for English Learners

Language acquisition programs are educational programs designed to ensure English acquisition as rapidly and as effectively as possible, and they provide instruction to students on the state-adopted academic content standards, including the English language development (ELD) standards. LMSVSD offers the following research-based language

acquisition programs that lead to grade-level proficiency and academic achievement in both English and another language:

### **1) Structured English Immersion (SEI):**

The purpose of the SEI program is to ensure that all English learners reach language proficiency within five years or less and to empower the students to be reclassified as fluent in English. Because all school sites in LMSVSD will serve ELs at some point during the year, teachers must be equipped to provide the required base program for ELs. The SEI Program provides Designated ELD to ELs and Integrated ELD to ALL students in every class that includes ELs. English learners must also have full access to the standard instructional program, which consists of Core curriculum courses (reading/language arts, mathematics, science, and history/social science).

The Structured English Immersion (SEI):

- Includes a base program for all sites and classrooms serving ELs
- Strengthens grade-level instruction for ELs
- Includes Integrated ELD and Designated ELD

All SEI programs are taught 100% in English. Teachers of SEI hold appropriate credentials and utilize the CA ELD standards. A complete description of this program including exit criteria and more detailed program components can be found in our EL Master Plan.

### **2) Dual Language Two-Way Immersion Program (available for TK-5 at Kempton Literacy Academy)**

The goal of the Dual Language Program is full bilingualism and biliteracy, grade-level academic achievement, and positive cross-cultural competencies for ELs, English Only (EO) students, Initial Fluent English Proficient (IFEP) students and reclassified ELs (RFEPs). Though this model is open to students of all language backgrounds, students who enroll in a Dual Language Program after first grade need to demonstrate a minimum level of competency in Spanish to ensure they have the language ability necessary to be successful with this model of instruction. Classes are composed of an even balance of EOs, ELs/RFEPs and bilingual students. Content learning in both languages facilitates language learning among the students as they engage in collaboration that values both languages equally.

The Dual Language Two-Way Immersion Model offered in LMSVSD is 50/50: 50% daily instruction in Spanish and 50% daily instruction in English beginning in kindergarten. Teachers in the Dual Language Program hold appropriate credentials and utilize the CA ELD standards.

### **Parent Request of Establishment of a Language Acquisition Program**

Parents of enrolled students, and those enrolled for attendance in the next school year, may submit a request that the LMSVSD establish a specific language acquisition program. The school shall make a written record of each request, including any request submitted verbally, that includes the date of the request, the names of the parent and student making the request, a general description of the request, and the student's grade level on the date of the request. As needed, the school shall assist the parent in clarifying the request. All requests shall be maintained for at least three years from the date of the request.

For additional questions regarding language acquisition programs and how to request for the establishment of a program, please contact Lydia Burgos at 619-668-6387.

### **Timelines and Implementation Process**

The timeline begins when the threshold number of requests for the same or substantially similar type of language acquisition program is reached (30 or more students enrolled in a school, or 20 or more students in the same grade level). Within 10 school days of reaching the threshold, LMSVSD will provide written notification of the requests for a language acquisition program to parents of students attending the school, the school's teachers and administrators, and the English Learner Advisory Committees (ELAC) and District Parent Advisory Committee (DPAC). Within 60 calendar days of reaching the threshold, a study will be conducted to determine if the language acquisition program can be implemented and written notice of the determination will be provided to parents of students attending the school and the school's teachers and administrators. Each school will follow the process set forth above, even when LMSVSD provides the requested language acquisition program at another LMSVSD school at the time the threshold of parent requests is met.

### **Sufficient Resources**

To effectively implement a language acquisition program, LMSVSD will allocate enough resources to support the success of the program in attaining its articulated goals. Sufficient resources include, but are not limited to certificated teachers

with the appropriate authorizations, necessary instructional resources pertinent professional development for the proposed program, and opportunities for parent and community engagement to support the proposed program goals.

## EQUITY AND ACCESS

### EDUCATIONAL EQUITY: IMMIGRATION AND CITIZENSHIP STATUS

**Reference:** EC 234.7

**BP/AR:** 0410 – Nondiscrimination in District Programs and Activities; 5145.13 – Response to Immigration Enforcement

All students have the right to a free public education regardless of their immigration status or religious beliefs. Consistent with state and federal laws and the requirements of the California Office of the Attorney General, LMSVSD:

1. Prohibits unlawful discrimination, harassment, intimidation, and bullying in LMSVSD's programs and activities on the basis of a student's citizenship or immigration status.
2. Resolves and investigates allegations of unlawful discrimination, harassment, intimidation, and bullying in accordance with its Uniform Complaint Procedures.
3. Prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members unless required to administer a state or federal program.
4. Ensures resources and data collected by LMSVSD shall not be used, directly or by others, to compile a list, registry, or database of individuals based on national origin, immigration status, religion, or other category of individual characteristics protected against unlawful discrimination.
5. Reports to the LMSVSD Governing Board in a timely manner any requests to gain information or access to a school site by an officer or employee of a law enforcement agency for immigration enforcement purposes.
6. Only contacts child protective services if LMSVSD personnel are unable to arrange for the timely care of the student by the person(s) designated in the emergency contact information maintained by the school or identified on a caregiver's authorization affidavit.

#### **Know Your Educational Rights**

*Your child has the right to a free public education*

All children in the United States have a Constitutional right to equal access to free public education, regardless of immigration status and regardless of the immigration status of the students' parents or guardians.

- In California:
  - All children have the right to a free public education.
  - All children ages 6 to 18 years must be enrolled in school.
  - All students and staff have the right to attend safe, secure, and peaceful schools.
  - All students have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  - All students have equal opportunity to participate in any program or activity offered by the school, and cannot be discriminated against based on their race, nationality, gender, religion, or immigration status, among other characteristics.

#### *Information required for school enrollment*

- When enrolling a child, schools must accept a variety of documents from the student's parent or guardian to demonstrate proof of child's age or residency.
- You never have to provide information about citizenship/immigration status to have your child enrolled in school. Also, you never have to provide a Social Security number to have your child enrolled in school.

#### *Confidentiality of personal information*

- Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
- Some schools collect and provide publicly basic student "directory information." If they do, then each year, your child's school district must provide parents or guardians with written notice of the school's directory information policy, and let you know of your option to refuse release of your child's information in the directory.

#### *Family safety plans if you are detained or deported*

- You have the option to provide your child's school with emergency contact information, including the information of secondary contacts, to identify a trusted adult guardian who can care for your child in the event you are detained or deported.
- You have the option to complete a Caregiver's Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person, which may give a trusted adult the authority to make educational and

medical decisions for your child.

*Right to file a complaint*

- Your child has the right to report a hate crime or file a complaint to the school district if your child is discriminated against, harassed, intimidated, or bullied on the basis of their actual or perceived nationality, ethnicity, or immigration status.

For more information on resources for responding to immigration enforcement activities at California schools, or to file a complaint, please contact: Bureau of Children's Justice, California Attorney General's Office, P.O. Box 944255, Sacramento, CA 94244-2550, (800) 952-5225, [BCJ@doj.ca.gov](mailto:BCJ@doj.ca.gov), <https://oag.ca.gov/bcj/complaint>.

## **MARRIED, PREGNANT, AND PARENTING STUDENTS**

**Reference:** 34 CFR 106.40; EC 221.51, 222, 222.5, 46015, 48205, 48980

**BP/AR:** 5146 – Married/Pregnant/Parenting Students

The responsibilities related to marriage, pregnancy, or parenting and related responsibilities may disrupt a student's education, placing them at higher risk of dropping out of school. The LMSVSD supports married, pregnant, and parenting students to continue their education by providing them with the opportunity to succeed academically while protecting their health and the health of their children in the following ways:

1. LMSVSD shall not adopt any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.
2. LMSVSD shall not exclude or deny any student from an educational program or activity, including any class or extracurricular activity, solely on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery; LMSVSD shall treat pregnancy, childbirth, false pregnancy, termination of pregnancy, or related recovery in the same manner and under the same policies as any other temporary disabling condition.
3. LMSVSD may require a pregnant or parenting student to obtain the certification of a physician or nurse practitioner that the student is physically and emotionally able to participate, or continue to participate, in the regular education program or activity.
4. Pregnant and parenting students shall not be required to participate in a pregnant minor program or alternative education program; students who voluntarily participate in an alternative education program shall be given educational programs, activities, and courses equal to those they would have been in if participating in the regular education program.
5. LMSVSD shall provide reasonable accommodations to a lactating student on the school campus to express breast milk, breast-feed an infant child, or address other needs related to breast-feeding. The student shall not be penalized academically and shall be provided with the opportunity to make up any work missed as a result of the student's use of the reasonable accommodations during the school day. Reasonable accommodations include, but are not limited to:
  - a. Access to a private and secure room, other than a restroom, to express breast milk or breast-feed an infant child.
  - b. Permission to bring onto a school campus a breast pump and any other equipment used to express breast milk.
  - c. Access to a power source for a breast pump or any other equipment used to express breast milk.
  - d. Access to a place to store expressed breast milk safely.
  - e. A reasonable amount of time to accommodate the student's need to express breast milk or breastfeed an infant child.
6. A pregnant or parenting student shall be excused from school when the absence is due to the illness or medical appointment of the student's child, including absences to care for a sick child, for which the school shall not require a note from a doctor.
7. During the school year in which the birth of the student's infant takes place, a pregnant or parenting student is entitled to eight weeks of parental leave, which the student may take before childbirth if there is a medical necessity and after childbirth to care for and bond with the infant. If deemed medically necessary by the student's physician, parental leave may be extended beyond eight weeks. Specific to parental leave:
  - a. No student shall be required to take all or part of parental leave.
  - b. LMSVSD's Supervisor of Attendance shall ensure that absences from school, as a result of parental leave, are excused until the student is able to return to the regular school program or an alternative education program.
  - c. Upon return to school after taking parental leave, a pregnant or parenting student is entitled to opportunities to make up work missed during the leave, including, but not limited to, makeup work plans and reenrollment in courses.



- d. The pregnant or parenting student may return to the school and the course of study in which the student was enrolled before taking parental leave. A student who chooses not to return to the school in which the student was enrolled before taking the leave is entitled to alternative education options offered by LMSVSD.

Any complaint alleging discrimination on the basis of pregnancy or marital or parental status, LMSVSD noncompliance with the requirements related to parental leave, or LMSVSD noncompliance with the requirement to provide reasonable accommodations for lactating students shall be addressed through the Uniform Complaint Procedures.

## **MENSTRUAL EQUITY FOR ALL ACT**

**Reference:** EC 35292.6

**BP/AR:** 1312.4– Williams Uniform Complaint Procedures

On or before the start of the 2022-2023 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 8, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom. (b) A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils. (c) A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products. (d) For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.

## **NONDISCRIMINATION IN PROGRAMS AND ACTIVITIES**

**Reference:** 5 CCR 4900 *et seq.*; EC 200 *et seq.*

**BP/AR:** 0410 – Nondiscrimination in LMSVSD Programs and Activities

LMSVSD is committed to providing equal opportunity for all individuals in its programs and activities. LMSVSD programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, political affiliations, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

All individuals shall be treated equitably when receiving district and school services. LMSVSD assures that lack of English language skills shall not be a barrier to admission or participation in LMSVSD programs. When 15 percent or more of a school's students speak a single primary language other than English, all notices, reports, statements, or records sent to parents by the school shall be translated into that other language; parents may respond in English or the primary language.

LMSVSD programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. The Superintendent or designee shall ensure that the LMSVSD provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school websites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved through the Uniform Complaint Procedures.

## **NONDISCRIMINATION IN CHILD NUTRITION PROGRAMS**

**Reference:** U.S. Department of Agriculture (USDA) Food and Nutrition (FNS) Instructions 113-1

**BP/AR:** 3555 – Nutrition Program Compliance

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (*e.g.*, Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider, employer, and lender.

This institution is an equal opportunity provider.

## **RIGHTS OF FOSTER YOUTH**

**Reference:** EC 48853.5

**BP/AR:** 6173.1 – Education for Foster Youth

A foster child means any of the following:

1. A child who has been removed from their home pursuant to WIC 309.
2. A child who is the subject of a petition filed under WIC 300 or 602, whether or not the child has been removed from their home.
3. A dependent child of the court of an Indian tribe, consortium of tribes, or tribal organization who is the subject of a petition filed in the tribal court pursuant to the tribal court's jurisdiction in accordance with the tribe's law.
4. A child who is the subject of a voluntary placement agreement, as defined in WIC 11400(p).

The following is a brief summary of a foster youth's rights:

1. Right to attend either the "school of origin" or the current school of residence. The school of origin can be the school attended when the student first entered foster care, the school most recently attended, or any school the foster youth attended in the last 15 months. If any dispute arises regarding the request of a foster youth to remain in the school of origin, the foster youth has the right to remain in the school of origin pending resolution of the dispute.
2. Right to immediate enrollment even if the foster youth is unable to produce records normally required for enrollment (*e.g.*, proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (*e.g.*, school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
3. Right to have the foster youth's educational rights holder, attorney, and county social worker notified when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination review for a foster youth who is a student with a disability, prior to a change in the foster youth's placement.
4. Right of the foster youth not to have grades lowered for any absence from school that is due to a verified court appearance or related court-ordered activity, or to a decision by a court or placement agency to change the student's placement, in which case, the grades must be calculated as of the date the student left school.
5. Right to file a complaint through the Uniform Complaint Procedures if there is an allegation that LMSVSD has not complied with requirements regarding the education of foster youth.

To review the standardized notice of foster youth rights, visit <https://www.cde.ca.gov/ls/pf/fy/fyedrights.asp>. For assistance, contact LMSVSD's foster youth liaison, Jennifer Coronel, Director, Student Supports, at 619-668-5700 or [Jennifer.coronel@lmsvschools.org](mailto:Jennifer.coronel@lmsvschools.org).

## **RIGHTS OF STUDENTS EXPERIENCING HOMELESSNESS**

**Reference:** 42 USC 11432; EC 48852.5

**BP/AR:** 6173 – Education for Homeless Children

The McKinney-Vento Homeless Assistance Act for Homeless Children and Youth entitles all school-aged children experiencing homelessness to the same free and appropriate public education that is provided to non-homeless students. A student experiencing homelessness is defined as a child who lacks a fixed, regular, and adequate nighttime residence and includes children and youth who: are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; may be living in motels, hotels, trailer parkers, or shelters; have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; are living in cars, parks, public spaces abandoned buildings, substandard housing, bus or train stations, or similar settings; or are migratory children who qualify as homeless because of similar living circumstances. To ensure that each school identifies all students experiencing homelessness and unaccompanied youths enrolled at the school, a housing questionnaire is administered at least once a year. The questionnaire can be made available in the primary language of the student's parent or unaccompanied youth upon request.

The following is a brief summary of the rights of students experiencing homelessness:

1. Right to attend either the "school of origin" or the current school of residence, and not be required to attend a separate school for homeless children or youth. The school of origin can be the school attended when the student had permanent housing, the school most recently attended, or any school the student attended in the last 15 months. Transportation may be provided.
2. Right to immediate enrollment even if the student is unable to produce records normally required for enrollment (e.g., proof of residency, birth certificate, immunization, transcript), does not have clothing normally required by the school (e.g., school uniforms), or has outstanding fees, fines, textbooks, or other monies due to the school last attended.
3. Right to automatically qualify for child nutrition programs.
4. Right to not be stigmatized by school personnel.
5. Right to file a complaint through the Uniform Complaint Procedures if there is an allegation that LMSVSD has not complied with requirements regarding the education of students experiencing homelessness.

Unaccompanied youth who meet the definition of homeless youth are also eligible for rights and services under the McKinney-Vento Act. An unaccompanied youth is defined as a minor who is not in the physical custody of a parent.

LMSVSD's homeless youth liaison is Jennifer Coronel, Director of Student Supports, who can be reached at 619-668-5700 or [jennifer.coronel@lmsvschools.org](mailto:jennifer.coronel@lmsvschools.org). Notice of the educational rights of students experiencing homelessness and resources available to persons experiencing homelessness is posted on LMSVSD and school websites.

**Unhoused Youth in Afterschool Programs-EC 8483.1**

LMSVSD currently operates an after-school program pursuant to the After-School Education and Safety Program Act of 2002. LMSVSD 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. Section 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, and to pupils who are eligible for free or reduced-price meals. For programs serving middle school pupils, second priority shall go to pupils who attend daily. LMSVSD does not require pupils applying for or participating in the program to verify they are homeless or foster youth. Eligible students may receive priority through self-certification or the LMSVSD liaison for homeless children if LMSVSD maintains a waiver on file allowing for the release of this information.

**SAFE PLACE TO LEARN ACT**

**Reference:** EC 234.1

**BP/AR:** 5131.2 – Bullying; 5145.3 – Nondiscrimination/Harassment

LMSVSD is committed to providing a welcoming, safe, and supportive school environment that allows all students equal access to and opportunities in the LMSVSD's academic, extracurricular, and other educational support programs, services, and activities. As such, it prohibits 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, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information; or association with a person or group with one or more of these actual or perceived characteristics. This policy applies to all acts constituting discrimination, harassment, intimidation, and bullying related to school activity or school attendance occurring within an LMSVSD 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 at school.

LMSVSD also prohibits any form of retaliation against any individual who reports or participates in the reporting of unlawful discrimination, files or participates in the filing of a complaint, or investigates or participates in the investigation of a complaint or report alleging unlawful discrimination. Retaliation complaints are investigated and resolved in the same manner as a discrimination complaint.

Students who feel that they have been subjected to unlawful discrimination described above or who observe any such incident are strongly encouraged to immediately contact the UCP compliance officer, principal, or any other staff member. In addition, students and parents may request to meet with the UCP compliance officer to determine how best to accommodate or resolve concerns that may arise from the LMSVSD's implementation of its nondiscrimination policies. To the extent possible, LMSVSD will address any individual student's interests and concerns in private.

Regardless of whether a complainant complies with the writing, timeline, and/or other formal filing requirements, all complaints alleging unlawful discrimination, including discriminatory harassment, intimidation, or bullying, will be investigated and prompt action taken to stop the discrimination, prevent recurrence, and address any continuing effect on students.

For a list of statewide resources, including community-based organizations, that provide support to youth, and their families, who have been subjected to school-based discrimination, harassment, intimidation, or bullying, please visit the following CDE webpage: <https://www.cde.ca.gov/ls/ss/sc/bullyingprev.asp>.

## SECTION 504

**Reference:** 34 CFR 104.32

**BP/AR:** 6164.6 – Identification and Education Under Section 504

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with a disability. LMSVSD provides a free and appropriate public education (FAPE) to all students regardless of the nature or severity of their disability. In addition, qualified students with disabilities are provided an equal opportunity to participate in programs and activities that are integral components of the LMSVSD's basic education program, including, but not limited to, extracurricular athletics, interscholastic sports, and/or other nonacademic activities.

To qualify for Section 504 protections, the student must have a mental or physical impairment which substantially limits one or more major life activity. For the purpose of implementing Section 504, the following terms and phrases are defined below:

1. *Physical impairment* means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine.
2. *Mental impairment* means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.
3. *Substantially limits major life activities* means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. Major life activities also include *major bodily functions* such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system.

LMSVSD has a responsibility to identify, evaluate, and if eligible, provide students with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their non-disabled peers. Additionally, a parent, teacher, other school employee, student success team, or community agency may refer a student to the principal or Section 504 Coordinator for consideration as a student with a disability under Section 504. If, upon evaluation, a student is determined to be a student with a disability who is eligible for regular or special education and related aids or services, the team will develop a written Section 504 Service Plan specifying the accommodations and supplementary aids and services necessary to ensure that the student receives FAPE.

For additional information about the rights of parents of eligible students, or questions regarding the identification, evaluation, and eligibility of Section 504 protections, please contact Jennifer Coronel, Director, Student Supports, at 619-668-5700 or [Jennifer.coronel@lmsvschools.org](mailto:Jennifer.coronel@lmsvschools.org).

## **SEXUAL HARASSMENT**

**Reference:** 34 CFR 106.8; 5 CCR 4917; EC 231.5, 48900.2, 48980

**BP/AR:** 5145.7 – Sex Discrimination and Sex-based Harassment; 5145.71 – Title IX Sex Discrimination and Sex-based Harassment Complaint Procedures

The La Mesa-Spring Valley Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. Sexual harassment of students at school or at school-sponsored or school-related activities is prohibited. Retaliatory behavior or action against any person who reports, files a complaint, or testifies about, or otherwise supports a complainant in alleging sexual harassment is also prohibited. Any student who engages in sexual harassment or sexual violence at school or at a school-sponsored or school-related activity will be subject to disciplinary action. For students in grades 4 through 8, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) will be taken into account. Any employee found to have engaged in sexual harassment or sexual violence toward any student will be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

The following individual has been designated as the LMSVSD's Title IX Coordinator: Jennifer Coronel, Director, Student Supports, 619-668-5700 or [jennifer.coronel@lmsvschools.org](mailto:jennifer.coronel@lmsvschools.org). The Title IX Coordinator is responsible for coordinating LMSVSD's efforts to comply with Title IX sexual harassment complaint procedures, as well as to oversee, investigate, and/or resolve sexual harassment complaints processed under the Uniform Complaint Procedures.

### **Instructional Program**

As a preventative measure, students will receive age-appropriate instruction and information on sexual harassment, including:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstance.
3. Encouragement to report observed instances of sexual harassment even when the victim of the harassment has not complained.
4. A clear message that student safety is LMSVSD's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, will be investigated and action will be taken to respond to harassment, prevent recurrence, and address any continuing effect on students.
6. Information about LMSVSD's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.
7. Information about the rights of students and parents to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while LMSVSD investigation of a sexual harassment complaint continues.
8. A clear message that, when needed, LMSVSD will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation.

### **Defining Sexual Harassment**

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite sex, in the educational setting, under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress.
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student.
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment.
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student



regarding benefits and services, honors, programs, or activities available at or through any district program or activity.

Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sexual harassment in violation of LMSVSD policy if it has a continuing effect on or creates a hostile school environment for the complainant or victim of the conduct.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent:

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct.
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to LMSVSD's education program or activity.
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291.

### **Examples of Sexual Harassment**

Examples of types of conduct which are prohibited and which may constitute sexual harassment under state and/or federal law, in accordance with the definitions above, include, but are not limited to:

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

### **Reporting and Investigating Allegations of Sexual Harassment**

Students who feel that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student, an employee, or a third party or who have experienced off-campus sexual harassment that has a continuing effect on campus are strongly encouraged to report the incident to their teacher, the principal, LMSVSD's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment must notify the Title IX Coordinator within one school day. The report must be made whether the alleged victim files a formal complaint or requests confidentiality.

Once notified, the Title IX Coordinator will determine whether the complaint or allegation is to be addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1323.3 – Uniform Complaint Procedures. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator will ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3. The Title IX Coordinator will offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances. If, upon the conclusion of an investigation, sexual harassment is determined to have occurred, the Title IX Coordinator, or designee in consultation with the Coordinator, will take prompt action to stop the sexual harassment, prevent recurrence, implement remedies, and address any continuing effects.

Records of all reported cases of sexual harassment are maintained in accordance with law and district policies and regulations to enable LMSVSD to monitor, address and prevent repetitive harassing behavior in its schools.

To review the full text of LMSVSD's board policy and administrative regulation on sexual harassment, please go to [simbli.eboardsolutions.com](http://simbli.eboardsolutions.com). A copy of the written policy on sexual harassment is included in school and LMSVSD publications and posted in the main administrative offices and other areas where rules, regulations, procedures, and standards of conduct are provided.



## **SPECIAL EDUCATION**

**Reference:** EC 56301

**BP/AR:** 6164.4 – Identification and Evaluation of Individuals for Special Education

LMSVSD is dedicated to identifying, locating, and assessing all students within LMSVSD from birth to 21 years of age who may have disabilities, and providing appropriate support and/or related services to those students determined by an educational evaluation. Additionally, a parent, teachers, and appropriate professionals may refer a student who is believed to have a disabling condition that may require special education programs or services by contacting Eileen Cotter, Director, Special Education, [eileen.cotter@lmsvschools.org](mailto:eileen.cotter@lmsvschools.org), or 619-668-5700.

The Individuals with Disabilities Education Act (IDEA) defines “children with disabilities” to mean children with intellectual disabilities, hearing impairments including deafness, speech or language impairments, visual impairments including blindness, emotional disability, orthopedic impairments, autism, traumatic brain injury, other health impairments or specific learning disabilities, and who by reason thereof, need special education and related services. LMSVSD is committed to providing eligible students with disabilities a free and appropriate public education consistent with federal and state laws, including those students enrolled in private schools and those who are experiencing homelessness, are wards of the state, and are highly mobile students with exceptional needs.

Services are provided based on the individual needs of the student. After a team, comprised of educational professionals and the parent(s), determines a student’s unique needs and considers a variety of factors, an Individualized Education Program (IEP) is created. An IEP is a legal document that describes how LMSVSD provides services to a student with exceptional needs.

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. LMSVSD encourages parents to contact the Director of Special Education, Eileen Cotter, for assistance with such concerns. State regulations require the party filing the complaint to forward a copy of the complaint to LMSVSD at the same time the party files the complaint with the California Department of Education. Procedures are available from your student’s school principal.

## **STUDENT FEES**

**Reference:** 5 CCR 4622; EC 49013

**BP/AR:** 0460 – Local Control and Accountability Plan; 1312.3 – Uniform Complaint Procedures; 3260 – Fees and Charges

Students shall not be required to pay a fee, deposit, or other charge for participation in an educational activity which constitutes an integral fundamental part of LMSVSD’s educational program, including curricular and extracurricular activities. LMSVSD shall ensure that books, materials, equipment, supplies, and other resources necessary for student participation in LMSVSD’s educational program are made available to students at no cost.

As necessary, the Governing Board may approve and impose fees, deposits and other charges which are specifically authorized by law. In determining whether waivers or exceptions should be granted, the Board shall consider relevant data, including the socioeconomic conditions of students’ families and their ability to pay.

LMSVSD, its schools and programs may solicit voluntary donations or participate in fundraising activities. However, no course credit or privileges related to educational activities shall be offered or awarded to a student in exchange for voluntary donations or participation in fundraising activities by or on behalf of the student. LMSVSD also shall not remove or threaten to remove from a student any course credit or privileges related to educational activities, or otherwise discriminate against the student, due to a lack of voluntary donations or participation in fundraising activities by or on behalf of the student.

Any complaints of unlawful imposition of fees, deposits, or other charges will be investigated and resolved through the Uniform Complaint Procedures. If, upon investigation, LMSVSD finds merit in the complaint, the Superintendent or designee will recommend, and the Board will adopt, an appropriate remedy to be provided to all affected students and parents in accordance with 5 CCR 4600.

## **TITLE IX: SEX EQUITY IN EDUCATION ACT**

**Reference:** 34 CFR 106.8; EC 221.61, 221.8

**BP/AR:** 5145.7 – Sex Discrimination and Sex-based Harassment; 5145.71 – Title IX Sex Discrimination and Sex-based Harassment Complaint Procedures

Title IX of the Education Amendments of 1972 is one of several federal and state anti-discrimination laws that ensure equality in educational programs and activities that receive federal funding. Specifically, Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including sexual harassment. California law further provides that all students (as well as other persons) are protected by Title IX – regardless of their sex, gender, gender expression, gender identity, sexual orientation, disability, race, or national origin – in all aspects of LMSVSD’s educational programs and activities. California law further provides that students may not be discriminated against based on their parental, family, or marital status, and pregnant and parenting students may not be excluded from participating in any educational program, including extracurricular activities, for which they qualify. The essence of Title IX is to ensure that students (as well as other persons) are not excluded, separated, denied benefits to, or otherwise treated differently on the basis of sex unless expressly authorized to do so under state or federal law in areas including, but not limited to: recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment.

Under Title IX, students have the right to:

1. Fair and equitable treatment that is free from discrimination based on sex.
2. Be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
3. Inquire of the school’s athletic director as to the athletic opportunities offered by the school.
4. Apply for athletic scholarships.
5. Receive equitable treatment and benefits in the provision of all the following: equipment and supplies; scheduling of games and practices; transportation and daily allowances; access to tutoring; coaching; locker rooms; practice and competitive facilities; medical and training facilities and services; and publicity.
6. Access to a gender equity coordinator to answer questions regarding gender equity laws.
7. Contact the California Department of Education (CDE) and the California Interscholastic Federation (CIF) to access information on gender equity laws.
8. File a confidential discrimination complaint with the United States Office of Civil Rights (OCR) or CDE if there is belief that discrimination, or unequal treatment, on the basis of sex has occurred.
9. Pursue civil remedies as a result of discrimination.
10. Be protected against retaliation for filing a discrimination complaint.

LMSVSD has designated the following personnel to address questions and complaints regarding its nondiscrimination policies specific to Title IX:

Jennifer Coronel

4750 Date Ave., La Mesa, CA 91942

619-668-5700

[Jennifer.coronel@lmsvschools.org](mailto:Jennifer.coronel@lmsvschools.org)

Any complaint alleging noncompliance with Title IX will be investigated and resolved through the Uniform Complaint Procedures. For more information regarding Title IX, please visit <https://www.lmsvschools.org/complaint-procedures/>. Additional resources can be found at:

*United States Department of Education,  
Office for Civil Rights*

Lyndon Baines Johnson Department of  
Education Building

400 Maryland Avenue, SW

Washington, DC 20202-1100

Telephone: (800) 421-3481

Fax: (202) 453-6012

TDD: (800) 877-8339

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

OCR Complaint Form:

<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

*California Department of  
Education*

Office of Equal Opportunity

1430 N Street, Room 4206

Sacramento, CA 95814

Telephone: (916) 445-9174

Fax: (916) 324-9818

Email: [oeoinfo@cde.ca.gov](mailto:oeoinfo@cde.ca.gov)

Complaint Procedures:

<https://www.cde.ca.gov/re/di/eo/complaint.asp>

*California Interscholastic  
Federation*

4658 Duckhorn Drive

Sacramento, CA 95834

Telephone: (916) 239-4477

Fax (916) 239-4478

Website on Equity:

<https://www.cifstate.org/governance/equity/index>

## **UNIFORM COMPLAINT PROCEDURES**

**Reference:** 5 CCR 4600-4670; EC 33315

**BP/AR:** 1312.3 – Uniform Complaint Procedures

LMSVSD has the primary responsibility to ensure compliance with applicable state and federal laws and regulations, including those related to unlawful discrimination, harassment, intimidation, or bullying against any protected group, and all programs and activities that are subject to the Uniform Complaint Procedures (UCP). The UCP shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for Pregnant and Parenting Pupils
2. Adult Education
3. After School Education and Safety
4. Agricultural Career Technical Education
5. Career Technical and Technical Education and Career Technical and Technical Training Programs
6. Child Care and Development Programs
7. Compensatory Education
8. Consolidated Categorical Aid Programs
9. Course Periods without Educational Content
10. Discrimination, harassment, intimidation, or bullying against any protected group as identified under EC 200 and 220 and GC 11135, including any actual or perceived characteristic as set forth in PC 422.55, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in EC 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance
11. Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and newcomer pupils
12. Every Student Succeeds Act
13. Instructional Materials and Curriculum: Diversity
14. Local Control and Accountability Plans (LCAP)
15. Migrant Education
16. Physical Education Instructional Minutes
17. Reasonable Accommodations to a Lactating Pupil
18. Regional Occupational Centers and Programs
19. School Athletic Team Names, Mascots, or Nicknames
20. School Plans for Student Achievement
21. Schoolsite Councils
22. State Preschool
23. State Preschool Health and Safety Issues in LEAs Exempt from Licensing
24. Student Fees
25. And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate.

### **Filing a UCP Complaint**

A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints relating to the LCAP, the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by the LMSVSD.

A student enrolled in any public school shall not be required to pay a student fee for participation in an educational activity. A student fee complaint may be filed with the principal or the Superintendent or designee.

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

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.

Copies of the UCP process are available free of charge. To obtain a copy of the complaint form and review additional UCP-related information, go to <https://www.lmsvschools.org/complaint-procedures>.

### **Compliance Officer**

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

Jennifer Coronel

4750 Date Ave., La Mesa, CA 91942

619-668-5700

[Jennifer.coronel@lmsvschools.org](mailto:Jennifer.coronel@lmsvschools.org)

The compliance officer is knowledgeable about the laws and programs that they are assigned to investigate.

### **Notification**

LMSVSD's UCP policy and regulations are posted in all schools and offices, including staff lounges and student government meeting rooms. Written notification of LMSVSD's UCP is provided annually to students and their parents, employees, district and school advisory committee members, appropriate private school officials, and other interested parties.

LMSVSD also posts the standardized notice of the educational rights of foster youth, homeless students, former juvenile court students now enrolled in LMSVSD, children of military families, migrant students, and newcomer students, as specified in EC 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process on its website.

LMSVSD has a notice posted to identify appropriate subjects of state preschool health and safety issues in each California state preschool program classroom in each school, notifying parents, guardians, students, and teachers of (1) the health and safety requirements under Title 5 of the California Code of Regulations that apply to California state preschool programs pursuant to HSC 1596.7925, and (2) the location at which to obtain a form to file a complaint.

### **Appeal**

A complainant may appeal LMSVSD's investigation report to the CDE by filing a written appeal within 30 calendar days after receiving LMSVSD's decision. The appeal must be accompanied by a copy of the originally filed complaint and a copy of the investigation report for that complaint. A complainant may also pursue civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

## **WILLIAMS COMPLAINT**

**Reference:** 5 CCR 4680-4687; EC 35186

**BP/AR:** 1312.4 – Williams Uniform Complaint Procedures

There should be sufficient textbooks and instructional materials that are in good and usable condition. That means each student, including an English learner, must have a textbook and/or instructional materials to use in class and to take home. School facilities must be clean, safe, and maintained in good repair so as not to pose an emergency or urgent threat to the health or safety of students or staff.

There should be no teacher vacancies or misassignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners, if present.

- *Misassignment* means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.
- *Teacher vacancy* means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

A complaint alleging that any of the above conditions are not being met shall be addressed through LMSVSD's Williams uniform complaint procedures as required by law. Although complainants do not need to use LMSVSD's complaint form to file a complaint, the complaint form may be obtained at 4750 Date Ave., La Mesa, CA 91942 or <https://www.lmsvschools.org/complaint-procedures>. Because a complaint may be filed anonymously, the complaint form

shall allow the complainant to indicate whether a response is requested – only a complainant who identifies themselves is entitled to a response. A complaint shall be filed with the principal or designee.

## HEALTH AND WELLNESS

### ACCESS TO STUDENT MENTAL HEALTH SERVICES

**Reference:** EC 49428

**BP/AR:** 5141.5 – Mental Health

A child's mental health is essential to their social and cognitive development, and to learning healthy social skills and how to cope when there are problems. Mentally healthy children have a positive quality of life and can function well at home, in school, and in their communities. Mental health problems that are not recognized and treated in childhood can lead to severe consequences, including exhibiting serious behavior problems, at higher risk of dropping out of school, and increased risk of engaging in substance abuse, criminal behavior, and other risk-taking behaviors. As such, LMSVSD is committed to promoting the well-being of its students by ensuring that, at least twice a year, students and parents are each provided with information on how to initiate access to available student mental health services at school and/or in the community.

The parent or legal guardian of any pupil can access mental health services by contacting their school-site social worker or counselor. School-site social workers/counselors, with the consent of the parent or legal guardian, can determine whether a student's mental health services can be supported at the school-site or via an outside referral. More information can be found at <https://www.lmsvschools.org/community-resources>.

### ADMINISTRATION OF PRESCRIBED MEDICATION

**Reference:** EC 48980, 49423, 49423.1, 49480

**BP/AR:** 5141.21 – Administering Medication and Monitoring Health Conditions

The parent of a student on a continuing medication regimen for a nonepisodic 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 student's parent, the school nurse may communicate with the physician and may counsel 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. The school nurse or other designated school employees may assist students who need to take prescribed medication during school hours only upon written request of both the physician/surgeon and the parent. The written request from the physician/surgeon shall include details as to the name of the medication, method, amount, and time schedules by which the medication is to be taken and a written statement from the parent indicating the desire that the school assist the student in matters set forth in the statement of the physician/surgeon.

In order for a student to carry and self-administer prescription auto-injectable epinephrine or inhaled asthma medication at school, the parent must provide a written statement consenting to the self-administration and a written statement from the physician/surgeon or physician assistant detailing the medication, method, amount, and time schedules by which the medication is to be taken, and confirming that the student is able to self-administer auto-injectable epinephrine or inhaled asthma medication. The parent's written statement must provide a release for the school nurse or other designated school personnel to consult with the student's health care provider regarding any questions that may arise with regard to the medication and must release LMSVSD and school personnel from civil liability if the self-administering student suffers an adverse reaction as a result of self-administering medication. A student may be subject to disciplinary action if the student uses auto-injectable epinephrine or inhaled asthma medication in a manner other than as prescribed.

All written requests shall be provided on an annual basis or when the medication, dosage, frequency of administration, or reason for administration changes. For requests regarding inhaled asthma medication, LMSVSD will also accept the written statement from a physician/surgeon who is contracted with a prepaid health plan operating lawfully under the laws of Mexico that is licensed as a health care service plan in California as long as the statement is provided in both English and Spanish and includes the name and contact information of the physician/surgeon.

### CONSENT TO PHYSICAL EXAMINATION

**Reference:** 20 USC 1232h; EC 48980, 49451

**BP/AR:** 5141.3 – Health Examinations



Periodic health examinations of students may lead to early detection and treatment of conditions that impact learning. These examinations may also help determine whether the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act or Section 504. However, a parent may annually file with the principal a written statement withholding consent to the physical examination of their child. Any such student shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected.

## **CYBHI STATEWIDE MULTI-PAYER SCHOOL-LINKED FEE SCHEDULE**

**Reference:** <https://www.dhcs.ca.gov/CYBHI/Pages/Fee-Schedule.aspx>

La Mesa-Spring Valley is participating in the [Children and Youth Behavioral Health Initiative \(CYBHI\) Fee Schedule program](#). The statewide multi-payer fee schedule is a new way to fund school-based behavioral health services for children and youth in California. It establishes a specific set of behavioral health services and rates at which Medi-Cal and commercial insurance plans are required to reimburse LEAs, public institutions of higher education, and other school-affiliated providers. Children, youth, and families will not pay out-of-pocket expenses and there will not be any impact to their existing insurance plan or deductibles.

La Mesa-Spring Valley School District provides school-based services designed to support children's academic and social-emotional well-being. These services may include academic check-ins, elective option meetings, wellness center walk-in sessions, practicing stress management skills, conflict resolution sessions, learning organizational strategies, and reviewing resources to support academic goals—all facilitated by trained professionals. When required by law, you will be notified in advance to provide consent. If you have questions or concerns related to any of this information, please contact Student Supports.

## **HPV IMMUNIZATION**

**Reference:** EC 48980.4

**BP/AR:** 5141.31 – Immunizations

Students are advised to adhere to current immunization guidelines, as recommended by the Advisory Committee on Immunization Practices of the federal Centers for Disease Control and Prevention, the American Academy of Pediatrics, and the American Academy of Family Physicians, regarding full human papillomavirus (HPV) immunization before admission or advancement to the 8<sup>th</sup> grade of any private or public school. HPV vaccination can prevent over 90 percent of cancers caused by HPV. HPV vaccines are very safe, and scientific research shows that the benefits of HPV vaccination far outweigh the potential risks.

## **IMMUNIZATIONS**

**Reference:** 17 CCR 6040, 6055; EC 48216, 48980, 49403; HSC 120372

**BP/AR:** 5141.31 – Immunizations

To protect the health of all students and staff and to curtail the spread of infectious diseases, students must be immunized against certain communicable diseases. Students may not be admitted into any elementary or middle school, preschool, or childcare and development program for the first time nor be admitted or advanced into grade 7 unless they have met the immunization requirements. The parent's guide to "[Required Immunizations for School Entry](#)" from the California Department of Public Health (CDPH) website can be accessed by clicking on the title (link).

Students are not required to have immunizations if they attend a home-based private school or an independent study program and do not receive classroom-based instruction. However, parents must continue to provide immunizations records for these students to their schools. The immunization requirements do not prohibit students from accessing special education and related services required by their individualized education programs.

Medical exemptions may only be submitted using the standardized form developed by CDPH. To request such an exemption, parents are to first register for a California Immunization Registry – Medical Exemption (CAIR-ME) account at <https://cair.cdph.ca.gov/exemptions/home> to obtain a medical exemption request number before going to their child's doctor.

If an enrolled student who was previously believed to be in compliance with immunization requirements is subsequently discovered to not be in compliance with requirements for unconditional or conditional admission, the student's parent will receive notice that evidence of proper immunization or an appropriate exemption must be provided within 10 school days. A student not fully immunized may be temporarily excluded from a school or other institution when that child has been



exposed to a specified disease and whose documentary proof of immunization status does not show proof of immunization against a communicable disease.

LMSVSD will cooperate with state and local public health officials in measures necessary for the prevention and control of communicable diseases in school age children. LMSVSD may use any funds, property, or personnel and may permit an authorized health care provider to administer an immunizing agent to any student whose parents have consented in writing. When feasible, the California Immunization Registry – a secure, confidential, statewide computerized immunization information system for California residents – may be accessed to track immunization records, reduce missed opportunities, and help fully immunize students of all ages.

## **MEDICAL OR HOSPITAL SERVICES**

**Reference:** EC 48980, 49471, 49472

**BP/AR:** 5143 – Insurance

All students should have health and accident insurance protection to ensure that they receive needed health care services in the event of illness or injury.

### **On School Grounds and School-sponsored Activities – EC 49472**

LMSVSD does not provide medical, accident or dental insurance for pupils injured on school premises or during school activities; however, the district does offer 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.

### **Excursions and Field Trips – EC 35331**

LMSVSD shall offer medical and/or hospital service or insurance protection for students injured while participating in any school-sponsored excursion or field trip. Parents/guardians choosing to participate in the insurance program offered by the district shall pay the costs of the medical or hospital service or insurance protection.

### **Athletic Activities – EC 49471**

If a student does not have insurance protection or a reasonable equivalent of health benefits through other means, including, but not limited to, purchase by the student or his/her parent/guardian, LMSVSD shall offer a medical or hospital services or insurance program.

### **Insurance for Athletes – EC 32220-32224**

Under state law, LMSVSD is 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 LMSVSD offering insurance or other health benefits that cover medical and hospital expenses. Some students may qualify to enroll in no-cost or low-cost local, state, or federally-sponsored health programs. Information about these programs may be obtained by calling:

- Children's Health Insurance Program at 1-800-541-555 or visiting <https://www.usa.gov>
- Medi-Cal at 1-800-300-1506 or visiting <https://www.coveredca.com/health/medi-cal/children/>

*Members of school athletic teams* include members of any extramural athletic team, school bands, orchestras, cheerleaders and their assistants, pom and dance team, team managers and their assistants, and any student selected by the school or student body organization to directly assist in the conduct of the athletic event.

## **ORAL HEALTH ASSESSMENT**

**Reference:** EC 49452.8

**BP/AR:** 5141.32 – Health Screening for School Entry

Even though they fall out, baby teeth are very important. Children need healthy baby teeth to eat, talk, smile, and feel good about themselves. Children with cavities may have pain, difficulty eating, stop smiling, and have problems paying attention and learning at school. To help children stay healthy, parents are advised of the following:

- Children need to be taken to the dentist. Dental check-ups can help keep a child's mouth healthy and pain free.
- Healthy foods, like fresh fruits and vegetables, should be chosen for the entire family.
- Teeth need to be brushed at least twice a day with toothpaste that contains fluoride.
- Candy and sweet drinks like punch, juice, or soda should be limited. Sweet drinks and candy contain a lot of sugar, which causes cavities and leaves less room for a child to have healthy foods and drinks. Sweet drinks and

candy can also cause weight problems, which may lead to other diseases, such as diabetes. Give a child healthy choices like water, milk, and fruit instead.

Having a healthy mouth helps children do well in school. So, to make sure children are ready for school, state law requires children to have an oral health assessment or dental check-up in their first year in public school – whether in transitional kindergarten, kindergarten or first grade. The assessment must be performed by a licensed dentist or other licensed or registered dental health professional no earlier than 12 months before the date of a child’s initial enrollment in school and no later than May 31 of the school year. The dentist will complete the Oral Health Assessment form, which then must be submitted to the school as proof that the assessment has been done. The school shall maintain the privacy of all students’ health information. A student’s identity shall not be associated with any report produced as a result of this requirement.

A parent who is unable to obtain the oral health assessment must complete a Waiver of Oral Health Assessment Requirement form and submit that to the school.

To help find a dentist, call the Medi-Cal Telephone Service Center at 1-800-322-6384 or visit [Medi-Cal Dental \(https://dental.dhcs.ca.gov/\)](https://dental.dhcs.ca.gov/) to find a dentist that accepts Medi-Cal. To enroll a child in Medi-Cal, parents can apply by mail, go in person to the local Social Services office, or online at [Apply for Medi-Cal \(https://www.dhcs.ca.gov/services/medi-cal/pages/applyformedi-cal.aspx\)](https://www.dhcs.ca.gov/services/medi-cal/pages/applyformedi-cal.aspx).

## **SCHOOL MEALS**

**Reference:** EC 48980, 49510, 49520

**BP/AR:** 3550 – Food Service/Child Nutrition Program

Adequate, nourishing food is essential to student health and well-being, development, and ability to learn. A free, nutritionally adequate breakfast and lunch is provided each school day to any student who requests a meal regardless of the student’s free or reduced-price meal eligibility. A la carte items such as juice, milk and a second entrée can be purchased with cash or by utilizing the online payment option located at [www.lmsvschools.org](http://www.lmsvschools.org), Child Nutrition page. All school meals meet and exceed the USDA requirements recommended for fat, trans fat, calories, and salt. Special meal accommodations can be requested by emailing [Melinda.Murphy@lmsvschools.org](mailto:Melinda.Murphy@lmsvschools.org).

## **SUN PROTECTIVE CLOTHING/USE OF SUNSCREEN**

**Reference:** EC 35183.5

**BP/AR:** None

LMSVSD allows for outdoor use of sun-protective clothing and the use of sunscreen by students during the day. More information is available online at [www.lmsvschools.org](http://www.lmsvschools.org).

## **TYPE 1 DIABETES**

**Reference:** EC 49452.6

**BP/AR:** 5141.3 – Health Examinations

### **Description**

*Type 1 diabetes usually develops in children and young adults but can occur at any age*

- According to the U.S. Centers for Disease Control and Prevention (CDC), cases of type 1 diabetes in youth increased nationally from 187,000 in 2018 to 244,000 in 2019, representing an increase of 25 per 10,000 youths to 35 per 10,000 youths, respectively.
- The peak age of diagnosis of type 1 diabetes is 13-14 years, but diagnosis can also occur much earlier or later in life.

*Type 1 diabetes affects insulin production*

- As a normal function, the body turns the carbohydrates in food into glucose (blood sugar), the basic fuel for the body’s cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood into the cells.
- In type 1 diabetes, the body’s pancreas stops making insulin, and blood glucose levels rise.
- Over time, glucose can reach dangerously high levels in the blood, which is called hyperglycemia.
- Untreated hyperglycemia can result in diabetic ketoacidosis (DKA), which is a life-threatening complication of diabetes.

### **Risk Factors Associated with Type 1 Diabetes**

It is recommended that students displaying warning signs associated with type 1 diabetes, which are described below, should be screened (tested) for the disease by their health care provider.

#### *Risk Factors*

Researchers do not completely understand why some people develop type 1 diabetes and others do not; however, having a family history of type 1 diabetes can increase the likelihood of developing type 1 diabetes. Other factors may play a role in developing type 1 diabetes, including environmental triggers such as viruses. Type 1 diabetes is not caused by diet or lifestyle choices.

### **Warning Signs and Symptoms Associated with Type 1 Diabetes and Diabetic Ketoacidosis (DKA)**

Warning signs and symptoms of type 1 diabetes in children develop quickly, in a few weeks or months, and can be severe. If your child displays the warning signs below, contact your child's primary health care provider or pediatrician for a consultation to determine if screening your child for type 1 diabetes is appropriate:

- Increased thirst
- Increased urination, including bed-wetting after toilet training
- Increased hunger, even after eating
- Unexplained weight loss
- Feeling very tired
- Blurred vision
- Very dry skin
- Slow healing of sores or cuts
- Moodiness, restlessness, irritability, or behavior changes

DKA is a complication of untreated type 1 diabetes. DKA is a medical emergency. Symptoms include:

- Fruity breath
- Dry/flushed skin
- Nausea
- Vomiting
- Stomach pains
- Trouble breathing
- Confusion

### **Types of Diabetes Screening Tests That Are Available**

- Glycated hemoglobin (A1C) test. A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- Random (non-fasting) blood sugar test. A blood sample is taken any time without fasting. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes.
- Fasting blood sugar test. A blood sample is taken after an overnight fast. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- Oral glucose tolerance test. A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

### **Type 1 Diabetes Treatments**

There are no known ways to prevent type 1 diabetes. Once type 1 diabetes develops, medication is the only treatment. If a child is diagnosed with type 1 diabetes, their health care provider will be able to help develop a treatment plan. The child's health care provider may refer the child to an endocrinologist, a doctor specializing in the endocrine system and its disorders, such as diabetes.

Contact the school nurse, school administrator, or health care provider if there are any questions.

#### **References**

- [KidsHealth](#)
- [Mayo Clinic](#)
- [National Library of Medicine and National Institutes of Health's MedLine](#)

## TYPE 2 DIABETES

**Reference:** EC 49452.7

**BP/AR:** 5141.3 – Health Examinations

The California Department of Education developed this type 2 diabetes information in collaboration with the California Department of Public Health, American Diabetes Association, California School Nurses Organization, and Children's Hospital of Orange County.

### **Description**

*Type 2 diabetes is the most common form of diabetes in adults.*

- Until a few years ago, type 2 diabetes was rare in children, but it is becoming more common, especially for overweight teens.
- According to the U.S. Centers for Disease Control and Prevention (CDC), one in three American children born after 2000 will develop type 2 diabetes in his or her lifetime.

*Type 2 diabetes affects the way the body is able to use sugar (glucose) for energy.*

- The body turns the carbohydrates in food into glucose, the basic fuel for the body's cells.
- The pancreas makes insulin, a hormone that moves glucose from the blood to the cells.
- In type 2 diabetes, the body's cells resist the effects of insulin, and blood glucose levels rise.
- Over time, glucose reaches dangerously high levels in the blood, which is called hyperglycemia.
- Hyperglycemia can lead to health problems like heart disease, blindness, and kidney failure.

### **Risk Factors Associated with Type 2 Diabetes**

It is recommended that students displaying or possibly experiencing the risk factors and warning signs associated with type 2 diabetes be screened (tested) for the disease.

#### *Risk Factors*

Researchers do not completely understand why some people develop type 2 diabetes and others do not; however, the following risk factors are associated with an increased risk of type 2 diabetes in children:

- **Being overweight.** The single greatest risk factor for type 2 diabetes in children is excess weight. In the U.S., almost one out of every five children is overweight. The chances are more than double that an overweight child will develop diabetes.
- **Family history of diabetes.** Many affected children and youth have at least one parent with diabetes or have a significant family history of the disease.
- **Inactivity.** Being inactive further reduces the body's ability to respond to insulin.
- **Specific racial/ethnic groups.** Native Americans, African Americans, Hispanics/Latinos, or Asian/Pacific Islanders are more prone than other ethnic groups to develop type 2 diabetes.
- **Puberty.** Young people in puberty are more likely to develop type 2 diabetes than younger children, probably because of normal rises in hormone levels that can cause insulin resistance during this stage of rapid growth and physical development.

### **Warning Signs and Symptoms Associated with Type 2 Diabetes**

Warning signs and symptoms of type 2 diabetes in children develop slowly, and initially there may be no symptoms. However, not everyone with insulin resistance or type 2 diabetes develops these warning signs, and not everyone who has these symptoms necessarily has type 2 diabetes.

- Increased hunger, even after eating
- Unexplained weight loss
- Increased thirst, dry mouth, and frequent urination
- Feeling very tired
- Blurred vision
- Slow healing of sores or cuts
- Dark velvety or ridged patches of skin, especially on the back of the neck or under the arms
- Irregular periods, no periods, and/or excess facial and body hair growth in girls
- High blood pressure or abnormal blood fats levels

### **Type 2 Diabetes Prevention Methods and Treatments**

Healthy lifestyle choices can help prevent and treat type 2 diabetes. Even with a family history of diabetes, eating healthy foods in the correct amounts and exercising regularly can help children achieve or maintain a normal weight and normal blood glucose levels.

- **Eat healthy foods.** Make wise food choices. Eat foods low in fat and calories.
- **Get more physical activity.** Increase physical activity to at least 60 minutes every day.
- **Take medication.** If diet and exercise are not enough to control the disease, it may be necessary to treat type 2 diabetes with medication.

The first step in treating type 2 diabetes is to visit a doctor. A doctor can determine if a child is overweight based on the child's age, weight, and height. A doctor can also request tests of a child's blood glucose to see if the child has diabetes or pre-diabetes (a condition which may lead to type 2 diabetes).

#### **Types of Diabetes Screening Tests That Are Available**

- **Glycated hemoglobin (A1C) test.** A blood test measures the average blood sugar level over two to three months. An A1C level of 6.5 percent or higher on two separate tests indicates diabetes.
- **Random (non-fasting) blood sugar test.** A blood sample is taken at a random time. A random blood sugar level of 200 milligrams per deciliter (mg/dL) or higher suggests diabetes. This test must be confirmed with a fasting blood glucose test.
- **Fasting blood sugar test.** A blood sample is taken after an overnight fast. A fasting blood sugar level less than 100 mg/dL is normal. A level of 100 to 125 mg/dL is considered pre-diabetes. A level of 126 mg/dL or higher on two separate tests indicates diabetes.
- **Oral glucose tolerance test.** A test measuring the fasting blood sugar level after an overnight fast with periodic testing for the next several hours after drinking a sugary liquid. A reading of more than 200 mg/dL after two hours indicates diabetes.

Type 2 diabetes in children is a preventable/treatable disease and this guidance is intended to raise awareness about this disease. Contact the school nurse, school administrator, or health care provider if there are any questions.

#### **References**

[American Diabetes Association Clinical Journal](#)

[Helping Children with Diabetes Succeed: A Guide for School Personnel](#)

[KidsHealth](#)

[Mayo Clinic](#)

[National Library of Medicine and National Institutes of Health's MedLine](#)

## **WATER CONSUMPTION**

**Reference:** EC 38043

**BP/AR:** N/A

Students have the right and are encouraged to bring a reusable bottle to fill and refill water to consume while at school. Drinking water plays an important role in maintaining a child's overall health in the following ways:

- Supports muscles, joints, and tissues
- Improves digestive system
- Keeps growing bodies hydrated
- Positively impacts cognitive performance, particularly short-term memory
- Improves visual attention and fine motor skills
- Can prevent excess weight gain when substituting sugary drinks

## **PARENT AND FAMILY ENGAGEMENT**

### **PARENT AND FAMILY ENGAGEMENT POLICY**

**Reference:** 20 USC 6318; EC 11503, 11504

**BP/AR:** 6020 – Parent Involvement; 6171 – Title I Programs

The Title I, Part A Local Education Agency (LEA)/Parent and Family Engagement Policy 2025 is included in the addendum.

### **PROFESSIONAL QUALIFICATIONS**

**Reference:** 20 USC 6312; 34 CFR 200.61

**BP/AR:** 4112.2 – Certification; 4222 – Teacher Aides/Paraprofessionals

Parents of students who attend a school receiving Title I funds may request information regarding the professional qualifications of their students' classroom teachers, including, at a minimum, 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. Whether the teacher is teaching in the field of discipline of the certification of the teacher.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

A school that receives Title I funds will also provide to each individual parent information on the level of achievement and academic growth of their child, if applicable and available, on each of the required State academic assessments, and timely notice that their child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

## **RIGHTS OF PARENTS**

**Reference:** EC 51101, 51101.1

**BP/AR:** 5020 – Parent Rights and Responsibilities

Parents have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children, to be informed by the school, and to participate in the education of their children, as follows:

1. Within a reasonable period of time after making the request, to observe their child's classroom(s).
2. Within a reasonable time of their request, to meet with their child's teacher(s) and the principal.
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.
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 their child's school on standardized statewide tests, including the state test for English language proficiency for English learners.
6. To request a particular school for their child, and to receive a response from the school district.
7. To have a school environment for their child that is safe and supportive of learning.
8. To examine the curriculum materials of their child's class(es).
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.
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, 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.

A parent's lack of English fluency does not prevent a parent from exercising such rights. LMSVSD will take all reasonable steps to ensure that all parents who speak a language other than English are properly notified in English and in their home language, pursuant to EC 48985, of the rights and opportunities available to them. Please note that LMSVSD is not authorized to allow a parent's participation in the education of their child if it conflicts with a valid restraining order, protective order, or order for custody or visitation issued by a court of competent jurisdiction.

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.



## SCHOOL ACCOUNTABILITY REPORT CARD

**Reference:** EC 35256, 35258

**BP/AR:** 0510 – School Accountability Report Card

By February 1 of each year, all public schools in California are required to update and publish a school accountability report card (SARC) with the intent to provide the public with important information about each public school and to communicate a school's progress in achieving its goals. The primary purpose is to provide parents with data and information to make meaningful comparisons between public schools, enabling them to make informed decisions on which school to enroll their children. The content of the SARC includes demographic data, school safety and climate for learning information, academic data, school completion rates, class sizes, teacher and staff information, curriculum and instruction descriptions, postsecondary preparation information, and fiscal and expenditure data. Printed copies will be provided upon request to any student's parent or guardian, or may be accessed at [www.lmsvschools.org/accountability](http://www.lmsvschools.org/accountability).

## STUDENT WELLNESS POLICY

**Reference:** 42 USC 1758b; 7 CFR 210.31; EC 49432

**BP/AR:** 5030 – Student Wellness

Recognizing the link between student health and learning, LMSVSD has an established student wellness policy for all its schools to provide a comprehensive program that promotes healthy eating and physical activity for students. LMSVSD shall coordinate and align its efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a healthy school environment. Parents, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public are encouraged to participate in the development, implementation, and periodic review and update of the policy.

Please use this link to review the content of the policy and any updates; [www.lmsvschools.org/child-nutrition](http://www.lmsvschools.org/child-nutrition). To find out how to be involved with the School Wellness Council, please email the director of Child Nutrition at [michelle.valdez@lmsvschools.org](mailto:michelle.valdez@lmsvschools.org).

## SAFETY AND WELL-BEING

### ASBESTOS MANAGEMENT PLAN

**Reference:** 40 CFR 763.84, 763.93

**BP/AR:** 3514 – Environmental Safety

Parents have the right to inspect a complete, updated copy of a management plan for asbestos-containing material in school buildings. The asbestos management plan can be made available for inspection, without cost or restriction, in the Operations Center or in the main office at any of our schools during normal business hours. For further information, contact Maintenance and Operations at 619-668-5760.

### CAL-KIDS SAVINGS

**Reference:** CalKIDS.org

The CalKIDS Savings Program, administered by the ScholarShare Investment Board, provides children born in California with state-funded CalKIDS scholarships that can be used on qualified higher education expenses such as tuition, books, and computer equipment. All children born in California on or after July 1, 2022, are eligible for a scholarship, ranging from \$25 to \$175, regardless of income. Low-income students are eligible for scholarships ranging from \$500 to \$1,500. Scholarships are automatically created for eligible students but must be claimed using the students' Statewide Student Identifier. You can find information [here](#).

### CHILD ABUSE PREVENTION AND NEGLECT REPORTING

**Reference:** EC 48987; PC 11164 *et seq.*

**BP/AR:** 5141.4 – Child Abuse Prevention and Reporting

All employees of LMSVSD are considered mandated reporters, and are 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 means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on their training and experience, to suspect child abuse or neglect; it does not require certainty that the child abuse and/or neglect has occurred. 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.

All complaints must be filed through a formal report, over the telephone, in person, or in writing, with an appropriate local law enforcement agency (*i.e.*, Police or Sheriff's Department, County Probation Department, or County Welfare Department/County Child Protective Services). Both the name of the person filing the complaint and the report itself are confidential and cannot be disclosed except to authorized agencies.

Parents of students also have a right to file a complaint against a school employee or other person that they suspect has engaged in abuse of a child at a school site. Complaints may be filed with the local law enforcement agency; parents may also notify LMSVSD of an incident by contacting the Assistant Superintendent in Human Resources, 619-668-5700.

## **DANGERS OF SYNTHETIC DRUGS**

**Reference:** EC 48985.5

**BP/AR:** 5131.6 – Alcohol and Other Drugs

Fentanyl is a major contributor to drug overdoses in California, including among youth. Fentanyl is an extremely potent and dangerous synthetic opioid, like heroin and morphine, and is laboratory engineered to be about 50 times stronger than heroin and 100 times stronger than morphine. This means even small amounts can lead to a fatal overdose. Fentanyl is powerful and difficult to detect. People who make or sell drugs sometimes add small amounts of fentanyl – in ways that are not noticeable to the user – to other substances because of its extreme potency, making the drugs cheaper, more powerful, more addictive, and more dangerous.

The U.S. Department of Justice Drug Enforcement Administration has directly connected social media drug sales to overdose deaths. Drug traffickers have turned smartphones into a one-stop shop to market, sell, buy, and deliver deadly, fake prescription pills and other dangerous drugs. These deadly drugs can be purchased and delivered to anyone's home just like any other good or service. Drug traffickers advertise on social media platforms like Facebook, Instagram, Snapchat, TikTok, Twitter and YouTube. These advertisements are in disappearing, 24-hour stories and in posts, which are promptly posted and removed. Posts and stories are often accompanied by known code words and emojis that are used to market and sell illicit and deadly drugs on social media. These code words and emojis are designed to evade detection by law enforcement and by the preset algorithms used by social media platforms. Social media drug trafficking impacts all age groups, but adolescents and young adults are particularly susceptible given their high rates of social media usage. Fentanyl misuse may result in an intense, short-term high; temporary feelings of euphoria; slowed respiration and reduced blood pressure, nausea, fainting; seizures or death. Methamphetamine misuse may result in agitation, increased heart rate and blood pressure, increased respiration and body temperature, anxiety, and paranoia. High doses can cause convulsions, cardiovascular collapse, stroke, or death. Overdose may result in stupor, changes in papillary size, cold and clammy skin, cyanosis, coma, and respiratory failure leading to death. The presence of a triad of symptoms such as coma, pinpoint pupils, and respiratory depression are strongly suggestive of opioid poisoning.

With a fentanyl-poisoned drug supply, avoiding drug use is the surest way to prevent an overdose. The only safe medications are ones that come from licensed and accredited medical professionals. For more information, review the [Facts About Fentanyl](#) on the California Department of Public Health website.

## **DISRUPTION IN PUBLIC SCHOOL OR MEETING**

**Reference:** EC 32210

**BP/AR:** Bylaw 9323

Members of the public are encouraged to attend Board meetings and to address the Board concerning any item on the agenda or within the Board's jurisdiction. 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).

## **DRESS CODE**

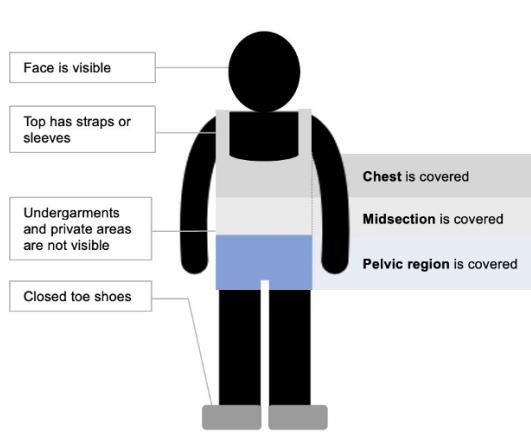
**Reference:** EC 35183

**BP/AR:** 5132 – Dress and Grooming

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

The following dress code shall apply to all students and school activities.

1. As illustrated in the graphic below, students must wear clothing that fully covers the chest (at approximately armpit level), midsection (with arms down), and pelvic region. With the exception of shoulder straps, undergarments must not be visible. Private areas must not be visible. Tops must have shoulder straps or sleeves. Closed toe shoes must be worn at all times.



2. See-through and mesh clothing must have appropriate coverage underneath or on top and meet the minimum requirements listed above.
3. Headgear must not be worn in a manner that hides a student's face, unless for religious, health, or other reasons approved by school administration. (Examples: hats, hoodies, sunglasses, masks, etc.)
4. Clothing and accessories that may endanger student or staff safety is not permitted. (Examples: wallet chains, spiked wristbands, etc.)
5. Swimsuits are not permitted.
6. Clothing and personal items (such as jewelry, backpacks, water bottles, etc.) shall not:
  - a. Depict, imply, advertise or advocate illegal, violent or lewd conduct, weapons, or the use of alcohol, tobacco, marijuana or any other controlled substance;
  - b. Depict or imply pornography, nudity, or sexual acts;
  - c. Display or imply vulgar, discriminatory or obscene language or images;
  - d. State, imply or depict hate speech/imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected classification.

The dress code shall be modified as appropriate to accommodate a student's religious or cultural observance, health condition, or other circumstances deemed necessary by school administration and approved by the superintendent or designee. In addition, school administration may impose dress requirements to accommodate the needs of special school activities, physical education classes, athletic activities, and other extracurricular activities.

No grade of a student participating in a physical education class shall be adversely affected if the student does not wear standardized physical education apparel because of circumstances beyond the student's control. (Education Code 49066)

### Uniforms

In accordance with Education Code 35183, schools are permitted to implement a uniform policy provided that the principal, staff, and parents/guardians jointly select the uniform to be worn. The uniform policy must also be reconsidered and reviewed by the principal, staff, and parents/guardians at least once every five years.

- At least six months before a school uniform policy is implemented or revised, the principal or designee shall notify parents/guardians.
- Parents/guardians shall be informed of their right to have their child exempted from the uniform policy and instead abide by the above dress code.
- Students shall not be penalized academically or otherwise discriminated against nor denied attendance to school if the student has been exempted from the school uniform policy.
- The Superintendent or designee shall establish criteria for determining student eligibility for financial assistance when purchasing uniforms.

- Students who participate in a nationally recognized youth organization shall be allowed to wear organization uniforms on days when the organization has a scheduled meeting.

## **EMPLOYEE INTERACTION WITH STUDENTS**

**Reference:** EC 44050

**BP/AR:** 4119.21, 4219.21, 4319.21 – Professional Standards; 4119.24, 4219.24, 4319.24 – Maintaining Appropriate Adult-Student Interactions

Employees, including independent contractors and volunteers, of LMSVSD are expected to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students both within and outside the educational setting. To ensure employees fulfill their obligation to ensuring the safety of all students and contribute to a positive school climate, employees shall not engage in unlawful or inappropriate interactions with students and must avoid boundary-blurring behaviors that undermine trust in the adult-student relationship.

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 weapons
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

Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voicemail, 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.

1. Causing damage to or engaging in theft of property belonging to students, staff, or the district
2. Wearing inappropriate attire

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. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

## **MEGAN'S LAW/SEX OFFENDERS**

**Reference:** PC 290.45, 626.81

**BP/AR:** 3515.5 – Sex Offender Notification

Whenever the principal has granted permission to a registered sex offender to come into a school building or upon school grounds to volunteer at the school, the principal or designee shall notify the parent of each student at that school, at least 14 days in advance, that a registered sex offender has been granted such permission, the date(s) and times for which permission has been granted, and the parent's right to obtain information regarding the person from a designated law enforcement agency.

LMSVSD will respond as directed or advised by a law enforcement agency due to the presence of a registered sex offender on school grounds – law enforcement is the agency best able to assess the relative danger of a sex offender. Parents requesting information about sex offenders in the community should either contact law enforcement or access the Megan’s Law webpage from the California Department of Justice’s website <http://meganslaw.ca.gov/>. The website also provides information on how to protect children and their families, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

## PESTICIDE PRODUCTS

**Reference:** EC 17611.5, 17612, 48980.3

**BP/AR:** 3514.2 – Integrated Pest Management

The LMSVSD uses pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment. Such pesticides shall only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. A warning sign at each area of the school site where pesticides will be applied shall be posted visibly to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and shall remain posted until 72 hours after the application. When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons on the school site, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application.

Products we expect to use this year will include: Ranger Pro-with Glyphosate for weeds;; JT Eaton apple bait block;; Rodenticide for rodents with Dipahcinore;; Max Force Gel Bait with Fpronil and Max Force Granular 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;; Gentrol-insect growth regulator with Hydroprene for insects;; Altosid-larvicide with Methoprene for mosquitoes;; PT Alpine pressurized insecticide with Methyl for Flea, Bed Bugs and Ticks;; Pyrethrin Fogger with Piperonyl Butoxide for Insects;; Advion insect granules with Methyl for mosquitos;; Cheetah Pro (EPA Reg. No.: 228-743) with Glufosinate; and Capstone (EPA Reg. No.: 62719-572) with Aminopyralid and Triclopyr to be used for weeds; Rat Bait Stations Bell Laboratories Fastrac All Weather Blox (EPA #12455-95) Active Ingredient - Bromethalin 0.01%; Bell Laboratories Contrac California (EPA #12455-151) Active Ingredient - Bromethalin 0.01%; For gophers Control Solutions, Inc. Martins Gopher Bait 50 (EPA #53883-23) Active Ingredient - Strychnine Alkaloid 0.05%; For roaches BASF Corporation Phantom (EPA #241-392) Active Ingredient - Chlorfenapyr 0.2145%; MGK Nyguard (EPA #1021-1603) Active Ingredient - 2-[1-methyl-2-(4-phenoxyphenoxy) 10%; Bayer Environmental Science Maxforce FC Magnum (EPA #432-1460) Active Ingredient - Fipronil 0.05%; MGK Onslaught Fastcap (EPA #1021-2574) Active Ingredient - Esfenvalerate 6.4%. 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: Shaun Gabriels Director of Facilities, Maintenance and Operations 619-668-5760 X 4701

Parents seeking access to information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code 13184, can do so by going to <https://www.cdpr.ca.gov/docs/schoolipm/>. A copy of LMSVSD’s integrated pest management plan may be viewed at [www.lmsvschools.org/maintenance-operations-facilities](http://www.lmsvschools.org/maintenance-operations-facilities).

## SAFE STORAGE OF FIREARMS

**Reference:** EC 48986, 49392

**BP/AR:** 0450 – Comprehensive Safety Plan

The purpose of this notice is to inform and to remind parents and legal guardians of all students in the LMSVSD of their responsibilities for keeping firearms out of the hands of children as required by California law. Seventy-four percent of children know where their parents’ firearms are stored, and 60 percent report that they have handled them. Sadly, over 80 percent of teens who have died by suicide used a firearm that belonged to someone in their home. These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.

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



- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; or (3) unlawfully brandishes the firearm to others. (*Note:* The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.)
- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a child never actually accesses the firearm.
- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, having custody or control, owning, receiving, or purchasing a firearm for 10 years.
- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.

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

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

## **SCHOOL BUS SAFETY**

**Reference:** EC 39831.5

**BP/AR:** 3543 – Transportation Safety and Emergencies

All pupils in prekindergarten, kindergarten, and grades 1 to 8, inclusive, in public or private school who are transported in a school bus or school pupil activity bus shall receive instruction in school bus emergency procedures and passenger safety. Bus safety regulations, general rules of conduct at school bus loading zones, right light crossing instructions, school bus danger zone, and procedures for walking to and from school bus stops, can be found online at [www.lmsvschools.org](http://www.lmsvschools.org).

All pupils in prekindergarten, kindergarten, and grades 1 to 8, inclusive, who receive home-to-school transportation shall receive safety instruction that includes, but is not limited to, proper loading and unloading procedures, including escorting by the driver, how to safely cross the street, highway, or private road, instruction on the use of passenger restraint systems, as described in paragraph (3), proper passenger conduct, bus evacuation, and location of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit. As part of the instruction, pupils shall evacuate the school bus through emergency exit doors.

Instruction on the use of passenger restraint systems, when a passenger restraint system is installed, shall include, but not be limited to, all of the following: proper fastening and release of the passenger restraint system; acceptable placement of passenger restraint systems on pupils; times at which the passenger restraint systems should be fastened and released; and acceptable placement of the passenger restraint systems when not in use.

## **TOBACCO-FREE CAMPUS**

**Reference:** HSC 104420, 104495

**BP/AR:** 3513.3 – Tobacco-Free Schools

LMSVSD receives Tobacco Use Prevention funding to adopt and enforce a tobacco-free campus policy. Information about the policy and enforcement procedures may be found online at [www.lmsvschools.org](http://www.lmsvschools.org). 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.

## **VISITING SCHOOL PROCEDURES**

**Reference:** EC 51101(a)(12)



**BP/AR:** 1250 – Visitors/Outsiders

LMSVSD policy concerning visiting procedures may be found online at [www.lmsvschools.org](http://www.lmsvschools.org). Penal Code section 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.

The Superintendent or designee shall post at every entrance to each school and school grounds a notice describing registration requirements, school hours or hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. (Education Code 32211; Penal Code 627.6)

Unless otherwise directed by the principal or designee, a staff member shall accompany visitors/outsideers while they are on school grounds.

**Registration Procedure**

In order to register, an outsider shall, upon request, furnish the principal or designee with the following information: (Penal Code 627.3)

1. Name, address, and occupation
2. Age, if less than 21
3. Purpose for entering school grounds
4. Proof of identity
5. Other information consistent with the provisions of law

**Principal's Registration Authority**

The principal or designee may refuse to register any visitor if the principal or designee reasonably concludes that the individual's presence or acts would disrupt the school, students, or employees; would result in damage to property; or would result in the distribution or use of a controlled substance. The principal or designee may revoke any visitor's registration if there is a reasonable basis for concluding that the individual's presence on school grounds would interfere, or is interfering, with the peaceful conduct of school activities or would disrupt or is disrupting the school, students, or staff. (Penal Code 627.4)

When a visitor fails to register, or when the principal or designee denies or revokes a visitor's registration privileges, the principal or designee shall request that the individual promptly leave school grounds. If a visitor is shown reasonable cause to believe that the visitor is willfully disrupting the orderly operation of a school the principal or designee may issue a "Stay Away Letter" in accordance with Penal Code 626.4.

When a visitor is directed to leave, the principal or designee shall inform the visitor that if the visitor reenters the school within seven days the visitor may be guilty of a misdemeanor subject to a fine and/or imprisonment. (Penal Code 627.7)

**Appeal Procedure**

Any person who is denied registration or whose registration is revoked may appeal either of these determinations by submitting, within five days after the person's departure from school, a written request for a hearing to either the Superintendent or the principal of the school at which the registration was denied or revoked. This request must state why the person believes the denial or revocation was improper and must provide an address to which the hearing notice may be sent. Upon receipt of the request for a hearing, the Superintendent or principal shall promptly mail a notice of the hearing to the person requesting it. A hearing before the Superintendent or principal shall be held within seven days after receipt of the request. (Penal Code 627.5)

**WALKING OR RIDING A BIKE TO SCHOOL**

**Reference:** VC 21212

**BP/AR:** 5030 – Student Wellness

LMSVSD 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. 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.

# SCHOOL ATTENDANCE

## ABSENCE DUE TO CONFIDENTIAL MEDICAL SERVICES

**Reference:** EC 46010.1

**BP/AR:** 5113 – Absences and Excuses

Students in grades 7-8 may be excused from school for the purpose of obtaining confidential medical services without the consent of the student's parent. When excusing students for confidential medical services or verifying such appointments, staff will not ask the purpose of the appointments but may contact a medical office to confirm the time of the appointment. In accordance with a November 2004 opinion issued by the California Attorney General, staff may not notify a parent when a student leaves school to obtain confidential medical services.

## ABSENCE DUE TO RELIGIOUS EXERCISES OR INSTRUCTION

**Reference:** EC 46014, 48980

**BP/AR:** 5113 – Absences and Excuses

With the written consent of the parent, a student may be excused from school in order to participate in religious exercises or to receive moral and religious instruction at the student's place of worship or at other suitable places away from school property designated by a religious group, church, or denomination. Such absence shall not be deemed absence in computing average daily attendance if the student attends at least the minimum school day and is not excused from school for this purpose on more than four days per school month.

## ADDRESSING ABSENCES

**Reference:** EC 48260 *et seq.*, 48320 *et seq.*, 51101

**BP/AR:** 5113.1 – Chronic Absence and Truancy

California law requires full-time attendance and punctuality of every student between 6 and 18 years of age. Schools are required to enforce the law and parents are responsible to compel the attendance of their children at school. As such, absences can be minimized by scheduling medical, dental, and other appointments after school or when school is not in session; vacations should be planned when school is not in session.

The School Attendance Review Board (SARB) is a multidisciplinary panel composed of school personnel, agency partners and community-based organizations that address attendance and/or behavior problems. Specifically, the panel may include, but is not limited to a parent, LMSVSD staff, representatives from child welfare and attendance personnel, school guidance personnel, county office of education, county probation department, county welfare department, law enforcement agencies, community-based youth service centers, school/county health care personnel, school/county/community mental health personnel, county district attorney's office, and county public defender's office. The intent of SARB is to resolve school-related issues through the use of available school and community resources. Failure to meet with SARB or follow its directives can result in a referral to the District Attorney's Office for truancy mediation and/or prosecution.

### **Truancy**

A student is classified as *truant* after three absences or three tardies of more than 30 minutes each time or any combination thereof and the absences or tardies are unexcused. After a student has been reported as a truant three or more times in a school year and LMSVSD has made a conscientious effort to meet with the family, the student is considered a *habitual truant*. A student who is absent from school without a valid excuse for 10% or more of the schooldays in one school year, from the date of enrollment to the current date, is considered a *chronic truant*. Unexcused absences are all absences that are not described in EC 48205 and AR 5113 – Absences and Excuses.

Parents of students who are identified as truant will receive truancy notifications that may result in a referral to the School Attendance Review Team (SART) and SARB if attendance does not improve. Additionally, the school attendance supervisor, administrator or designee, a peace officer, or probation officer may arrest or assume temporary custody during school hours, of any minor who is found away from their home and who is absent from school without valid excuse within the county, city or school.

### **Chronic Absenteeism**

A student is considered a chronic absentee when they are absent on 10% or more of the school days in one school year, from the date of enrollment to the current date. Chronic absenteeism includes all absences – excused and unexcused

(including suspensions from school) – and is an important measure because excessive absences negatively impact academic achievement and student engagement.

The school will make every effort to work with students who are identified as chronic absentees to improve attendance. The SART/SARB and other multidisciplinary teams may be convened to offer assistance, suggestions, and ongoing support for students who have a history of poor or irregular attendance.

## **EXCLUSION FROM SCHOOL**

**Reference:** EC 48213, 51101

**BP/AR:** 5112.2 – Exclusions from Attendance

A student may be excluded from school without prior notice to the parent for any of the following reasons:

1. The student resides in an area subject to quarantine pursuant to HSC 120230.
2. The student is exempt from a medical examination but suffers from a contagious or infectious disease pursuant to EC 49451.
3. The Superintendent or designee determines that the presence of the student would constitute a clear and present danger to the safety or health of other students or school personnel.

The Superintendent or designee shall send a notice as soon as reasonably possible after the exclusion. Upon exclusion of the student, a parent may meet with the Superintendent or designee to discuss the exclusion. If the parent disagrees with the decision of the Superintendent or designee, the parent may appeal the decision to the Governing Board. The parent will have an opportunity to inspect all documents upon which LMSVSD is basing its decision, to challenge any evidence and question any witness presented by LMSVSD, to present oral and documentary evidence on the student's behalf, and to have one or more representatives present at the meeting.

## **EXCUSED ABSENCES**

**Reference:** EC 48205, 48980

**BP/AR:** 5113 – Absences and Excuses

In order for an absence to be excused, the reason for such absence must meet the criteria specified under EC 48205, as provided below. A student shall not have a grade reduced or lose academic credit for any excused absence if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

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

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

- (B) (i) A middle school or high school pupil who is absent pursuant to subparagraph (A) is required to be excused for only one schoolday-long absence per school year.
- (ii) A middle school or high school pupil who is absent pursuant to subparagraph (A) may be permitted additional excused absences in the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- (13) (A) For any of the purposes described in clauses (i) to (iii), inclusive, if an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, has died, so long as the absence is not more than three days per incident.
- (i) To access services from a victim services organization or agency.
- (ii) To access grief support services.
- (iii) To participate in safety planning or to take other actions to increase the safety of the pupil or an immediate family member of the pupil, or a person that is determined by the pupil's parent or guardian to be in such close association with the pupil as to be considered the pupil's immediate family, including, but not limited to, temporary or permanent relocation.
- (B) Any absences beyond three days for the reasons described in subparagraph (A) shall be subject to the discretion of the school administrator, or their designee, pursuant to Section 48260.
- (14) Due to the pupil's participation in military entrance processing.
- (15) Authorized at the discretion of a school administrator, as described in subdivision (c) of Section 48260.
- (b) A pupil absent from school pursuant to 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 for those assignments and tests. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed one schoolday per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) For purposes of this section, the following definitions apply:
- (1) A "civic or political event" includes, but is not limited to, voting, poll working, strikes, public commenting, candidate speeches, political or civic forums, and town halls.
- (2) "Cultural" means relating to the practices, habits, beliefs, and traditions of a certain group of people.
- (3) "Immediate family" means the parent or guardian, brother or sister, grandparent, or any other relative living in the household of the pupil.
- (4) "Victim services organization or agency" has the same meaning as defined in subdivision (j) of Section 12945.8 of the Government Code.

## **SCHOOL CALENDAR**

**Reference:** EC 48980

**BP/AR:** 6111 – School Calendar

To assist parents with the planning for their student's childcare needs, medical appointments, and other activities, the school calendar includes minimum days and student-free staff development days. Please refer to the school calendar provided in this document; the calendar is also posted on the district's website at [lmsvschools.org](https://lmsvschools.org). If any additional minimum days or student-free staff development days are scheduled during the school year, parents of all students affected by the change shall be notified as soon as possible, but no later than one month before the scheduled minimum or student-free day.

## **STUDENTS WITH TEMPORARY DISABILITIES**

**Reference:** EC 48206.3, 48207, 48208, 48980

**BP/AR:** 6183 – Home and Hospital Instruction

*Temporary disability* means a physical, mental, or emotional disability incurred while a student is enrolled in a regular or an alternative education program, and after which the student can reasonably be expected to return without special intervention. Temporary disability is not a disability for which a student is identified as an individual with exceptional needs.

A student with a temporary disability which makes school attendance impossible or inadvisable shall be entitled to receive individual instruction at home or in a hospital or other residential health facility ("qualifying hospital"), excluding state hospitals. It is the responsibility of the parent to notify the principal and request for individual instruction (also referred to as "home and hospital instruction"). When notified that a student has a temporary disability, LMSVSD shall determine within five working days whether the student is eligible to receive individual instruction. If determined that

individual instruction is appropriate, the instruction shall begin within five working days from the date the determination was made. Students who cannot attend regular school for less than 16 days may, alternatively, participate in the short-term independent study program.

If a student with a temporary disability is in a qualifying hospital that is located outside the school district in which the student's parent resides, it is the parent's responsibility to notify the school district in which the qualifying hospital is located of the student's presence. The location of the qualifying hospital is considered the student's place of residence during their stay there; therefore, the student shall receive individual instruction by the school district in which they are temporarily residing unless LMSVSD has entered into an agreement with the other district to provide the individual instruction.

LMSVSD may continue to enroll a student with a temporary disability who is receiving individual instruction in a qualifying hospital to facilitate the timely reentry of the student in their prior school after the hospitalization has ended, or to provide a partial week of instruction at school or at home to a student who is no longer confined to the hospital setting. The total days of instruction may not exceed the maximum of five days in the combined setting, and attendance may not be duplicated. The supervisor of attendance will ensure that absences from the regular school program are excused until the student is able to return to that program.

## **SCHOOL ENROLLMENT AND OPTIONS**

### **ADMISSION – AGE OF ADMITTANCE TO TK, K, AND 1<sup>ST</sup> GRADE**

**Reference:** EC 48000, 48002, 48010

**BP/AR:** 5111 – Admission, 6170.1 Transitional Kindergarten

At the beginning of each school year, the Superintendent or designee shall enroll any eligible child whose fifth or sixth birthday is on or before September 1 of that year into kindergarten or first grade, as applicable.

Admission into transitional kindergarten shall be in accordance with law and as specified in BP 6170.1 - transitional kindergarten. Any child who will be 4 years old by September 1 of the 2025-26 school year is eligible for transitional kindergarten (TK).

On a case-by-case basis, and with the approval of the child's parent/guardian, a child who will turn five years old in a given school year may be enrolled in kindergarten at any time during that school year provided that:

1. The Governing Board determines that admittance is in the best interest of the child.
2. The parent/guardian is given information regarding the advantages and disadvantages and any other explanatory information about the effect of this early admittance.

In such instances, the Superintendent or designee shall make a determination on behalf of the Board regarding whether a child should be granted early entry to kindergarten, as appropriate. In doing so, the Superintendent or designee shall consider various factors including the availability of classroom space and any negotiated maximum class size. This decision shall be final.

### **Documentation of Age/Grade**

Prior to the admission of a child to kindergarten or first grade, the parent/guardian shall present proof of the child's age.

Evidence of the child's age may include:

1. A certified copy of a birth certificate or a statement by the local registrar or county recorder certifying the date of birth
2. A duly attested baptism certificate
3. A passport
4. When none of the above documents is obtainable, an affidavit of the parent/guardian
5. Other means prescribed by the Board

### **INDEPENDENT STUDY**

**Reference:** 5 CCR 11700 *et seq.*; EC 48980, 51744 *et seq.*

**BP/AR:** 6158 – Independent Study

LMSVSD recognizes that there are situations where students' special interests, abilities, or individual needs are not being met in the traditional instructional setting. Independent study offers a means of individualizing the educational plan to serve students who, for example:

1. Desire a more challenging educational experience;
2. Have health or other personal circumstances that make classroom attendance difficult;
3. Are unable to access course(s) due to scheduling problems and/or
4. Need to make up credits or fill gaps in their learning.

Additionally, independent study may be used on a short-term basis to ensure that the student is able to maintain academic progress in the student's regular classes during an absence from school. Parents may request short-term independent study for up to 15 schooldays in a school year. In order to facilitate the timely offering of short-term independent study, parents are strongly encouraged to sign a learning agreement at or before the start of each school year.

Participation in independent study must always be the choice of the parent; LMSVSD may not require or otherwise obligate a student's participation in the program. If a student has an IEP or Section 504 Plan, enrollment in independent study is a placement decision and is only allowed if the student's IEP or Section 504 Plan specifically provides for that participation; an IEP or 504 meeting is required prior to any change of placement. Parents and students who are interested in the independent study program should contact their school principal.

## **INTERDISTRICT PERMIT TRANSFER**

**Reference:** EC 46600 *et seq.*, 48980

**BP/AR:** 5117 – Interdistrict Attendance

A parent who wishes to enroll their child in a school that is in another school district must obtain an interdistrict permit that is approved by both the district of residence and the district of enrollment. Neither district is obligated to provide transportation for students who attend school through an interdistrict permit unless providing transportation or transportation assistance is required by law.

### **Reasons to Request a Permit**

LMSVSD may approve incoming or outgoing interdistrict permit requests for the following reasons:

- a. **Renewal of Permit:** The student's current interdistrict attendance permit is about to expire or become invalid because the student is completing the highest-grade level in their school or is moving into a new district of residence.
- b. **Moving Out of the District:** The student is moving out of the desired school district and requests to remain enrolled.
- c. **\*Temporary Move:** The parent/guardian must provide evidence the student will be living out of the district for one year or less.
- d. **Graduating Class:** The student requests to remain with a class graduating that year from an elementary, middle, or high school.
- e. **\*Sibling in Desired District:** The transfer is requested because the student has a sibling attending school in the district of proposed enrollment.
- f. **Temporary Permit:** The student has moved out of the district and wishes to complete the current school year in the district.
- g. **\*Moving into District Soon:** The parent/guardian must provide written evidence that the family will be moving into the district of proposed enrollment in the immediate future and would like the student to start the school year in the district.
- h. **\*Victim of Bullying:** The parent/guardian must provide written evidence the student has been determined by staff of either the district of residence or desired district to be a victim of an act of bullying as defined in Education Code 48900(r), committed by a student of the district of residence. (See Education Code section 46600(d)(2).)
- i. **\*Childcare:** The parent/guardian must provide written evidence the transfer is needed to meet the childcare needs of the student. If approved, the student may be allowed to continue to attend district schools only as long as he/she continues to use a childcare provider within district boundaries.
- j. **\*Health & Well-Being:** The parent/guardian must provide written evidence the transfer is required to meet the student's special mental or physical health needs as certified by a licensed physician or psychotherapist, school psychologist, or other appropriate school personnel.
- k. **\*Social Service Recommendation:** The parent/guardian must provide written evidence the transfer is recommended by the school attendance review board or by county child welfare, probation, or social service



agency staff in documented cases of serious home or community problems which make it inadvisable for the student to attend the school of residence.

- l. Specialized Program: The student requests enrollment in a specific educational program not offered in the district of residence. If approved, the student may be required to remain in requested program in order to remain enrolled in the desired district.
- m. Personal & Social Adjustment: To provide a change in school environment for reasons of personal and social adjustment.
- n. \*Employed within Boundaries of Desired District: The parent/guardian must provide written evidence the parent's/guardian's place of employment is within the boundaries of the district of desired attendance. NOTE: An interdistrict attendance permit issued for this reason does NOT constitute recognition of a claim of residency as described by California Education Code section 48204(b).

### **Special Considerations**

A district of residence cannot prohibit the transfer of a student who is a child of an active military duty parent to a district of proposed enrollment if that district approves the application for transfer.

If the district of residence has only one school offering the grade level of the victim of an act of bullying and therefore has no options for an intradistrict offer, the victim of an act of bullying may apply for an interdistrict transfer and the district of residence will not prohibit the transfer if the district of proposed enrollment approves the application for transfer. A student who has been determined by personnel of either district to have been the victim of an act of bullying shall, at the request of the parent, be given priority for interdistrict attendance. A student shall be determined to be a "victim of an act of bullying" only if all of the following apply:

1. The act of bullying meets the definition described in EC 48900(r) – see the notification on "Grounds for Suspension or Expulsion".
2. The bullying was committed by another student in LMSVSD.
3. A written complaint regarding the bullying was filed with the school, the district, or a local law enforcement agency.
4. An investigation was conducted per district policy, that meets the requirements under EC 234.1.

Upon request by the parent, a receiving district shall provide transportation assistance to a student who is both eligible for free or reduced-price meals and either a victim of an act of bullying or a child of an active-duty military parent.

### **Application Procedures**

Parents who wish to enroll their student in a school district other than LMSVSD can download the Interdistrict Permit Application at [lmsvschools.org/enroll](https://lmsvschools.org/enroll) and may submit it by emailing [transfers@lmsvschools.org](mailto:transfers@lmsvschools.org). Applications for transfer in the current school year are accepted year-round, and applications for a transfer in the next school year are available beginning December 1, 2025 through February 15, 2025.

For current year requests (applications submitted 15 calendar days before the start of the school year for which the transfer is sought), the district will make its final decision within 30 calendar days from the date a request was received. For all future year requests (applications submitted up until 15 calendar days before the start of the school year for which the transfer is sought), the district has until 14 calendar days into the new school year to determine whether to approve or deny a request. The decision to approve or deny a request shall be provided to the parent in writing. If the application is denied, the reasons for denial shall be stated, including the parent's right to appeal the district's decision to the San Diego County Office of Education within 30 calendar days from the date of denial.

### **Reapplication and Revocation**

If the request for transfer is granted, the student shall be allowed to continue to attend the school in which they are enrolled, unless reapplication standards are otherwise specified in the interdistrict attendance agreement between the two districts. An interdistrict permit may be revoked if the student does not demonstrate satisfactory attendance, behavior, and/or academic achievement.

### **Additional Resources**

For additional information regarding the interdistrict permit request procedures and timelines, including a copy of the district's board policy and the documentary evidence that must be submitted with any application, please visit: [www.lmsvschools.org/enroll](https://www.lmsvschools.org/enroll). You may also contact Student Supports at [transfers@lmsvschools.org](mailto:transfers@lmsvschools.org) or 619-668-5700.

## **INTRADISTRICT TRANSFERS**

**Reference:** 20 USC 7912; 5 CCR 11992; EC 35160.5, 46600, 48980

**BP/AR:** 5116.1 – Intradistrict Open Enrollment

Students residing within the attendance boundaries of LMSVSD are assigned to their school of residence based on established school boundaries. However, the district provides enrollment options that meet the diverse needs and interests of its students and parents. Below are descriptions of the different types of transfers available within the district. An intradistrict permit may be revoked if the student does not demonstrate satisfactory attendance, behavior, and/or academic achievement.

Additionally, a student granted intradistrict enrollment may not be required to reapply for readmission but may be subject to displacement due to excessive enrollment. Any complaints regarding the selection process should be submitted in writing to Jennifer Coronel, Director, Student Supports, [Jennifer.coronel@lmsvschools.org](mailto:Jennifer.coronel@lmsvschools.org), 619-668-5700.

### **Open Enrollment** [EC 35160.5(b)]

The parents of any student who resides within the attendance boundaries of LMSVSD may apply to enroll their child in any district school, regardless of the location of their residence within the District. No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. The District is not obligated to provide transportation for students who attend school outside their school of residence unless providing transportation or transportation assistance is required by law.

Applications to request for an intradistrict transfer for the following school year can be obtained at [www.lmsvschools.org/enroll](http://www.lmsvschools.org/enroll), and must be submitted within the open enrollment window, beginning December 1, 2025 and ending on February 15, 2026. Only one application may be submitted per student, and two schools can be selected per application.

Except for the enrollment priorities listed below, when there are more applications received than there is space available, a random drawing shall be held to determine which students shall be admitted. A waitlist shall be established to indicate the order in which applicants may be accepted if openings become available; no late applicants shall be added to the waitlist. Priority enrollment shall be granted to the following students:

1. Any student enrolled in a district school designated by the California Department of Education as “persistently dangerous” (20 USC 7912; 5 CCR 11992)
2. Any student who is a victim of a violent crime while on school grounds (20 USC 7912)
3. Upon a finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area. Special circumstances include, but are not limited to, threats of bodily harm or threats to the emotional stability of the student. Any such student may transfer to a district school that is at capacity and otherwise closed to transfers. To grant priority under these circumstances, the Superintendent or designee must have received either:
  - a. A written statement from a representative of an appropriate state or local agency, including, but not necessarily limited to, a law enforcement official, social worker, or a properly licensed or registered professional such as a psychiatrist, psychologist, marriage and family therapist, clinical social worker, or professional clinical counselor
  - b. A court order, including a temporary restraining order and injunction
4. Any sibling of a student already in attendance in that school.
5. Any student whose parent/guardian is employed as a contracted benefitted employee at the school or within the district.

Applicants shall receive an email indicating if their applications have been approved, denied, or placed on a waiting list. If the application is denied, the reasons for denial shall be stated.

### **Victim of an Act of Bullying** [EC 46600(d)]

Intradistrict transfer requests for a victim of an act of bullying shall be approved unless the requested district school is at maximum capacity, in which case, a request for a different school within LMSVSD shall be accepted. However, if LMSVSD does not have another school offering the grade level of the student, the district shall not prohibit the student's interdistrict transfer if the school district of proposed enrollment approves the application for transfer. Please see the notification on “Interdistrict Permit Transfer” for more information regarding the application process.

For purposes of the right of the victim of an act of bullying to transfer to another school within or outside of the district, a student shall be determined to be a “victim of an act of bullying” only if all of the following apply:

1. The act of bullying meets the definition described in EC 48900(r) – see the notification on “Grounds for Suspension or Expulsion”.
2. The bullying was committed by another student in LMSVSD.
3. A written complaint regarding the bullying was filed with the school, LMSVSD, or a local law enforcement agency.
4. An investigation was conducted per district policy, that meets the requirements under EC 234.1.

#### **Victim of a Violent Criminal Offense** [20 USC 7912]

A student who is determined to be a victim of a violent criminal offense, while in or on the grounds of a school that the student attends, has the right to transfer to another district school. The District has 14 calendar days to make the determination and offer the student an option to transfer. In making the offer, the Superintendent or designee shall consider the needs and preferences of the affected student and the student’s parent. Once the parent accepts the offer, the transfer shall be completed as soon as practicable.

In making the determination that a student has been a victim of a violent criminal offense, the Superintendent or designee will consider the specific circumstances of the incident and consult with local law enforcement as appropriate. Examples of violent criminal offenses include, but are not limited to, attempted murder, battery with serious bodily injury, assault with a deadly weapon, rape, sexual battery, robbery, extortion, or hate crimes.

#### **Persistently Dangerous School** [20 USC 7912; 5 CCR 1192]

Within 10 calendar days of receiving notification from CDE that a school has been designated as “persistently dangerous,” parents of students attending the school shall be provided with notice of the school’s designation and the option to transfer their students to another school. A list of other schools to which a student may transfer, and applicable timelines and procedures for requesting the transfer shall be provided at least 14 calendar days before the start of the school year.

Parents who desire to transfer their child out of a “persistently dangerous” school shall provide a written request and rank-order their preferences from among all schools identified in the notification as eligible to receive transfer students. The District shall consider the needs and preferences of students and parents before making an assignment but is not obligated to accept the parent’s preference if the assignment is not feasible due to space constraints or other considerations.

If parents decline the assigned school, the student may remain in their current school. For students whose parents accept the offer, the transfer shall be made as quickly as possible. The transfer shall remain in effect as long as the student’s school of origin is identified as “persistently dangerous.” The District may choose to make the transfer permanent based on the educational needs of the student, parent preferences, and other factors affecting the student’s ability to succeed if returned to the school of origin.

#### **Intradistrict Permit Transfer**

The District recognizes that there may be valid reasons for students and parents to request attendance at another district school during the school year, such as:

1. To attend the school where the parent is employed.
2. To allow the student to remain at the current school of attendance when the student’s parents have moved into the attendance boundaries of another district school.
3. To unite siblings when one child is already in attendance at the requested school.
4. To meet the student’s mental or physical health needs.
5. To provide a change in school environment for reasons of personal and social adjustment.

Applications to request an intradistrict permit to transfer to another district school can be obtained by emailing [transfers@lmsvschools.org](mailto:transfers@lmsvschools.org), or filling out [this form](#). Applicants shall receive written notification indicating if their applications have been approved, denied, or placed on a waiting list (if there is no available space at the time). If the application is denied, the reasons for denial shall be stated.

#### **INVOLUNTARY TRANSFER**

**Reference:** EC 48929, 48980

**BP/AR:** 5116.2 – Involuntary Student Transfers

A student may be transferred to another District school if the student is convicted of a violent felony, as defined in Penal Code 667.5(c), or a misdemeanor listed in Penal Code 29805, and is enrolled at the same school as the victim of a crime for which the student is convicted. Before transferring the student, the parent will be notified of the right to request a

meeting with the principal or designee. The Superintendent or designee shall render the final decision as to whether or not to transfer the student.

## MEETING RESIDENCY REQUIREMENTS FOR SCHOOL ATTENDANCE

**Reference:** EC 48200 *et seq.*, 48980

**BP/AR:** 5111.1 – District Residency

A student shall be deemed to have complied with the residency requirements of LMSVSD if the student meets any of the following criteria:

1. The student's parent resides within district boundaries.
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement.
3. The student is admitted through an interdistrict attendance option.
4. The student is an emancipated minor residing within district boundaries.
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect.
6. The student resides in a state hospital located within district boundaries.
7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability.
8. The student's parent resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week.
9. The student's parent, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within the state.
10. The student's parent was a resident of California who departed the state against their will due to a transfer by a government agency that had custody of the parent, a lawful order from a court or government agency authorizing the parent's removal, or removal or departure pursuant to the federal Immigration and Nationality Act, and the student lived in California immediately before moving out of state as a result of the parent's departure.
11. The student is a homeless or foster child who remains in their school of origin. The student is a migratory child or a child of a military family who continues to attend their school of origin.

A student also complies with residency requirements if the student's parent, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within California. The school must accept enrollment applications by electronic means, and the parent must provide proof of residence within 10 days after the published arrival date provided on official documentation.

When establishing a student's residency for enrollment purposes, LMSVSD will not inquire into the citizenship or immigration status of the student or the student's family members. If the school reasonably believes that a parent has provided false or unreliable evidence of residency, the district may make reasonable efforts to determine that the student meets residency requirements. However, a student's enrollment may be denied when the submitted documentation is insufficient to establish district residency; in which case, the parent shall be notified in writing of the specific reasons for the denial and of the opportunity to appeal the district's decision. Please visit [www.lmsvschools.org/enroll](http://www.lmsvschools.org/enroll) or contact the enrollment office, [enroll@lmsvschools.org](mailto:enroll@lmsvschools.org) for a list of reasonable evidence that the district will accept to verify that a student meets residency requirements for school attendance.

**Residency Investigations:** The governing board of LMSVSD 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 LMSVSD Board Policy 5111.1 is located at [www.lmsvschools.org](http://www.lmsvschools.org).

## NOTICE OF ALTERNATIVE SCHOOLS

**Reference:** EC 58501

**BP/AR:** 6181 – Alternative Schools/Programs of Choice

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

- a) Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
- b) Recognize that the best learning takes place when the student learns because of the student's desire to learn.
- c) Maintain a learning situation maximizing student self-motivation and encouraging the student in the student's own time to follow the student's own interests. These interests may be conceived by the student totally and

independently or may result in whole or in part from a presentation by the student's teachers of choices of learning projects.

- d) Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous, permanent process.
- e) Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, student, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each school site 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.

## **SPECIAL PROGRAM OPTIONS**

**Reference:** EC 48980

**BP/AR:** 6175 Education for English Learners

### **Kempton Literacy Academy – Dual Language Program**

Kempton serves TK-5<sup>th</sup> grade in the Spring Valley area. Kempton is determined to ensure that each child is challenged and supported to high levels of academic achievement in English and Spanish. We enjoy vital partnerships with parents and families, providing a vital link between families and community resources.

### **Extended School Services (ESS)**

The ESS program offers a safe and supervised environment where students can engage in a variety of creative, recreational, and educational activities. These experiences support the social, emotional, creative, and physical development of each child.

ESS is a self-supporting program overseen by the La Mesa-Spring Valley School District's Department of ESS. It provides before- and after-school care for students in transitional kindergarten (TK) through eighth grade. The program operates year-round at every school site from 6:00 a.m. to 6:00 p.m., with the exception of major holidays, staff development days, and certain school breaks. Daily activities include homework support, enrichment, sports, crafts, technology, and outdoor play. Throughout the year, students also have opportunities to explore academics, fine and performing arts, and athletics.

The Expanded Learning Opportunities Program (ELO-P) and the After School Education and Safety (ASES) grants fund before and/or after-school enrichment programs. Program access will be offered to the following: "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. Sec. 11434a), at the time that they apply for enrollment or at any time during the school year, to pupils who are identified by the program as being in foster care, and to pupils who are eligible for free or reduced priced meals" [EDC 8483(c)(1)(A)]. Second priority shall go to middle school pupils who attend the program daily. The fee during the academic year is \$90 per week for the first child and \$81 per week for each older sibling. 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 \$150 per week for the first (youngest) child and \$135 for each additional (older) child. Break time fees include all field trip costs, lunch and/or snacks, and one ESS T-shirt.

Fee-paying families must pre-register and pre-pay for ESS. Payments can be made online or by phone using Visa, MasterCard, Discover, or debit cards. The program charges a flat weekly rate, regardless of how many days or hours a child attends. ESS accepts financial assistance from Child Development Associates (CDA), San Diego County Programs, and the YMCA. An annual registration fee is required: \$40 for one child or \$60 for two or more children. To register, please visit [lmsvschools.ce.eleyo.com](https://lmsvschools.ce.eleyo.com). For more information, call the ESS Department at (619) 644-3800 or visit our website at [www.lmsvschools.org/ess/](https://www.lmsvschools.org/ess/).

## **STUDENT BEHAVIOR**

### **ASSIGNMENTS AND TESTS DURING SUSPENSION**

**Reference:** EC 47606.2, 48913, 48913.5, 48980

**BP/AR:** 5144 – Discipline; 5144.1 – Suspension and Expulsion/Due Process



The teacher of any class from which a student is suspended may require the suspended student to complete any assignments and tests missed during the suspension. However, a teacher must provide a student that has been suspended from school for two or more days the homework that the student would otherwise have been assigned if the student or the student's parent or other person holding educational rights makes a request to the teacher. Whenever a homework assignment that is requested and turned into the teacher either upon the student's return to school from suspension or by the deadline prescribed by the teacher, whichever is later, is not graded before the end of the academic term, that assignment cannot be included in the calculation of the student's overall grade in class.

## **DANGEROUS OBJECT**

**Reference:** Penal Code 417.27, 12550, 12556

**BP/AR:** 5131 – Conduct

LMSVSD prohibits dangerous objects on campus, such as laser pointers and B.B. guns, unless possession is for valid instructional or other school related purposes, and permission has been provided in advance by a school administrator.

## **DISCIPLINE RULES**

**Reference:** 5 CCR 300; EC 35291, 44807, 48980

**BP/AR:** 5144 – Discipline; 5144.1 – Suspension and Expulsion/Due Process

LMSVSD is committed to providing a safe, supportive, and positive school environment which is conducive to student learning and achievement and desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. LMSVSD believes that high expectations for student behavior, use of effective school and classroom management strategies, provision of appropriate intervention and support, and parent involvement can minimize the need for disciplinary measures that exclude students from instruction as a means for correcting student misbehavior.

Each school site and each classroom teacher has established behavior expectations for their students that are consistent with Board policy and applicable state and federal laws. Staff shall enforce disciplinary rules fairly, consistently, and in accordance with LMSVSD's nondiscrimination policies. Students shall be held to a strict account for their conduct on the way to and from school, in the classroom and other school buildings, on school grounds, at school-sponsored activities, and on the school bus. Students shall conform to school regulations; obey promptly all directions of teachers and others in authority; be diligent in study; be kind, courteous, and respectful to all students and staff; and refrain entirely from the use of profane and vulgar language.

At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline. To the extent possible, staff shall use disciplinary strategies that keep students in school and participating in the instructional program. Disciplinary measures that may result in loss of instructional time or cause students to be disengaged from school, such as detention, suspension, and expulsion, shall be imposed only when required or permitted by law or when other means of correction have been documented to have failed.

## **GROUND FOR SUSPENSION AND EXPULSION**

**Reference:** EC 35291, 48900, 48900.2, 48900.3, 48900.4, 48900.7, 48901.1, 48915, 48980

**BP/AR:** 5144.1 – Suspension and Expulsion/Due Process

A student at any grade level may be suspended from school or recommended for expulsion for committing any of the following acts that are related to a school activity or school attendance: (EC 48900, 48900.7)

1. Caused, attempted to cause, or threatened to cause physical injury to another person.
2. Willfully used force or violence upon another person, except in self-defense.
3. Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object.
4. Unlawfully possessed, used, sold, otherwise furnished, or was under the influence of any controlled substance, alcoholic beverage, or intoxicant of any kind. *(Note: Students who voluntarily disclose their use in order to seek help through services or supports shall not be suspended solely for that disclosure.)*
5. Unlawfully offered, arranged, or negotiated to sell any controlled substance, alcoholic beverage, or intoxicant of any kind, and then sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented same as such controlled substance, alcoholic beverage, or intoxicant.
6. Committed or attempted to commit robbery or extortion.
7. Caused or attempted to cause damage to school property or private property.
8. Stole or attempted to steal school property or private property.



9. Possessed or used tobacco, or products containing tobacco or nicotine products. . *(Note: Students who voluntarily disclose their use in order to seek help through services or supports shall not be suspended solely for that disclosure.)*
10. Committed an obscene act or engaged in habitual profanity or vulgarity.
11. Unlawfully possessed, offered, arranged, or negotiated to sell any drug paraphernalia.
12. Knowingly received stolen school property or private property.
13. Possessed an imitation firearm.
14. Committed or attempted to commit a sexual assault or committed a sexual battery.
15. Harassed, threatened, or intimidated a student who is a complaining witness or witness in a school disciplinary proceeding for the purpose of preventing that student from being a witness and/or retaliating against that student for being a witness.
16. Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
17. Engaged in, or attempted to engage in, hazing.
18. Engaged in an act of bullying.
19. Aided or abetted the infliction or attempted infliction of physical injury on another person.
20. Made terrorist threats against school officials and/or school property.

Additional grounds for suspension and expulsion for students in grades 4 through 8 include: (EC 48900.2, 48900.3, 48900.4)

1. Committed sexual harassment.
2. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence.
3. Intentionally engaged in harassment, threats, or intimidation against LMSVSD personnel or students that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of school personnel or students by creating an intimidating or hostile educational environment.

### **Recommendation to Expel**

As required law, a student found to have committed any of the following acts at school or at a school activity off school grounds shall be immediately suspended and recommended for expulsion: (EC 48915(c))

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault or committing a sexual battery.
5. Possessing an explosive.

For all other acts committed at school or at a school activity off school grounds, a student may be recommended for expulsion based on a finding of one or both of the following: (EC 48915(b) and (e))

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

## **INVOLVEMENT OF LAW ENFORCEMENT**

**Reference:** EC 35291, 44014, 48902, 48980

**BP/AR:** 5144.1 – Suspension and Expulsion/Due Process

Whenever any school employee is attacked, assaulted, or physically threatened by a student, the incident must be promptly reported to the appropriate law enforcement authorities. Additionally, the principal or designee must notify the appropriate law enforcement authorities, within specified timelines, of any acts committed by students occurring on school grounds that involve:

1. Assault with a deadly weapon or instrument
2. Sexual battery or sexual assault
3. Controlled substances, alcoholic beverages, or intoxicants
4. Firearms or explosives
5. Any dirk, dagger, ice pick, knife having a blade longer than 2½ inches, folding knife with a blade that locks into place, razor with an unguarded blade, taser, or stun gun (as defined in PC 244.5(a)), any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun

Whenever the principal or designee reports a criminal act committed by a student with exceptional needs, the principal or designee will ensure that copies of the student's special education and disciplinary records are provided to law enforcement authorities for consideration.

### **PROPERTY LOSS OR DAMAGE**

**Reference:** EC 35291, 48904, 48980, 49014

**BP/AR:** 3515.4 – Recovery for Property Loss or Damage; 5125.2 – Withholding Grades, Diploma or Transcripts; 6161.2 – Damaged or Lost Instructional Materials

When district property is damaged due to the willful misconduct of a student, LMSVSD shall seek reimbursement of damages, within the limitations specified in law, from the student's parent or from any other responsible individual.

LMSVSD may collect debt owed by a student or former student as a result of vandalism or to cover the replacement cost of district books, supplies, or property loaned to a student that the student willfully fails to return or that is willfully cut, defaced, or otherwise injured. If the student's parent is unable to pay for the damages or to return the property, a program of voluntary work for the student shall be offered in lieu of the payment of monetary damages. Until the student's parents have paid for the damages, or the voluntary work has been completed, the district may withhold the student's grades, diploma, and/or transcript. Before withholding a student's grades, diploma, and/or transcripts, the student's parents shall be informed of the student's alleged misconduct in writing. In addition, appropriate disciplinary procedures may be initiated against the student.

### **SUSPENSION BY TEACHER FROM CLASS**

**Reference:** EC 35291, 48900.1, 48910, 48980

**BP/AR:** 5144.1 – Suspension and Expulsion/Due Process; 5144.4 – Required Parental Attendance

After other means of correction have failed to bring about proper conduct, a teacher may suspend a student from their class for the remainder of the day and the following day for any act listed under the notification on "Grounds for Suspension and Expulsion". A teacher may also refer a student to the principal or designee for consideration of suspension from school.

A student suspended from class will not be returned to class during the period of suspension without the approval of the teacher of the class and the principal. During this period of suspension, the student will not be placed in another regular class; however, if the student is assigned to more than one class per day, the student may be placed in any other regular classes except those held at the same time as the class from which the student was removed. The teacher may require the student to complete any assignments and tests missed during the suspension.

As soon as possible, the teacher will ask the student's parent to attend a parent-teacher conference regarding the suspension. A counselor or psychologist may attend the conference if it is practicable, and a school administrator will attend, if requested by either the parent or teacher.

When suspending a student from class for committing an act of obscenity, habitual profanity or vulgarity, disruption of school activities, and/or willful defiance, the teacher may require any parent who lives with the student to accompany the student for a portion of a school day in the class from which the student has been suspended. A written notice will be sent to the parent regarding the implementation of this requirement.

Per LC 230.7, employers are not allowed to discharge or in any manner discriminate against an employee who is a parent of a student taking time off to comply with the requirement described above as long as the parent has given reasonable notice to their employer. Any employee who is discharged, threatened with discharge, demoted, suspended, or in any other manner discriminated against in the terms and conditions of employment by their employer for taking time off to appear in their child's school as described above shall be entitled to reinstatement and reimbursement for lost wages and work benefits caused by those acts of the employer.

### **SUSPENSION FROM SCHOOL**

**Reference:** EC 35291, 48911, 48980

**BP/AR:** 5144.1 – Suspension and Expulsion/Due Process

A student may not be suspended from school for more than five consecutive school days unless the suspension is extended pending expulsion proceedings. A suspension by the principal or designee will be preceded by an informal

conference where the student is informed of the reason for the disciplinary action, including the other means of correction that were attempted, and the evidence against them, and is given the opportunity to present their version and evidence in their own defense. This conference may be omitted if the principal or designee determines that an emergency exists, involving a clear and present danger to the lives, safety or health of students or school personnel. If a student is suspended without this conference, both the parent and student will be notified of the student's right to return to school for the purpose of a conference. The conference will be held within two school days unless the student waives their right to it or is physically unable to attend for any reason. In such a case, the conference will be held as soon as the student is physically able to return to school.

At the time of the suspension, a school employee will make a reasonable effort to contact the parent by telephone, by email, or in person. The parent will also be notified in writing of the suspension. The notice will state the specific offense committed by the student and may include the date and time when the student may return to school. School officials may request a meeting with the parent to discuss the causes and duration of the suspension, the school policy involved and any other pertinent matter. The parent of a student who is suspended must respond without delay to the request for a meeting; however, the student may not be denied readmission solely because the parent failed to attend the meeting.

If a student is also being recommended for expulsion, the Superintendent or designee may extend the period of suspension beyond the five consecutive days if determined, following a meeting in which the student and the student's parent are invited to participate, that the student's presence at the school or at an alternative school would endanger persons or property or threaten to disrupt the instructional process.

To appeal a suspension, the process for challenging student records will be followed. Parents are encouraged to start by submitting a request to appeal a suspension to an administrator or a school site designee who did not issue the suspension.

*Note:* In the case of a foster child, any discipline-related notification provided to the parent means notification to the foster child's educational rights holder, attorney, and county social worker. For an Indian child, the notification is provided to the Indian child's tribal social worker and, if applicable, county social worker.

## REPORTING THREATS

**Reference:** EC 35291, 48902, 49331, 49393, 48980

**BP/AR:** 3515 – Campus Safety; 5131.7 – Weapons and Dangerous Instruments

Any employee or other school official whose duties bring them in contact on a regular basis with students in any of grades 6-8, as part of a middle school, who is alerted to or observes any threat or perceived threat of a homicidal act shall immediately report the threat or perceived threat to law enforcement.

*Threat or perceived threat* means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

## STUDENT RECORDS

### ACCESS TO STUDENT RECORDS

**Reference:** 34 CFR 99.7, 99.34; EC 234.7, 49063, 49069.7

**BP/AR:** 5125 – Student Records

Access means personal inspection and review, request and receipt, and oral description or communication of any record. A log is maintained in each student's record which lists all persons, agencies, or organizations that have requested or received information from the records and the legitimate educational interest of the requester. The log is only accessible to the parent, a student who is age 16 years of age or older or who has completed the 10th grade, the custodian of records, and certain state and federal officials.

School officials and employees with legitimate educational interests may access student records without parental consent as long as access to such records is required to fulfill their duties and responsibilities, whether routine in nature or as a result of special circumstances (e.g., working with the student, compiling and analyzing student data, connecting a student to education programs or services). School officials and employees also include contractors, consultants, volunteers, or

other parties to whom LMSVSD has outsourced its functions and who perform services for which LMSVSD would otherwise use employees. Upon request from officials of another school, school system, or postsecondary institution in which a student seeks or intends to enroll or is already enrolled, LMSVSD is authorized to disclose educational records without parental consent as long as the disclosure is for purposes related to the student's enrollment or transfer. A student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

Parents have the right to:

1. Inspect and review the student's educational record maintained by the school
2. Request that a school correct records which they believe to be inaccurate, misleading, or otherwise in violation of the student's privacy rights (*see notification on "Challenging Student Records"*)
3. Consent to disclosures of personally identifiable information contained in the student's records, except to the extent that state and federal laws authorize disclosure without consent, and request a copy of the records that were disclosed
4. File a complaint with the U.S. Department of Education concerning an alleged failure by LMSVSD to comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) by completing the [FERPA Complaint Form](#) and then either emailing the completed form to [FERPA.Complaints@ed.gov](mailto:FERPA.Complaints@ed.gov), or mailing the completed form to: U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Ave., SW, Washington, D.C. 20202-8520

When a student turns 18 years of age, all rights regarding student records are transferred from the parent to the student. If the adult student is still claimed by the parent as a dependent for tax purposes, the parent may still access the student's records. Although noncustodial parents are not afforded the rights described above, they have the right to access their student's education records unless that right of access has been limited through a court order.

When prior written consent from a parent is required by law, the parent must provide a written, signed, and dated consent before LMSVSD discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The parent must specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent, LMSVSD will provide the parent with a copy of the records disclosed. The written request to access or disclose a student's records must be submitted in written form to the school principal, who will, in turn, have five business days from the day of receipt of the request to fulfill the request during regular school hours. Qualified certificated personnel are available to interpret records when requested. Reasonable measures will be taken to prevent the alteration, damage, or loss of records during inspection.

## CHALLENGING STUDENT RECORDS

**Reference:** 34 CFR 99.7; EC 49063, 49066, 49070

**BP/AR:** 5125 – Student Records; 5125.3 – Challenging Student Records

Following an inspection and review of student records, the parent may challenge the content of the records and/or ask for records to be expunged. The parent may submit to the principal a written request to correct or remove from the student's records any information concerning the student which they allege to be any of the following: inaccurate, an unsubstantiated personal conclusion or inference, a conclusion or inference outside the observer's area of competence, not based on the personal observation of a named person with the time and place of the observation noted, misleading, or in violation of the privacy or other rights of the student.

Within 30 calendar days, the Superintendent or designee will meet with the parent and the certificated employee who recorded the information, if any, and if the person is still employed with the district, and sustain or deny the allegations. If the allegations are sustained, the Superintendent or designee will order the correction, removal, or destruction of the information. If the Superintendent or designee denies the allegations, the parent may appeal the decision to the Governing Board within 30 calendar days. The Board will determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it will order the Superintendent to immediately correct, remove, or destroy the information from the written records of the student.

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the Superintendent, the parent has the right to submit a written statement of objections to the information. This statement becomes a part of the student's school record until such time as the information objected is removed. Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with EC 49070-49071 to assist in the decision-making.

If the challenge involves a student's grade, the teacher who gave the grade will be given an opportunity to state, orally and/or in writing, the reasons for which the grade was given. To the extent practicable, the teacher will be included in all discussions related to any grade change. In the absence of clerical or mechanical error, fraud, bad faith, or incompetency, a student's grade as determined by the teacher is final.

## **DIRECTORY INFORMATION**

**Reference:** 20 USC 1232g; 24 CFR 99.37; EC 49063, 49073

**BP/AR:** 5125.1 – Release of Directory Information

*Directory information* means information contained in a student record that would not generally be considered harmful or an invasion of privacy if disclosed. Such student information includes the student's name, address, telephone number, email address, date of birth, major field of study, participation record in officially recognized activities and sports, weight and height of athletic team members, dates of attendance, degrees and awards received, and most recent previous school attended. Directory information may include a student identification number, user identification, or other personal identifier used by the student for purposes of accessing or communicating in electronic systems as long as the identifier cannot be used to gain access to education records except when used in conjunction with a personal identification number, password, or other factor known or possessed only by the authorized user.

Directory information does not include a student's social security number. Directory information also does not include the student's citizenship status, immigration status, place of birth, or any other information indicating national origin. LMSVSD will not release such information without parental consent or a court order.

The primary purpose of directory information is to allow the school and the district to include this type of information from the student's education records in certain school and/or district publications (*e.g.*, a playbill showing the student's role in a drama production, honor roll or other recognition lists, annual yearbook, promotion programs). Additionally, LMSVSD has determined that the following individuals, officials, or organizations may receive directory information: Certain school publications, outside organizations including, but not limited to, companies that publish yearbooks, and PTA officers.

No information may be released to 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. No directory information of a student identified as a homeless child or youth will be released unless the parent has provided written consent that directory information may be released. For all other students, directory information will not be released if their parent notifies the school principal in writing that such information not be disclosed without their prior consent.

## **DUPLICATION OF STUDENT RECORDS**

**Reference:** EC 49063, 49065

**BP/AR:** 5125 – Student Records

Copies of student records are available to parents at 10 cents per page. Fees may be waived if it would prevent parental access to the records. Former students may receive up to two transcripts or up to two verifications of their records at no cost.

## **MAINTENANCE OF STUDENT RECORDS**

**Reference:** 5 CCR 432, 437; EC 49063, 49076.7

**BP/AR:** 5125 – Student Records

A cumulative record must be maintained on the history of a student's development and educational progress. Student records are any items of information, whether recorded by handwriting, print, tapes, film, microfilm or other means, gathered within or outside LMSVSD that are directly related to an identifiable student and maintained for the purpose of second-party review. Active records are maintained at the student's school; inactive records are maintained at the Education Center.

Per state and federal law, the district maintains the following *mandatory permanent records* indefinitely: student's legal name, date and place of birth, method of verifying birth date, sex, enter and leave date each school year, subjects taken, marks or number of credits toward graduation, verification of or exemption from required immunization, date of high school graduation or equivalent, and parent's name and address (including the student's address if different, and the



annual verification of residency for both the student and the parent). LMSVSD also keeps the following *mandatory interim records* until three years after the student leaves or graduates, or their usefulness has ceased: log identifying persons or agencies who have requested or received information from the student record, health information, information on participation in special education programs, language training records, progress slips/notices, parental authorizations/restrictions/waivers, rejoinders to challenged records, results of standardized tests administered within the past three years, expulsion orders, and independent study evaluation and findings. *Permitted records*, which are records that the district has determined important to maintain, may include, but are not limited to, objective counselor and teacher ratings, standardized test results older than three years, routine discipline data, verified reports of relevant behavior patterns, disciplinary notices, and attendance records.

LMSVSD will not collect or solicit social security numbers or the last four digits of social security numbers of students or parents, except as required by state or federal law or as required to establish eligibility for a federal benefit program. Additionally, the district will not collect information or documents regarding the citizenship or immigration status of students or their family members, unless required by state or federal law or as required to administer a state or federally supported educational program.

On an annual basis, records that are not designated as mandatory permanent records are reviewed to determine the records that still need to be retained and those that are appropriate for destruction. Records are destroyed in a way that assures that such records will not be available to possible public inspection in the process of destruction.

The Director of Student Supports has been designated as the custodian of records at the district level, and at each school site, the principal serves as the custodian of records for students enrolled at their school. The custodian of records is responsible for implementing the policies and procedures related to student records; in particular, they must protect the student and the student's family from invasion of privacy by ensuring only authorized persons may access student records.

## **MEDICAL RECORD SHARING**

**Reference:** H&SC 120440

**BP/AR:** 5125 – Student Records

Medical information may be shared with local health departments and the State Department of Public Health or immunization registry with which the school will share the information. 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.lmsvschools.org](http://www.lmsvschools.org).

If pupils' medical records will be shared with an immunization system, it shall inform the parent of the following:

1. Medical information may be shared with local health departments and the State Department of Public Health;
2. Name and address of the State Department of Health or immunization registry with which the school will share the information;
3. Any information shared shall be treated as confidential medical information;
4. 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
5. 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.

District staff may share a student's health information with appropriate members of the educational team for use in meeting the health and educational needs of the student. This will be done only on a "need to know" basis, in a confidential manner. If the parent/guardian does not want this information shared, a request must be made in writing and filed with a district nurse at the LMSVSD Education Center. LMSVSD may submit information to a Third-Party Administrator for the purposes of seeking reimbursement for approved health-related services provided by qualified health service practitioners to Medi-Cal eligible students. This reimbursement helps to defray the cost of providing these health services. All information is kept confidential.

## **TEMPORARY USE OF ORTHOPEDIC EQUIPMENT AT SCHOOL**

Students requiring temporary use of orthopedic devices such as crutches or a wheelchair following injury and/or upon returning to school following a surgical procedure are required to provide a completed "Orthopedic/Medical Equipment Orders for School" form or a note from the prescribing doctor stating the following information: diagnosis or reason



student needs orthopedic device; length of time student will need to use orthopedic device; confirmation that the student has been properly instructed in the use of the orthopedic device; weight-bearing status (if applicable); any activity or PE restrictions; physician's signature and contact information.

## PROTECTION OF PUPIL RIGHTS AMENDMENT

**Reference:** 20 USC 1232h; EC 51513

**BP/AR:** 5022 – Student and Family Privacy Rights; 6162.8 – Research

The Protection of Pupil Rights Amendment (PPRA) affords parents of elementary and secondary students certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)–
  1. Political affiliations or beliefs of the student or student's parent;
  2. Mental or psychological problems of the student or student's family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or student's parent; or
  8. Income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of –
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)
- Inspect, upon request and before administration or use –
  1. Protected information surveys of students and surveys created by a third party;
  2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. LMSVSD has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. LMSVSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The district will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt their child out of participation of the specific activity or survey. LMSVSD will make this notification to parents at the beginning of the school year if the district has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint by completing the [PPRA Complaint Form](#) and then either emailing the completed form to [PPRA.Complaints@ed.gov](mailto:PPRA.Complaints@ed.gov) or mailing it to: Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-8520.

## STUDENT RECORDS FROM SOCIAL MEDIA

**Reference:** EC 49073.6

**BP/AR:** 5125 Student Records

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety;
2. Provide a student with access to any information that the district obtained from the student's social media activity and an opportunity to correct or delete such information;
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the district, whichever occurs first;
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or the student's parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980.
5. If the district contracts with a third party to gather information on a student from social media, ensure that the contract:
  - a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the district, the student, or the student's parent/guardian
  - b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the district notifies the third party that the student has turned 18 years of age or is no longer enrolled in the district, whichever occurs first

## TECHNOLOGY

### ELECTRONIC LISTENING AND RECORDING DEVICES

**Reference:** EC 51512

**BP/AR:** 1250 – Visitors/Outsiders

The use by any person, including a student, of any electronic listening or recording device in any classroom without the prior consent of the teacher and the principal given to promote an educational purpose is prohibited. It disrupts and impairs the teaching process. Any person, other than a student, who willfully violates this section shall be guilty of a misdemeanor. Any student violating this section shall be subject to appropriate disciplinary action.

### INTERNET SAFETY

**Reference:** 47 CFR 54.520; 20 USC 7131, 47 USC 254

**BP/AR:** 6163.4 – Student Use of Technology

An emerging national concern is the inappropriate use of the Internet by students. Across the nation, schools continue to see an increase in negative student behavior as a result of messages written using electronic technology, posted to popular social networking websites. Many sites contain instant messaging components that allow students to chat with other students and to post statements that ordinarily would not be said in a face-to-face conversation. The popularity of these websites has grown.

Unfortunately, some students use the sites to participate in online bullying or to threaten harm to other students. The “cyber bullies” use the anonymity of the Web to hurt others without witnessing the consequences. Students who are bullied online sometimes do not report these occurrences for fear that they will be barred from using the Internet. Outside of schools, there have been instances of adults, who are child predators and con artists, posing as youths and gaining access to student chat rooms. In some cases, these contacts have led to tragedy. Some unsuspecting students post

enough personal information that predators are able to locate students' home or school addresses, thereby becoming easy targets for predators.

LMSVSD shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. To reinforce these measures, rules and procedures are designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities.

Parents should be aware of what their children are writing on the Internet and what others are posting in reply. These websites are public domain, and anything posted there can be seen by anyone who has Internet access. Although most of what is written is not immoral, offensive, or illegal, some of it is. Parents may choose to investigate a site by personally logging onto the site. The services are free, and users may register and join the site by using an email address. Once registered, parents can search by name and email address to see if their child is registered. Search results may be narrowed by entering the name of the city. Parents will then be able to view the kinds of personal information, messages, diaries, and photographs that students post on the site.

Parents should be aware that most social media platforms are required to disclose all cyberbullying reporting procedures in the social media platform's terms of service. They must also have a mechanism within its internet-based service to allow an individual, whether or not that individual has a profile on the internet-based service, to report cyberbullying or any content that violates the existing terms of service.

Parents are encouraged to discuss with their children the potential danger of the Internet and establish rules and guidelines to ensure their safety while on the Internet. For additional Internet safety tips and advice, visit any of the following websites:

- Common Sense Media – <https://www.common sense media.org>
- Connect Safely – <https://www.connectsafely.org/>
- National Center for Missing and Exploited Children – <https://www.net smartz.org/>
- Net Cetera – <https://www.consumer.ftc.gov/features/feature-0002-parents>
- Web Wise Kids – <http://www.webwisekids.org>

LMSVSD will continue to provide Internet security within its schools. It is important that parents also monitor Internet use at home.

## ONLINE ACCESS TO LA MESA COUNTY LIBRARY

**Reference:** None

**BP/AR:** None

Students enrolled in LMSVSD will have access to the La Mesa County Library ebook and audiobook collection via the SORA app on their student device through Clever Single Sign On. TK-5 students have access to the Juvenile collection and 6-8 students will have access to the Juvenile and Young Adult collections. A parent or guardian may opt their student out of having this access through Single Sign On by going to the following link and filling out the opt out form:

<https://bit.ly/49tyTop>

## USE OF DISTRICT TECHNOLOGY

**Reference:** 47 CFR 54.520; 20 USC 7131, 47 USC 254

**BP/AR:** 6163.4 – Student Use of Technology

### Acceptable Use of Technology Agreement for Students

**Introduction** - LMSVSD believes that access to technology in school gives students greater opportunities to learn, engage, communicate, and develop skills that will prepare them for work, life, and citizenship. We are committed to helping students develop the technology and communication skills that are necessary to support their future success. Therefore, we believe all students should have access to technology tools when they act in a safe, responsible, courteous, and legal manner.

Access to online content via the district network is restricted through filtering in accordance with District policies, federal regulations (Children's Internet Protection Act [CIPA]) and follows privacy protection legislation (Student Online

Personal Information Protection Act [SOPIPA]). If parents do not wish for their children to use particular district/school technologies, they must notify the school in writing. The District engages in reasonable efforts to ensure students' safety and security online, but will not be held accountable for any harm or damages that result from use of District technologies.

Pursuant to District Board Policy (BP) 6163.4, all students and their parents/guardians shall sign and return this District Acceptable Use of Technology Agreement (Agreement) prior to the use of District technology. This Agreement outlines the District's guidelines and expectations related to the use of District technologies by students, including the use of personally-owned devices at school.

- Use of the district network is intended for educational purposes.
- All activity with District technologies will be monitored and related information, data and history may be retained.
- Students are expected to follow the same rules for good behavior and respectful conduct online as they do offline.
- Students shall, at all times, use the Internet, network resources, and online sites in a courteous and respectful manner, and for educational purposes.
- Misuse of school resources can result in disciplinary action.
- Student users of the district network are expected to alert school staff immediately if they have any concerns for their safety and security and the safety and security of others.
- The district will not be held accountable for any harm or damages resulting from student violations of copyright restrictions or user mistakes or negligence.

**Technologies Covered** - The district may provide Internet access, desktop computers, mobile computing devices, online collaboration and video chat capabilities, and other new technologies that emerge. The policies outlined in this document are intended to cover all available technologies, not just those specifically listed.

**Web Access** - The District provides students with access to the Internet, including websites, resources, curriculum, and online tools. That access will be restricted in compliance with CIPA, SOPIPA, District BP 6163.4, and relevant school policies. Web browsing will be monitored and web activity records may be retained indefinitely. The Internet filter is a safety precaution, and students shall not circumvent it when browsing online. If a student inadvertently accesses an inappropriate site, the student shall alert the teacher or other appropriate staff member.

**Social/Web 2.0 / Collaborative Content** - The District may provide students with access to websites or tools that allow communication, collaboration, sharing, video chat and messaging among users (only within the district domain). Posts, chats, sharing, video-based communications and messaging will be supervised and monitored by teachers. Students are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Students are not allowed to take pictures or make recordings during video-based communications. Use of video-based communications may result in inadvertent disclosure of student information to other students or families. Students in grades 6-8 may have access to email, per teacher request.

**Mobile Devices** - The District will provide students with mobile devices to promote learning in the classroom. Some students will be allowed to take devices home nightly with a District Take Home Technology Usage Agreement signed by the parent/guardian. Families will be required to pay for devices that are lost or damaged outside of the school.

**Personally-Owned Devices Policy** – Pursuant to California Education Code section 48901.7, the District has adopted BP 5131.8 to limit the use of personally-owed mobile communication devices at school. Specifically, students are prohibited from using personally-owed mobile communication devices, such as cell phones, smart watches, pagers, laptops, tablets, or similar devices at school and must keep such devices turned off and put away during school hours, except under the following circumstances: (1) in the event of an emergency, or in response to a perceived threat of danger; (2) when a teacher or administrator grants explicit permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator; (3) when a licensed physician or surgeon determines that the possession or use is necessary for the student's health and well-being; or (4) when the possession or use is required by the student's Individualized Education Program.

**Network Security** - Students shall take reasonable safeguards against the transmission of security threats over the school network. This includes not opening or distributing infected files or programs and not opening files or programs of unknown or untrusted origin. If a student believes a computer or mobile device might be infected with a virus, they should alert a teacher or another appropriate staff member. Students should not attempt to remove the virus or download any programs to help remove the virus. Students are prohibited from intentionally uploading, downloading, or creating

computer viruses and/or maliciously attempting to harm or destroy District equipment or materials or manipulate the data of any other user, including so-called "hacking."

**Downloads** - Students shall not download or attempt to download any files, programs, music or software updates, or run .exe programs over the school network or onto school resources, even if prompted to do so by the computer or device being used. Teachers may give students special permission to download images or videos. For the security of the network, such files should only be downloaded from sites provided by the teacher, and only for education purposes.

**Plagiarism** - Students shall not plagiarize (or use as their own, without citing the original creator) content, including words or images, from the Internet. Students shall not take credit for things they didn't create themselves, or misrepresent themselves as an author or creator of something found online. Research conducted via the Internet shall be appropriately cited, giving credit to the original author.

**Personal Safety** - Students shall never share personal information, including phone number, address, social security number, birthday, pictures, or financial information over the Internet without adult permission. Students shall recognize that communicating over the Internet brings anonymity and associated risks, and shall carefully safeguard their own personal information and that of others. Users should never agree to meet someone they meet online in real life without parental permission. If students see a message, comment, image, or anything else online that makes them concerned for their personal safety, they should bring it to the attention of an adult (teacher or staff at school; parent at home) immediately.

**Cyber bullying and Harassment** – Cyber bullying will not be tolerated. Harassing, dissing, flaming, denigrating, impersonating, outing, tricking, excluding, and cyber stalking are all examples of cyber bullying. Students should not be mean, send emails or post comments with the intent of scaring, hurting, threatening or intimidating someone else. In addition, students are prohibited from distributing personal identification information, including the name, address, telephone number, Social Security number, or other personally identifiable information, of another student, staff member, or other person with the intent to threaten, intimidate, harass, or ridicule that person. Students shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs. Engaging in these behaviors, or any online activities intended to harm (physically or emotionally) another person, will result in severe disciplinary action and loss of privileges. In some cases, cyber bullying may constitute a criminal offense. Students should remember that their activities are monitored and retained. If students see a message, comment, image, or anything else online that looks or feels like bullying, they should bring it to the attention of an adult (teacher or staff at school; parent at home) immediately.

**Google Apps for Education** - Students shall have access to Google Apps for Education (GAFE), to enhance the way we use technology and share information within our school community. We encourage parents to be proactive discussing and exploring it with their child. Students shall only use apps that have been approved by their teachers and included on a District approved GAFE app list.

GAFE is a cloud-based learning platform, allowing teachers and students to create a range of documents and presentations online, and store gigabytes of data to be accessed at home and school on any device. GAFE allows us to collaborate and learn more effectively through the use of technology, and offer a range of new learning opportunities for teachers and students.

Further information about GAFE can be found here: <https://www.google.com/edu/products/productivity-tools/>  
Which Google Apps for Education will my child have access to?

- Google Drive for digital storage and sharing.
- Google's creative suite: Docs for word processing, Sheets for working with data, and Slides for presentations.
- Google Calendar to keep track of assignments and school activities.
- Google Classroom for receiving and turning in paperless assignments.
- A variety of instructional apps for learning, communication, collaboration, and creativity. Parents/guardians should contact the teacher for a complete list.
- Students in grades 6-8 may have access to email per teacher request.

How will Google Apps for Education enhance my child's learning opportunities?

- GAFE allows teachers and students the ability to collaborate on documents simultaneously.
- GAFE works on any internet-connected device. This allows our students to continue learning beyond the classroom and the ability to access their content at any time.

- Students and teachers can work in teams, sharing calendars, documents and collaborating ideas to learn more effectively.

What should I be aware of?

- GAFE allows students to communicate and store information in both public and private spaces online.
- Unlike many other web services, GAFE acknowledges its users as the owners of content they produce and store.
- You can learn more about GAFE and student privacy here: <https://www.google.com/edu/trust/>.
- Student use of GAFE applications is covered under the current Acceptable Use of Technology Policy.
- Student GAFE accounts may be monitored whether used on a school device or a personal device, but are not necessarily monitored on a consistent and/or regular basis.
- Student GAFE accounts may be monitored whether used on the school network or home network, but are not necessarily monitored on a consistent and/or regular basis.

Student Terms of Agreement: Grades 3-8

- ✓ I will use District technologies solely for educational purposes and school-related activities.
- ✓ I will follow the same guidelines for respectful, responsible behavior online that I am expected to follow offline.
- ✓ I will not damage, change, or tamper with the hardware, software, settings or the network in any way.
- ✓ I will not seek, view, send, or display offensive content that is threatening, obscene, or that could be seen as harassment.
- ✓ I will not use the system to encourage the use of drugs, alcohol, tobacco or any activity that is against the law.
- ✓ I will obey copyright laws and properly cite sources when using online resources.
- ✓ I will not share my passwords with another person
- ✓ I will not harm other people or their work.
- ✓ I will not trespass in another's folders, work, or files.
- ✓ I will not interfere with the operation of the network.
- ✓ I will not engage in illegal activities, hacking, personal gain or political purposes.
- ✓ I will not download software.
- ✓ I will not use my personal email account or any personal electronic device at school except with the permission of a staff member.
- ✓ I will notify an adult immediately if by accident I encounter materials which violate the rules of appropriate use.
- ✓ I will not use any form of electronic communication to harass, intimidate, or bully anyone.
- ✓ I am prepared to be held accountable for my actions and for the loss of privileges if these rules are violated.

Web 2.0 Terms of Agreement

- ✓ I will act safely by keeping personal information out of any Web projects. I will not give out my family name, email address, home address, schools name, city, country or other information that could help someone locate or contact me in person. I will not post identifying photos or videos.
- ✓ I will treat online collaborative spaces as I would a classroom space, and I will use appropriate and respectful language and images. I will not take pictures or make recordings of online video communications.
- ✓ If I post information online or in a collaborative space, I will have read that information carefully to be certain that it is appropriate for the school community.
- ✓ I understand that if I fail to follow these guidelines, I may lose the opportunity to take part in online projects.

Terms of Agreement: Grades PreK-2

- ✓ I will use school technology for learning and only work on the programs and apps that my teacher tells me to use.
- ✓ I will treat everyone nicely when I'm using technology.
- ✓ I will treat technology carefully.
- ✓ I will not share my passwords with another person
- ✓ I will not harm other people or their work.
- ✓ I will tell an adult right away if I see anything that breaks these rules.
- ✓ I will not use technology to be mean and hurt, frighten or bully anyone.
- ✓ I will act safely by never sharing personal information on the Internet.
- ✓ I will not send messages to someone I don't know.
- ✓ I understand that if I break any of these rules, I could get a consequence and might not be able to use the technology any more.



**Limitation of Liability** – Parents/guardians understand and acknowledge that, while the District employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness and shall not be responsible for the failure of any technology protection measures. By signing this Agreement, parents/guardians understand and agree that the District shall not be responsible for any damages or harm related to their student’s use of District technology, including but not limited to, damages or harm caused by unauthorized transactions conducted over the school network, copyright violations, or any other harm or damages resulting from user mistakes or negligence, or from the willful violation of this agreement, and shall indemnify and hold harmless the District and its staff for any such damages and costs incurred.

**Violations of this Acceptable Use Policy** - Violations of this policy may have disciplinary repercussions, including:

- Suspension of network, technology, or computer privileges
- Notification to parents
- Suspension from school
- Legal action and/or prosecution

**(Students will receive age-appropriate instruction at school regarding the contents of this Agreement)**

## **USE OF MOBILE COMMUNICATION DEVICES**

**Reference:** EC 48901.5, 48901.7

**BP/AR:** 5131.8 – Mobile Communication Devices

The use of smartphones and other mobile communication devices on campus may be beneficial to student learning and well-being, but could be disruptive of the instructional program in some circumstances. In fact, there is growing evidence that unrestricted use of smartphones by students during the school day interferes with the educational mission of the schools, lowers student performance, promotes cyberbullying, and contributes to an increase in teenage anxiety, depression, and suicide.

Although students cannot be prohibited from possessing or using a mobile communication device under any of the circumstances listed below, the LMSVSD has adopted a policy in restricting the possession and use of smartphones at school and while under the supervision of school personnel.

- In the case of an emergency, or in response to a perceived threat of danger
- When a teacher or administrator grants permission to the student to possess or use a mobile communication device, subject to any reasonable limitation imposed by that teacher or administrator
- When a licensed physician or surgeon determines that the possession or use is necessary for the student’s health and well-being
- When the possession or use is required by the student’s individualized education program or Section 504 plan

Additionally, smartphones and other mobile communication devices shall not be used in any manner which infringes on the privacy rights of any other person. When used in an unauthorized manner, the device may be confiscated and/or searched according to law and policy, and the student may be subject to discipline. A student may also be subject to discipline for use of a mobile communication device off school grounds if it poses a threat or danger to the safety of students, staff, or district property or substantially disrupts school activities.

LMSVSD is not responsible for the loss, theft, or damage of a student’s mobile communication device which is brought onto school grounds or to a school activity.

## **ADDENDUM – PARENT AND FAMILY ENGAGEMENT POLICY & UNIFORM COMPLAINT PROCEDURES**

Please see the next pages for the parent and family engagement policy, and the Uniform Complaint Procedures.



## **Title I, Part A Local Education Agency (LEA)/Parent and Family Engagement Policy**

- 1.0 The local governing board of each local educational agency (LEA), or agency, receiving Title I, Part A funding shall establish and implement a written parent and family engagement policy and program. (California Education Code [EC] sections [§§] 11500-11504, 51101[b]; 20 United States Code [U.S.C.] § 6318[a][1], 6318[a][2])
- 1.1 La Mesa-Spring Valley School District has developed jointly with, agreed on with, and distributed to, parents and family members of participating children, an LEA-level written parent and family engagement policy. (20 U.S.C. § 6318[a][2]).)

The LEA-level parent and family engagement policy is jointly developed with our District Parent Advisory Council (DPAC) and reviewed and revised annually as needed. The DPAC is composed of School Site Council Members and ELAC members from each school in the district. All members have the opportunity to work with district staff members and provide input to guide the development of LMSVSD Parent and Family Engagement Policy. The work of the committee is then shared with the School Board for approval. Each year, the district distributes a copy of the LEA parent and family engagement policy to parents and family members of our district students with the annual notifications. A copy of this policy is also posted on the district website.

The LEA incorporates the parent and family engagement policy into the LEA level plan. (20 U.S.C. § 6312, 6318[a][2])

Parent and Family engagement is tied to our Local Control and Accountability (LCAP) goal 2 of engagement, including associated actions, services, expenditures, and annual measurable outcomes.

To involve parents and family members in the Title I program at [LEA Name], the following practices have been established:

- a) The LEA involves parents and family members in the joint development of the agency's plan, and in the development of support and improvement plans. (20 U.S.C. § 6318[a][2][A])

The purpose of this policy is to outline how parents and the district, along with school staff, will share the responsibility for improved student academic achievement and the means by which the district, schools, and parents will build and develop a partnership that will ensure the success of all our students.

- b) The LEA provides coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the LEA in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance. (20 U.S.C. § 6318[a][2][B])

To assist and build the capacity of all Title I participating schools, the district employs support staff who collaborate with school staff and parents to develop goals, programs, and classes to support parents. These staff members serve as liaisons between parents, schools, and outside community agencies to support efforts to improve student academic performance and parent involvement. In addition, the district is actively involved in:

- Conducting ongoing site visits to observe and support parent and family engagement practices
- Enhancing the awareness and skills of teachers, pupil service personnel, principals, and staff in reaching out to, communicating with, and working with parents as equal partners
- Ensuring that information is sent home in a language and form that parents can easily understand, as required
- Providing copies of the LEA policies related to parent involvement to each parent
- Assisting sites with resources to build parent capacity
- Conducting parent education workshops

The district monitors each Title I school to ensure that each school performs the following tasks:

- Develops a site Parent and Family Engagement Policy and School-Parent Compact, offers flexible meeting times, and provides information to parents about the school's program
- Provides training for parents to work with their child to improve academic achievement and includes training on school communication systems in order to have real-time access to their child's attendance and achievement
- Reinforces parenting skills to support the acquisition of academic skills and their application in real-life situations
- Encourages parents to visit/volunteer at school by assisting staff in developing volunteer opportunities as well as training staff to encourage and build volunteer efforts
- Convenes annual school meetings to inform parents of their school's participation in the development of the Parent/Family Engagement Policy and each parent's right to be involved

- c) To the extent feasible and appropriate, the LEA coordinates and integrates Title I, Part A parent and family engagement strategies with parent and family engagement strategies of other relevant Federal, State, and local laws and programs. (20 U.S.C. § 6318[a][2][C])

We integrate our parent and family engagement activities and strategies throughout all of our district services and programs. Programs included in this coordination are our State Preschools, after school programs (ASES), and programs for our English learners and students with unique needs.

- d) The LEA conducts, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of the schools served under Title I, Part A. (20 U.S.C. § 6318[a][2][D])

An annual evaluation of the content and effectiveness of this parental involvement policy will be conducted through School Site Council meetings with the involvement of parents. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities. Particular attention will be given to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background. The district will use the findings of the evaluation to design strategies for more effective parental involvement. The policy will be reviewed and revised, if necessary.

The LEA identifies the following:

1. Barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). (20 U.S.C. § 6318[a][2][D][i])

While numerous barriers to parent participation exist for our families, we are committed to breaking down these barriers to provide opportunities for all our parents to access and engage in school functions.

La Mesa-Spring Valley Schools will work to eliminate the following common barriers to parent participation:

- Language
- Lack of understanding of parents' communication preferences
- Teachers' assumptions about parents' willingness or lack of willingness to participate
- Limited family resources (transportation, childcare)
- Parents' lack of comfort and familiarity with the education system and how their child's school functions
- Tension in relationships between parents and teachers due to parents' own negative experiences in school
- Transiency of families making it harder to build relationships between families and school staff
- Parents believing that their voices don't make a difference

In order to assist with the student success, parents and family members need to know how to:

- Support their child's learning through strategies that are aligned with what teachers are using in the classroom
- Reinforce good study habits in the home by designating study spaces and solidifying reading and other after school routines

Parents also need to know:

- What and how their children are learning in the classroom on a consistent basis
- How to establish a partnership with a regular two-way communication between home and school

To support successful school and family interactions, the district is committed to engaging parents through:

- Parent education workshops provided by district staff and local community agencies
- The use of multiple methods of communication (flyers, phone calls, district/school websites) to promote participation
- The continuance of School Site Councils (SSCs) and English Learner Advisory Committees (ELACs) at each site who send a representative from each site to the district-level parent advisory committees, known as the District Advisory Committee (DAC) and the District English Learner Advisory Committee (DELAC)
- The distribution of a district-wide parent survey with disaggregated results for each site that can lead to improved results
- The maintenance of a district website with current resources available to parents to support them in working with their children's academic, social, and emotional needs
- Enhancing the awareness and skills of teachers, principals, and staff in reaching out to, communicating with, and working with parents as equal partners

2. The needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers. (20 U.S.C. § 6318[a][2][D][ii])

a) Offering site and district workshops for parents and families to support them with working with their children, including in the areas of literacy, math, and social emotional well-being.

b) Provide materials and resources to assist families with working with and supporting their children, including websites, parent handbooks, and schools/classroom newsletters.

c) Consider the needs of working families when scheduling events and meetings, such as meetings in the morning, evenings, or via zoom.

d) Consider the needs of multi-lingual families by providing interpretation and translation services as needed.

3. Strategies to support successful school and family interactions. (20 U.S.C. § 6318[a][2][D][iii])

- a) Assisting sites with developing and implementing effective parent and family programs.
- b) Provide a social worker at each site to support both children and families and connect them to resources when needed.
- c) Provide additional support to newcomer families as they transition to La Mesa-Spring Valley School District.
- d) Hire parent liaisons to work closely with families, including both Spanish speaking and Pashto speaking liaisons.

- e) The LEA uses the findings of such evaluation in section 1.1(d) of the CE program instrument to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policy. (20 U.S.C. § 6318[a][2][E])

The district will continuously research best practices and evidenced-based strategies to engage parents and families. In addition, our annual parent survey results will be used to design and/or revise more effective parent and family engagement strategies and activities.

- f) The LEA involves parents in activities of schools served under Title I, Part A to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy. (20 U.S.C. § 6318[a][2][F])

La Mesa-Spring Valley Schools has 13 sites that receive Title I, Part A funding. Each site abides by the guidelines under ESSA. Each school has a School Site Council which provides input into the use of federal funds on evidence-based strategies to increase student achievement. Each school designates family members to serve on the District (Parent) Advisory Committee (DAC). The DAC reviews a variety of data sources and, when necessary, provides input and feedback using this information to develop, revise, and review the parent and family engagement policy.

1.2 The LEA policy on parent and family engagement for all schools (including Title I and non-Title I) in the LEA shall be consistent with the following goals and purposes: (EC §§ 11502, 11504, 11506)

- a) Engage parents and family members positively in their children's education by providing assistance and training on topics such as state academic standards and assessments to develop knowledge and skills to use at home to support their children's academic efforts at school and their children's development as responsible future members of our society. (EC § 11502[a])

- a) Providing information to parents and families on the academic standards, assessments, Title I program requirements, how to assist students at home, and how to work with educator to improve student achievement.
- b) Offering workshops for parents and families to support them with working with their children, including literacy, mathematics, and social-emotional needs.

- b) Inform parents that they can directly affect the success of their children's learning, by providing parents with techniques and strategies that they may utilize to improve their children's academic success and to assist their children in learning at home. (EC § 11502[b])

- a) Providing information to parents and families on the academic standards, assessments, Title I program requirements, how to assist students at home, and how to work with educators to improve student

achievement through parent workshops, informational meetings, parent-teacher conferences, and newsletters and other communications.

b) Developing school-parent compacts to address ways in which families can support their child's learning, such as monitoring attendance and homework, volunteering in classrooms, and participating in decisions related to their child's education.

- c) Build consistent and effective two-way communication between family members and the school so that parents and family members may know when and how to assist their children in support of classroom learning activities. (EC § 11502[c])

a) Offering site and district workshops for parents and families to support them with working with their children, including in the areas of literacy, mathematics, and social-emotional needs.

b) Provide materials and resources to assist families with working with and supporting their children, including websites, parent handbooks, and schools/classroom newsletters.

- d) Train teachers, school administrators, specialized instructional support personnel, and other staff to communicate effectively with parents as equal partners. (EC § 11502[d])

(1) Collaborate with sites to create a welcome environment.

(2) Identify best communication method for parents and families.

(3) Identify key information parents and families need regarding topics.

- e) Integrate and coordinate parent and family engagement activities with the local control and accountability plan (LCAP), as applicable, with other programs. (EC § 11502[e])

LCAP Goal 2 - Engage

We will engage our students and the learning community in order to ensure the skills and support necessary for social, emotional, and physical well-being.

- 1.3 Parents and family members of children receiving Title I, Part A services shall be involved in the decisions regarding how funds reserved are allotted for parental involvement activities. (20 U.S.C. Section 6318[a][3][B])

a. Including parents and families in the ongoing review, evaluation, and implementation of the School Plan for Student Achievement at the schools through the School Site Council.

b. Providing meaningful input on the development of the site level Parent and Family Engagement Policy and School Parent Compact.

c. Requiring schools to annually review and update the school level Parent and Family Engagement Policy and School Home Compact.

- 1.4 Funds reserved by an LEA shall be used to carry out activities and strategies consistent with the LEA's parent and family engagement policy, including not less than one of the following: (20 U.S.C. § 6318[a][3][D])

- a) Supporting schools and nonprofit organizations in providing professional development for LEA and school personnel regarding parent and family engagement strategies. (20 U.S.C. § 6318[a][3][D][i])

- b) Supporting programs that reach parents and family members at home, in the community, and at school. (20 U.S.C. § 6318[a][3][D][ii])



- c) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members. (20 U.S.C. § 6318[a][3][D][iii])
- d) Collaborating, or providing subgrants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement. (20 U.S.C. § 6318[a][3][D][iv])
- e) Engaging in any other activities and strategies that the LEA determines are appropriate and consistent with such agency's parent and family engagement policy. (20 U.S.C. § 6318[a][3][D][v])

Through the hiring of parent liaisons who work alongside our district social workers to support families by connecting them with necessary outside resources as well as help them navigate the school system we hope to reach parents and family members at home, in the community, and at school.

We utilize the data from our annual parent surveys to ensure that we are engaging in activities and strategies that the LEA and the parents/families of LMSVSD feel are appropriate and consistent with the goals of the parent and family engagement policy.

\*It may be helpful to include the parent and family engagement policy review in the annual review of the Local Control and Accountability Plan Federal Addendum.

\*\*The policy must be updated periodically to meet changing needs of parents and family members and the LEA. If the LEA has a process in place for involving parents and family members in planning and designing the school's programs, the LEA may use that process if it includes adequate representation of parents and family members of children receiving Title I, Part A services.

Deann Ragsdale

**Name and Title of Authorized Official**

**Signature of Authorized Official**

07/14/23

August 1, 2023

**Governing Board Approval Date**

California Department of Education  
April 2020

**Uniform Complaint Procedures (UCP) Annual  
Notice 2025-26  
La Mesa-Spring Valley School District**

The La Mesa-Spring Valley School District annually notifies our students, employees, parents or guardians of its students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of our Uniform Complaint Procedures (UCP) process. The UCP Annual Notice is available on our website.

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

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on one, or a combination of two or more, protected characteristics, which include, but may not be limited to, a person's actual or perceived race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status; any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55; or based on the person's association with a person or group with one or more of these actual or perceived characteristics.
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program.
- Every Student Succeeds Act
- Instructional Materials and Curriculum Diversity
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes
- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School or athletic team names, mascots, or nicknames pursuant to Education Code 221.3
- School Plans for Student Achievement
- Schoolsite Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing

- And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) or designee deems appropriate.

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

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

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

A pupil fee complaint may be filed with the principal of a school or our superintendent or their designee.

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

### **Contact Information**

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

Jennifer Coronel, Director  
Student Supports  
4750 Date Avenue, La Mesa, CA 91942  
619-668-5700 x 6306  
Jennifer.coronel@lmsvschools.org

**The above contact is knowledgeable about the laws and programs that they are assigned to investigate in the La Mesa-Spring Valley School District.**

We shall post a standardized notice, in addition to this notice, with educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program.

We advise complainants of the opportunity to appeal an Investigation Report of complaints regarding programs within the scope of the UCP to the California Department of Education (CDE).

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

Copies of our UCP procedures shall be available free of charge.

### **For UCP Complaints Regarding State Preschool Health and Safety Issues Pursuant to Section 1596.7925 of the California *Health and Safety Code* (HSC)**

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the California *Health and Safety Code* (HSC) a notice shall be posted in each California state preschool program classroom in each school in our agency.

The notice is in addition to this UCP annual notice and addresses parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California *Code of Regulations* (5 CCR) that apply to California state preschool programs pursuant to HSC Section 1596.7925, and (2) the location at which to obtain a form to file a complaint.