



July 2010

Dear Parent/Guardian,

As required by law, I wish to notify you, as the parent and/ or guardian of student(s) enrolled in our schools, of your rights and responsibilities. I ask, therefore, that you please take a moment of your time to carefully review the attached materials. After your review, please sign and return the acknowledgment indicating that you have received and reviewed these materials. Your signature is acknowledgment that you have been informed of your rights, but does not indicate that consent to participate in any particular program has been either given or withheld.

All references are to the California Education Code (E.C.) unless otherwise noted. When used in this notification, "parent" includes a parent or legal guardian.

Some legislation requires additional notification to parents or guardians during the school term or at least 15 days prior to a specific activity. A separate letter will be sent to parents or guardians prior to any of these specified activities or classes, and the student will be excused whenever the parents file, with the principal of the school, a statement, in writing, requesting that their child not participate. Other legislation grants certain rights that are spelled out in this form. All parent/ student rights statutes may be found in the California Education Code.

Sincerely,

Lynne B. Kennedy, Ph.D.

Superintendent

Banning Unified School District

MISSION STATEMENT

The Mission of the Banning Unified School District, as an educational community, is to improve academic achievement, provide a safe school environment, and maintain a positive school climate to produce life long learners and cultivate productive citizens.

2010-2011 DISTRICT GOALS

1. Meet/ Exceed the Adequate Yearly Progress (AYP)/ Academic Performance Index (API) for Each School Site, Increase CAHSEE Passing Rates, Increase Annual High School Graduation Rates, and Close the Achievement Gap between Subgroups and Schoolwide Population
2. Promote a Safe, Secure, and Disciplined Environment
3. Maintain Fiscal Solvency through Effective and Efficient District Operations
4. Promote the Positive Aspects of our Schools and District

Please review the material in this booklet. Then SIGN and RETURN the acknowledgement on page 19.

ATTENDANCE

● General Absences

Children cannot learn if they are not in school. California schools no longer receive funding for students who are sick or excused. It is essential that your child attend school whenever possible, for part of a day after or before appointments. However, other attendance requirements still rely on excused and unexcused tallies. No pupil whose attendance is excused shall have grades or academic credit lost if assignments and tests can be reasonably completed.

1. Notwithstanding E.C. 48200, a pupil shall be excused from school when the absence is:
 - A. Due to his or her illness.
 - B. Due to quarantine under the direction of a county or city health officer.
 - C. For the purpose of having medical, dental, optometric, or chiropractic services rendered.
 - D. For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
 - E. For the purpose of jury duty in the manner provided for by law.
 - F. Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
 - G. For justifiable personal reasons, including, but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of his or her religion, attendance at religious retreats, 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 has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
 - H. For any student 16 years old or older, with a GPA of 2.5 or higher, for the purposes of serving as a member of a precinct board for an election pursuant to Sec. 12302 of the Elections Code.
 - I. Participation in religious instruction or exercises in accordance with district policy.
2. A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit thereof. The teacher of any class from which a pupil is absent shall determine the tests and assignments, which shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
3. For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
4. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
5. "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil." [E.C. 46014, 48205]

● Parental consequences for non-attendance

Any parent or guardian who fails to ensure their student's attendance may be guilty of an infraction and can be punished as follows: \$100 for first conviction, \$250 for second conviction, \$500 for third conviction, Rather than a fine a parent or guardian may be placed in parent education or counseling program, \$1,000 for willful violation of a court order directing that student must be enrolled in school or program. [E.C. 48293]

● Attendance Options

The governing board annually reviews attendance options including how students may attend a district school outside their attendance area (intradistrict transfers). This district has non-arbitrary rules explaining how students may apply, be accepted or denied transfer to district schools. Many districts also allow the transfer of students from or to other districts (interdistrict transfers). In some cases the district must provide transportation. [E.C. 35160.5, 48301, 48306, 48308, 48314]

Intra-District Open Enrollment

The Governing Board desires to provide enrollment options that meet the diverse needs and interests of district students. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district.

The Board shall annually review this policy.

Enrollment Priorities

Priority for attendance outside a student's attendance area shall be given as follows:

1. If a district school receiving Title I funds is identified for program improvement, corrective action or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school or charter school.
2. If while on school grounds a student becomes the victim of a violent criminal offense, he/she shall be provided an option to transfer to another district school or charter school.
3. If a student attends a school designated by the California Department of Education as "persistently dangerous," he/she shall be provided an option to transfer to another district school or charter school.
4. The Superintendent or designee may approve a student's transfer to a district school that is at capacity and otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student.
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 limited to a law enforcement official or social worker, or a properly licensed or registered professional, including, but not limited to, a psychiatrist, psychologist or marriage and family therapist
 - b. A court order, including a temporary restraining order and injunction
5. Priority may be given to siblings of students already in attendance in that school.
6. Priority may be given to students whose parent/guardian is assigned to that school as his/her primary place of employment.

For all other applications for enrollment outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever a school receives admission requests that are in excess of the school's capacity. A school's capacity shall be calculated in a nonarbitrary manner using student enrollment and available space.

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students.

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area.

Transportation

Except as required by 20 USC 6316, for transfers out of Title I program improvement schools, the district shall not be obligated to provide transportation for students who attend school outside their attendance area. However, upon request, the Superintendent or designee may authorize transportation contingent upon available space and funds. Priority for any such transportation shall be based on demonstrated financial need.[BP 5116.1; E.C. 35160.5, 48980; 20 USC 6316, 7912; 5 CCR 11992]

Inter-District Attendance

The Board of Trustees recognizes that students who reside in one district may choose to attend school in another district and that such choices are made for a variety of reasons.

Upon request by students' parents/guardians, the Superintendent or designee may approve interdistrict attendance permits with other districts on a case-by-case basis to meet individual student needs.

The interdistrict attendance permit shall not exceed a term of five years and shall stipulate the terms and conditions under which interdistrict attendance shall be permitted or denied.

The Superintendent or designee may deny interdistrict attendance permits because of overcrowding within district schools or limited district resources.

As the parent of a student you have many rights and responsibilities. This booklet talks about many of those and laws, policies and statutes which cover them. We suggest you read it. We must get the signed form returned or your child may not be able to attend classes. This page talks about when your child is absent from school. Only in certain cases is it permissible for a student to miss school.

Teachers build your child's education one day at a time, so every day is essential. In elementary, middle, junior, and high school, moving ahead, or even graduation, can be put in jeopardy if too many days are missed. Work with the teacher when a child must miss school. Get homework assignments and review work. There is only one chance to get a great education.

Transportation

The district shall not provide transportation outside any school attendance area. However, upon request, the Superintendent or designee may authorize transportation for students living outside an attendance area to and from designated bus stops within the attendance area if space is available. Priority for such transportation shall be based on demonstrated financial need.

Limits on Student Transfers out of the District to a School District of Choice

The Superintendent or designee may limit the number of student transfers out of the district to a school district of choice based on the percentages of average daily attendance specified in Education Code 48307.

In addition, transfers out of the district may be limited during a fiscal year when the County Superintendent of Schools has given the district a negative budget certification or when the County Superintendent has determined that the district will not meet the state's standards and criteria for fiscal stability in the subsequent fiscal year exclusively as a result of student transfers from this district to a school district of choice.

The district may deny a transfer of a student out of the district to a school district of choice if the Board determines that the transfer would negatively impact a court-ordered or voluntary desegregation plan of the district. [BP 5117, February 26, 2010; E.C. 41020, 46600-46611, 48204, 48300-48316, 48915, 48915.1, 48918, 48980, 52317]

☰ Truancy Notice

A letter will be sent to parents upon a student's initial classification as a truant. Any student who is absent from school without valid excuse three days in one school year or tardy without valid excuse in excess of 30 minutes on each of more than three days in one school year is a truant.

☰ School Attendance Review Board (SARB)

Any student who is a habitual truant or who is irregular in attendance at school may be referred to the SARB. Failure to remediate may result in referral to the District Attorney.

☰ Attendance Where Caregiver Resides

If your child lives in the home of a care-giving adult, as defined by law, your child may attend the school district in which that residence is located. Execution of an affidavit under penalty of perjury pursuant to the Family Code by the care-giving adult is required to determine that your child lives in the caregiver's home. [E.C. 48204(d), 48980(g)]

☰ Attendance in District in Which Parent/Guardian is Employed

Your child may have the option of attending school in the school district where you or your spouse is employed. If interested, call the school office for information. [E.C. 48204(b)(f), 48980(i)]

☰ Individualized Instruction

If your child has a temporary disability preventing him/her from attending regular classes, the district will provide individual instruction when possible. [E.C. 48206.3, 48980(b)]

☰ Pupils in Hospitals Outside of School District

If, due to a temporary disability, your child is in a hospital or other residential health facility, which is located outside your school district, he/she may be eligible to attend the school district in which the hospital is located. [E.C. 48207] If this situation should arise, you should notify both the district where you reside and where the hospital is located so that individualized instruction, if possible, can be provided. [E.C. 48208]

☰ Leaving School at Lunch Time

"The Governing Board of the Banning Unified School District, pursuant to Section 44808.5 of the Education Code, has decided to permit pupils enrolled at Banning High Schools to leave the school grounds during the lunch period. Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section." The district permits students in grade 12 this privilege. [E.C. 44808.5]

☰ Minimum Days/Pupil Free Staff Development Days

If your child will be affected by minimum days or staff development days, we will give you at least one month's notice. The dates that were known at press time are printed in the calendar in this booklet. [E.C. 48980(c)]

☰ **Notice of Alternative Schools**

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 his desire to learn. (c) Maintain a learning situation maximizing student self-motivation and encouraging the student in his own time to follow his own interests. These interests may be conceived by him totally and independently or may result in whole or in part from a presentation by his 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, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. [E.C. 58501]

DISCIPLINE

☰ **Safe School**

Banning Unified School District embraces a philosophy of safe schools with regard to expellable offenses related to drugs, alcohol and dangerous objects. The "Safe Schools" philosophy is defined to mean that students who are found in violation of Education Code Section 48900, subsections (b), (c) and (d) under certain conditions may be expelled on the first offense. It is within the authority of the Governing Board to recommend rehabilitative programs as part of the readmission requirements. [E.C. 48900]

☰ **School Rules**

You have a right to review school and district rules regarding student discipline. If you wish to do so, please contact the school office. [E.C. 35291, 48980]

☰ **Release of Student to Peace Officer**

If a school official releases your child from school to a peace officer for the purpose of removing him/her from the school premises, the school official shall take immediate steps to notify you or a responsible relative of your child, except when a student has been taken into custody as a victim of suspected child abuse. In those cases, the peace officer will notify the parent or guardian. [E.C. 48906; Penal Code 11165.6]

☰ **Parent Responsibility**

Parents or guardians are liable for all the damages caused by the willful misconduct of their minor children that result in death or injury to other students, school personnel, or damage to school property. Parents are also liable for any school property loaned to the student and willfully not returned. Parents' or guardians' liability may be as much as \$16,765 in damages and another maximum of \$10,000 for payment of a reward, if any. The school district may withhold the grades, diplomas, or transcripts of the student responsible until such damages are paid or the property returned or until completion of a voluntary work program in lieu of payment of money. If your child commits an obscene act or engages in habitual profanity or vulgarity, disrupts school activities, or otherwise willfully defies the authority of school personnel, and is suspended for such misconduct, you may be required to attend a portion of a school day in your child's classroom. [E.C. 48900.1, 48904; Civil Code 1714.1; Government Code 53069.5]

Vandalism

Graffiti and scratching glass or other material on someone else's property is now considered vandalism and those convicted face fines, imprisonment, and court orders to clean up the damage or perform community service. Parents may be liable to pay fines as high as \$50,000 and be required to participate in the clean up. [Penal Code 594]

☰ **Student Search**

The school principal or designee may search the person of a student, the student's locker, backpack or purse if there is a reasonable suspicion to believe the student may have a concealed

weapon, narcotics, stolen property, or contraband. [U.S. Supreme Court Case: New Jersey v. T.L.O. (1985) 469 U.S. 325]

● **Notice of Occurrence of a Violent Crime**

Following verification with law enforcement of the occurrence of a violent crime on an elementary or secondary school site, each principal may send a written notice of the occurrence and general nature of a crime to each pupil's parent or legal guardian.

● **Hazing**

No student, or other person in attendance, at any public or private educational institution shall conspire to engage in hazing. [Penal Code Section 245.6]

● **Corporal Punishment**

No person employed or engaged in a public school shall inflict, or cause to be inflicted, corporal punishment upon a pupil. [E.C. 49001]

● **Laser Pointers**

Students may not possess laser pointers on elementary or secondary school campuses, unless there is a valid instructional or school-related purpose. [Penal Code 417.27]

● **Beepers/Electronic Recording Devices**

The Board of Education does not encourage student possession or use of electronic signaling devices, including cellular telephones, on school premises; nor does the Board of Education assume liability for electronic signaling devices, including cellular telephones, if such devices are damaged, lost, or stolen.

No student shall be prohibited from possessing or using an electronic signaling device when it has been determined and documented as an essential health need for that student by a licensed physician and/or surgeon and this need has been verified by the principal or designee. [E.C. 48901.5, 51512]

● **Firearms**

Prohibits any person, except peace officers, from bringing firearms on campus without prior written permission of administration. [Penal Code 626.9]

● **Canine Inspections**

The District reserves the right to use trained detection canines for the purpose of conducting periodic, random inspections of school premises, including unoccupied classrooms, student lockers and vehicles parked on or near school grounds. Detection canines shall remain under the control of the canine's official handler at all times.

● **Suspension/Expulsion**

A teacher may suspend a pupil from class for the day and the day following, or a principal or his designee may suspend a pupil from school for not more than five (5) days for a "good cause." A teacher shall ask the parent or guardian of the pupil to attend a conference, and if the teacher, or the parent or guardian request, a school administrator shall attend such conference. The principal who suspends a pupil shall notify, in writing, the parent or guardian of such suspension. Incident for Suspension under Education Code 48900:

- (a) 1. Caused, attempted to cause, or threatened to cause physical injury to another person; or
2. Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any such object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code and Penal Code 257 an alcoholic beverage, or an intoxicant of any kind, and then either sold, delivered, or otherwise furnished to any person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stolen or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or any products containing tobacco or nicotine products, including, but not

limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.

- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell any drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. An "imitation firearm" means a replica of a firearm so similar in physical properties to a firearm as to lead a reasonable person to conclude that the replica is a firearm. Displaying an imitation weapon at a school can result in a misdemeanor or fines.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act directed specifically toward a pupil or school personnel as defined in subdivisions (f) and (g) of Section 32261. Such activity may result in a misdemeanor charge.
- (s) A pupil may not be suspended or expelled for any of the acts enumerated unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
 - (1) While on school grounds.
 - (2) While going to or coming from school.
 - (3) During the lunch period whether on or off the campus.
 - (4) During, or while going to or coming from a school sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 or the Penal Code, the infliction or attempted infliction of physical injury to another person may suffer suspension, but not expulsion, pursuant to the provisions of this section.

Except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.
- (v) A superintendent or principal may use their discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.
- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against any pupil who is truant, tardy, or otherwise absent from school activities. [E.C. 48900]

A student can also be suspended and/or expelled for the following reasons: 48900.2

Committed Sexual Harassment, 48900.3 Participated in an Act of Hate Violence; 48900.4 Engaged in harassment, threats, or intimidation, directed against school district personnel or pupils (these do not apply to K-3 students), 48900.7 Made terrorist threats against school officials or school property, or both. A pupil may be suspended or expelled for acts which are enumerated in Education Code 48900 and related to school activity or attendance which occur at any time including but not limited to (1) while on school grounds, (2) while going to or coming from school, (3) during the lunch period, whether on or off campus, (4) during, or while going to or coming from a school sponsored activity. [E. C. 48900]

Mandatory Recommendation for Expulsion

A mandatory recommendation for expulsion will be made for:

- (1) Possession/furnishing a gun.
- (2) Brandishing a knife.
- (3) Selling a controlled substance.
- (4) Sexual battery.
- (5) Possession of an explosive. [E.C. 48195(c)]

Providing Education for Expelled Students

The district offers educational programs at Milo P. Johnson Learning Center. [E.C. 48916.1; 48926]

Suspension by Teacher

A teacher may suspend any student from the teacher's class for any of the acts listed under "Grounds for Suspension and Expulsion" for the day of the suspension and the day following. [E.C. 48910]

In-School Suspension

A pupil suspended from a school for any of the reasons enumerated in § 48900 and 48900.2 may be assigned, by the principal or the principal's designee, to a supervised suspension classroom for the entire period of suspension if the pupil poses no imminent danger or threat to the campus, pupils, or staff or if an action to expel the pupil has not been initiated. [E.C. 48911.1(d)]

Expulsion Hearings

The student is entitled to a hearing to determine whether the student should be expelled. The hearing shall be held within thirty (30) school days after the Principal or Superintendent or designee determines that one of the acts listed under "Grounds for Suspension and Expulsion" has occurred. Written notice of the hearing shall be forwarded to the student and student's parents/guardian at least ten (10) calendar days before the date of the hearing. [E. C. 48900, 48918]

Due Process Rights

When recommended for expulsion, a student has the right to appear in person, be represented by counsel, to inspect and obtain copies of all documents to be used at the hearing, to confront and question all witnesses testifying, to question evidence presented and present oral and documentary evidence on the pupil's behalf.

Personal Appearance of Witnesses

At the request of superintendent or pupil, the board may issue a subpoena for the personal appearance of a key witness for an administrative panel hearing on expulsion unless the witness would be subject to unreasonable risk of harm. [E.C. 48918]

Expulsion Readmission Procedures

An expulsion order shall remain in effect until the Board may order the readmission of the student. At the conference, the conditions for readmission will be reviewed. The Superintendent or designee shall verify that the conditions have been met. School regulations will be reviewed and the student and parents/guardian will be asked to indicate in writing their willingness to comply with these regulations. [E.C. 48916]

IEP Notification Expulsion Request for Special Education Pupil

The Board may expel a special education student only if an individualized education program team has determined that (1) the misconduct was not caused by, or a direct manifestation of, the student's identified handicap, and (2) the student was appropriately placed at the time the misconduct occurred. The parents/guardian shall be notified of his/her right to participate in the meeting at least 48 hours before the meeting. His/her request that the meeting be postponed shall be granted for up to three (3) additional school days. [E.C. 48915.5]

Required Parental Attendance

Whenever a student is suspended from a class for section (1) and (k) under 48900 (profanity, disruption, defiance), the teacher from whose class the student was suspended may require the student's parents/guardian to attend a portion of a school day in that class. After the visit, the parents/guardian shall meet with the principal or principal's designee. [E.C. 48900.1]

☹ Hate Violence

In addition to the reasons specified in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 33032.5. [E.C. 48900.3; BP 5145.9]

STUDENT DRESS AND GROOMING

The Governing Board believes that appropriate dress and grooming contribute to a productive learning environment. The Board expects students to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Students'

clothing must not present a health or safety hazard or a distraction which would interfere with the educational process.

☰ **Dress Code**

All pupils shall abide by the District-wide Dress Code Policy established by the Board. [BP 5132] District Personnel shall also abide by the Dress Code for Personnel established by the Board. [BP 4119.22; E.C. 53183]

☰ **Gang-Related Apparel**

The principal, staff, and parent(s) guardian(s) at a school may establish a reasonable dress code that prohibits students from wearing gang-related apparel when there is evidence of a gang presence that disrupts or threatens to disrupt the school's activities. Such a dress code may be included as part of the school safety plan and must be presented to the Board for approval. The Board shall approve the plan upon determining that it is necessary to protect the health and safety of the school's students. Students and parent(s)/guardian(s) shall be informed about dress, gang related apparel, and grooming standards at the beginning of the school year and whenever these standards are revised. Any student who violates these standards shall be subject to appropriate disciplinary action. [B.P. 5132]

STUDENT SERVICES

☰ **Advanced Placement and International Baccalaureate Exam Fees**

State funding is available to qualified low-income students to cover the costs of advanced placement exam fees. A grant program also exists to defray costs to low-income students taking the International Baccalaureate and advanced placement exams; however, the state budget crisis has given districts flexibility in providing these services. [E.C. 48980, 52240, 52244]

☰ **Services to Disabled Pupils**

If you have reason to believe your child (ages 0 through 21 years) has a disability requiring special services or accommodations, tell or write the school. Your child will be evaluated to determine whether he/she is eligible for free special instruction or services.

The District wants to locate, identify and assess all children with disabilities whether homeless, wards of the state, enrolled in public or private schools [E.C. 26020 et seq., 56040, 56301; 20 USC 1412, (10)(A)(ii); 34 CFR 300.121]

☰ **Student Lunch Program**

Your child may be eligible to purchase lunch at a reduced rate. An application will be sent to all students' homes. [E.C. 49510 – 49520]

☰ **Career Counseling**

When all students are provided career counseling and course selection opportunities, all students are provided equal services. Parents may participate in counseling sessions. [E.C. 221.5]

☰ **Student Use of Technology**

The Board of Trustees intends that technological resources provided by the district be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning.

The Superintendent or designee shall notify students and parents/guardians about authorized uses of district computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with district regulations and the district's Acceptable Use Agreement.

The Superintendent or designee shall provide age-appropriate instruction regarding the district's acceptable use agreement, including instruction on the safe use of social networking sites and other Internet services including, but not limited to, the dangers of posting personal information online, misrepresentation by online predators, and how to report inappropriate or offensive content or threats.

The Superintendent or designee, with input from students and appropriate staff, shall regularly review this policy, the accompanying administrative regulation, and other relevant procedures to help ensure that the district adapts to changing technologies and circumstances.

Use of District Computers for Online Services/Internet Access

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, child pornography, or harmful to minors, and that the operation of such measures is enforced.

The Board desires to protect students from access to inappropriate matter on the Internet. The Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet. He/she also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

Student use of district computers to access social networking sites is prohibited. To the extent possible, the Superintendent or designee shall block access to such sites on district computers with Internet access.

Before using the district's technological resources, each student and his/her parent/guardian shall sign and return an Acceptable Use Agreement specifying user obligations and responsibilities. In that agreement, the student and his/her parent/guardian shall agree to not hold the district or any district staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or users' mistakes or negligence. They shall also agree to indemnify and hold harmless the district and district personnel for any damages or costs incurred.

Staff shall supervise students while they are using online services and may ask teacher aides, student aides, and volunteers to assist in this supervision. [B.P. 6163.4]

On-Line/Internet Services:

The principal or designee shall oversee the maintenance of each school's technological resources and may establish guidelines and limits on their use. He/she shall ensure that all students using these resources receive training in their proper and appropriate use.

Online/Internet Services: User Obligations and Responsibilities

Students are authorized to use district equipment to access the Internet or other online services in accordance with Board policy, the user obligations and responsibilities specified below, and the district's Acceptable Use Agreement.

1. The student in whose name an online services account is issued is responsible for its proper use at all times. Students shall keep personal account numbers, home addresses, and all telephone numbers private. They shall only use the account to which they have been assigned.
2. Students shall use the district's system safely, responsibly, and primarily for educational purposes.
3. 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.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

4. Unless otherwise instructed by school personnel, students shall not disclose, use, or disseminate personal identification information about themselves or others when using email, chat rooms, or other forms of direct electronic communication. Students are also cautioned not to disclose such information by other means to individuals contacted through the Internet without the permission of their parents/guardians.

Personal information includes the student's name, address, telephone number, Social Security number, or other individually identifiable information.

5. Students shall not use the system to encourage the use of drugs, alcohol, or tobacco, nor shall they promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
6. Students shall not use the system to engage in commercial or other for-profit activities.
7. Students shall not use the system to threaten, intimidate, harass, or ridicule other students or staff.
8. Copyrighted material shall be posted online only in accordance with applicable copyright laws. Any materials utilized for research projects should be given proper credit as with any other printed source of information.
9. Students shall not intentionally upload, download, or create computer viruses and/or maliciously attempt to harm or destroy district equipment or materials or manipulate the data of any other user, including so-called "hacking."
10. Students shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or use another individual's identity.
11. Students shall report any security problem or misuse of the services to the teacher or principal.

The district reserves the right to monitor the system for improper use.

The principal or designee may cancel a student's user privileges whenever the student is found to have violated Board policy, administrative regulation, or the district's Acceptable Use Agreement. Inappropriate use also may result in disciplinary action and/or legal action in accordance with law and Board policy. [A.R.6163.4]

School Accountability Report Card

The School Accountability Report Card is available on request, and is available on the Internet at www.banning.k12.ca.us. It contains information about the district and school regarding the quality of programs and its progress toward achieving stated goals. A copy will be provide upon request. [E.C. 33126, 32286, 35256, 35258, 52056]

Volunteering at School

At Banning U.S.D. we encourage parents/guardians to serve as volunteers in the schools, attend student performances and school meetings, and participate in site councils, advisory councils and other activities in which they may undertake governance, advisory and advocacy roles. All volunteers must be fingerprinted. [BP 1240]

HEALTH SERVICES

Kindergarten and First Grade Physical Exam

State law requires that for each child enrolling in the first grade, the parent must present a certificate, signed by a physician, verifying that the child has received a physical examination within the last 18 months. If your child does not receive this exam, you must file with the school district a waiver stating the reasons you are unable to obtain such services. You must understand that your child may be sent home if you fail to provide the certificate or waiver, or if your child is suspected to be suffering from a contagious disease. You may find it convenient to have your child immunized at the same time that the physical examination is conducted. [E.C. 49450; Health and Safety Code 124085, 124100, 124105, 120475]

These services may be available to you at no cost through the Child Health and Disability Prevention Program (CHDP). For information, you may contact Riverside County Public Health Dept., 3055 W. Ramsey Street, Banning, CA 92220, (951) 849-6794.

Kindergarten and/or First Grade Oral Health Assessment

Many things impact a child's school progress and success, including health. Children must be healthy to learn, and children with cavities are not healthy. Baby teeth are not just teeth that will fall out. Children need their teeth to eat properly, talk, smile, and feel good about themselves. Children with cavities may have difficulty eating, stop smiling, and have problems paying attention and learning at school.

Parents or guardians must have their child's oral health assessed by May 31 of the student's first school year (kindergarten or first grade). Assessments within the 12 months before the child enters school also meet this requirement. The assessment must be done by a licensed dentist or licensed or registered dental health professional. However, the state budget crisis has given districts flexibility in collecting this data. [E.C. 49452.8]

Immunizations

A pupil may not be admitted to school unless he/she has been fully immunized against diphtheria, pertussis (whooping cough), tetanus, poliomyelitis, measles, mumps, and rubella. Students entering kindergarten and the seventh grade are required to have three doses of Hepatitis B vaccine and a second dose of measles containing vaccine. Students must be immunized for varicella or provide proof from a doctor stating child has had the disease. The required immunizations are available from the County Health Department or a physician. Documented proof of immunization is required upon admission. It is the policy of this district that there be no "conditional" admittance to schools; immunizations must be up-to-date before admission to school is granted. This requirement does not apply if a district provided waiver is signed stating that the immunization is contrary to the beliefs of the parent or guardian, or a licensed physician writes a letter indicating the immunizations are contraindicated. If an outbreak of a communicable disease occurs at a school, the non-immunized student will be excluded for his/her own safety until such a time as directed by health officials or district administration. Parents or guardians may refuse to allow the sharing of personal information related to their child's immunization records by notifying the County Health Department listed in this section. [Health and Safety Code Sec. 120335, 120440; E.C. 49403]

Medication

Children may take medication, which is prescribed by a physician, and get help from school personnel during the school day if:

1. The district designee has received a written statement from the physician detailing the medication name, method, amount, and time schedules by which the medication is to be taken; and
2. Parent, guardian or caregiver submits a written statement indicating his/ her desire that the school

district assist his/her child in taking the medication; and

3. Parent signs a release statement on a special form available from the district. [E.C. 49423, 49480]

Children may carry and self-administer a blood glucose level test and diabetes care, inhaled asthma medication and auto-injectable epinephrine if the rules in one through three above are met. [E.C. 49414.5, 49423, 49423.1, 49480]

If your child is on a continuing medication regimen for a non-episodic condition, you are required to notify the district designee of the medication being taken, the current dosage, and the name of the supervising physician. [E.C. 49480]

● **Physical Examinations**

If you want your child to be exempt from physical examinations at school, file a written statement with the school refusing such an exam. However, when there is a good reason to believe that your child is suffering from a recognized contagious or infectious disease, he/she may be sent home and shall not be permitted to return to school until the contagious or infectious disease does not exist. [E.C. 49451]

● **Fluoride Treatments**

Children are eligible for fluoride treatments through a program organized by the county health officer. Parents will get a record that the treatment was applied. The county health officer will determine how to pay for the program. Parents or a student 18 years old or more have the right to refuse this program using the form provided by the school district. This program is not meant to replace regular professional dental care. [Health and Safety Code 104855]

● **Scoliosis (curvature of the spine) Screening**

Between grades 6 and 8, your child may be screened for scoliosis (curvature of the spine), unless you submit a written denial of consent. [E.C. 49452.5]

● **Sight and Hearing Test**

The school district is required to provide for the testing of the sight and hearing of each student enrolled unless you submit a written denial of consent. [E.C. 49455, 49452]

● **Sun Protection**

Students when outdoors can wear sun protective clothing, including, but not limited to hats. [E.C. 35183.5] Students may also apply sunscreen during the day without a doctor's note or prescription. [E.C. 35291, 35294.6]

● **Medical and Hospital Insurance for Students**

Insurance for medical or hospital services may be made available to students for injuries arising from school programs and activities. The district also ensures its athletes are covered by accidental injury insurance. No student shall be compelled to accept such service without his/her consent or, if a minor, without the consent of a parent or guardian. Information regarding the purchase of pupil school time accident insurance is made available through your school principal. Some pupils may qualify to enroll in no-cost or low-cost local, state, or federally sponsored health insurance programs. Information about these programs may be obtained by calling Healthy Families/Medi-Cal for Families (888) 747-1222. [E.C. 32221.5, 49423, 49480]

● **Confidential Medical Services**

According to the Education Code, school authorities may excuse any student in grades 7 through 12 from school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. School districts are permitted to grant such excuses, but are not required to do so. Banning Unified School District does grant such excuses. [E.C. 46010.1]

● **Health and Welfare**

Students shall be under the supervision of the school authorities:

- From the time they arrive on the school premises until they leave the school premises
- When they are provided transportation by the School District
- When they attend school-sponsored functions [E.C. 44807]

● **Drug, Alcohol, Steroid and Tobacco Prevention Programs**

This notice is provided in compliance with the requirements of state and federal law as a part of the District's drug, alcohol, and tobacco prevention programs. The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs, alcohol, or any form of tobacco product on District premises or as a part of any of its activities is wrong, harmful and is strictly prohibited. Tobacco use is prohibited. All pupils will abide by this prohibition as a condition of attendance. Any violations of District or school standards of conduct, rules and regulations or state

or federal laws regarding illicit drugs, alcohol and tobacco will be investigated. Violators will be subject to prosecution in accordance with local, state and federal law and District disciplinary action up to and including expulsion, and/or required to satisfactorily complete a drug abuse assistance, tobacco cessation program, or rehabilitation program selected by the District in conformance with law.

The District's drug alcohol and tobacco education and prevention programs are designed to address the legal, social and health consequences of drug, alcohol and tobacco use and to provide pupils with effective techniques for resisting peer pressure to use illicit drugs, alcohol or tobacco. Information about any drug, alcohol and tobacco counseling, rehabilitation, and re-entry programs available to pupils may be obtained by contacting their school. This information may include programs sponsored or maintained by various community groups or agencies. The District neither supports nor endorses any specific program, agency or firm. The information is provided only to assist parents and pupils who may desire information regarding the resources available to assist them.

High school athletes must sign a pledge they are not using steroids illegally or they will not be allowed to participate. Parents must sign a form notifying them of the restriction. [E.C. 49033, 60041; Health and Safety Code 11032]

CURRICULUM AND PERSONAL BELIEFS

☰ Comprehensive Sexual Health and HIV/AIDS Prevention

In the California Comprehensive Sexual Health and HIV/AIDS Prevention classes written and audio-visual educational material will be used and are available for inspection prior to the start of classes. You have a right to request, in writing, that your child not attend these classes. You may withdraw this request at any time. School districts must ensure that all pupils receive sexual health instruction from adequately trained personnel in appropriate courses. In this District, staff give such instruction. If taught by a consultant or in an assembly, parents will be given the dates, name of organizations and affiliation of speakers in this booklet or receive notice at least 14 days prior to the dates of the class or assembly. Contractor's material will be accurate and age appropriate. This instruction will emphasize that sexual abstinence and abstinence from intravenous drug use as the most effective means for AIDS prevention and avoiding sexually transmitted diseases. The instruction will also include development of refusal skills to assist pupils to overcome peer pressure and use effective decision-making skills to avoid high-risk activities. During this class students in grades 7 - 12 may be asked to anonymously, voluntarily, and confidentially fill out evaluation and research tools such as surveys, tests, questionnaires measuring student attitudes toward health, sex, and risk behaviors. Parents will be notified in writing and given the opportunity to review the material and can request in writing that their child not participate in any or all of the above activities. Copies of Education Code Sections 51938 and 51934 can be requested from your district or can be obtained online at www.leginfo.ca.gov. [E.C. 51933, 51934, 51938, 60615; Health and Safety Code 151000]

☰ Dissection of Animals

If your child chooses not to participate in the dissection of animals, and if the teacher believes that an adequate alternative education project is possible, the teacher may work with the student to develop and agree upon an alternative education project for the purpose of providing your child an alternate avenue for obtaining the information required by the class. The school will need a signed note from you indicating your child's objection. [E.C. 32255]

☰ Excused from Instruction Due to Religious Belief

Whenever any part of the instruction in health or family life education conflicts with your religious training and beliefs or personal moral conviction, or those of your child, your child shall be excused from such instruction if you request an excuse in writing. [E.C. 51240]

☰ Tests/Surveys on Personal Beliefs

Unless you and your children over 18 give written permission, your child will not be given any test, questionnaire, survey, examination, or marketing material containing questions about your child's, or his/her parents' or guardians' personal beliefs or practices in politics, mental health, anti-social, illegal, self incriminating, or demeaning behavior, critical appraisals of others close to the family, about legally confidential relationships such as ministers or doctors, income (unless to determine eligibility in a program or for receiving assistance), sex, family life, morality, or religion. Parents may also opt out of their child supplying information to be used for marketing. Parents have the right to review any survey or educational materials related to the survey on any

of the above items. The District has developed policies relating to the surveys and personal information. [E.C. 60650, 51513, 60614; PPRA, 20 U.S.C.; No Child Left Behind Act (NCLB)]

SCHOOL RECORDS AND STUDENT ACHIEVEMENTS

☰ District Courses

Annually the District prepares curriculum, course titles, aims, and descriptions in a prospectus. The prospectus is available at each school site and may be reproduced at cost. [E.C. 49063, 49091.14]

☰ Pupil Records

You and your children over 18 have the right to review, get copies, and inspect their school records within five business days of a written request or oral request or before any meeting regarding an individualized education program or a hearing. Those records are confidential, and privacy will be maintained, except in some instances such as when your child transfers to another school. The records include transcripts, discipline letters, commendations, attendance, and health. The records are maintained at each school site by the principal or designee. There is someone to help interpret the material. When more than one child is named in the records, parents may only see material related to their child. If requested, the district will provide a list of types and locations where materials are held. There is a log of who has viewed the records that is kept at the same location as the records. District policy or administrative regulation #1340 sets forth the criteria by which school officials and employees can look and change or delete the files and why. Files may be reviewed to identify students eligible for public school choice or supplemental educational services. You may have copies made for \$1.50 for the first page and 10 cents per page. If you cannot afford the cost of copies they will be provided free of charge. You also have the right to file a written request with the superintendent challenging the records. You can challenge how your request was handled with the district or with United States Department of Education if you think there is an inaccuracy, unsubstantiated conclusion or inference, a conclusion outside the observer's expertise, comment not based on personal observation with time and date noted, misleading information, or violation of privacy rights. You will get to meet with the superintendent or designee within 30 days. If your challenge is sustained, the changes will be made. If not, you can appeal to the school board, which has final authority. If you still have a different view, your view can be included in the student's record. [E.C. 49063, 49060, 49069, 49070, 56043, 56504; Family Educational Rights and Privacy Act (FERPA); 34 CFR Part 99]

For a smoother transition, through a relationship established with the Department of Defense and the California Department of Education, the District has established guidelines for transferring credits and meeting graduation requirements of students from military families. [E.C. 51250]

☰ Regulations Regarding Pupil Achievement

The Board of Education believes good communication between parents and teachers is important in the educational process. All appropriate forms of communication should be used. The progress report should reflect student progress in classwork and proficiency levels and indicate educational growth in relation to the student's ability, citizenship and effort. [E.C. 49067]

☰ Teacher Qualifications

A provision of federal Title I requires all districts to notify parents of children in Title I schools that they have the right to request and receive timely information on the professional qualifications of classroom teachers and paraprofessionals including state qualifications, licensing for the grade level or subject taught, any waivers for qualifications, emergency provisions, college major, graduate degrees and subject, and if paraprofessionals or aides are in the classroom and what their qualifications are. [No Child Left Behind Act (NCLB)]

☰ High School Exit Exam

In addition to other graduation requirements, each student is required to pass the California High School Exit Exam (CAHSEE) to receive a high school diploma. Students must have completed all other graduation requirements. Students must pass both the English and Mathematics sections. Each pupil shall take the CAHSEE beginning in 10th grade and may retake the examination as follows – two opportunities in 11th grade and three in 12th grade. If they do not pass while in high school, students may take the CAHSEE up to three times a year until they pass it, no matter how many times that takes. There is help for students for up to two consecutive years after completion of grade 12; however, the state budget crisis has given districts flexibility in providing these services. [E.C. 48980, 60850] CAHSEE testing dates for 2010-11:

Language Arts	July 27, 2010, February 1, 2011,	October 5, 2010, March 8, 2011,	November 9, 2010, May 10, 2011*, July 26, 2011
Mathematics	July 28, 2010, February 2, 2011,	October 6, 2010, March 9, 2011,	November 10, 2010, May 11, 2011*, July 27, 2011

* Make-up testing only

● Release of Directory Information

The law allows schools to release “directory information” to certain persons or organizations including military recruiters. Directory information includes a student’s name, address, telephone information, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous public or private school attended by the student. You may have the district withhold any of this information by submitting a request in writing by October 1, 2010. Written notification received after the date specified will be honored, but the student’s information may have been released in the interim. In the case of students with exceptional needs, no material can be released without parent or guardian consent. [E.C. 49061(c), 49070, 56515, 49063(a), 49073; FERPA; NCLB]

● University of California/California State University Admissions

Admission to the California State Universities requires a minimum 15-unit pattern of courses for admission as a first-time freshman. Each unit is equal to a year of study in a subject area. A grade of C or higher is required for each course the student uses to meet any subject requirement. Transfer students are accepted.

Admission to the University of California requires completion of the 15 yearlong high school course list. These courses are also known as the “a-g” subjects. At least seven of the 15 yearlong courses must be taken in the students last two years of high school. [E.C. 48980, 51229]

Links to University of California/California State University requirements:

<http://www.universityofcalifornia.edu/admissions/undergraduate.html>

<http://www.calstate.edu/datastore/admissions.shtml>

http://www.csumentor.edu/planning/high_school/

<http://www.ucop.edu/doorways/>

● Definition of career technical education

A program of study that involves a multiyear sequence of courses that integrates core academic knowledge with technical and occupational knowledge to provide students with a pathway to postsecondary education and careers. More information is available about Career Technical Education at California Department of Education, <http://www.cde.ca.gov/ci/ct>.

● Talking with a counselor

High school counselors are trained to help students prepare for college or career training. They take students through all the steps so nothing is missed including information about financial aid, requirements, and careers. Most counselors are available by appointment and will meet with students and their families.

DUE PROCESS PROTECTIONS AND COMPLAINTS

The District is primarily responsible for compliance with state and federal laws and regulations and has procedures to address allegations of unlawful discrimination and complaints alleging violation of laws governing educational programs. Employees, students, parents or guardians, advisory committees, and other interested parties are advised how to file a complaint if they so desire.

● Complaints Regarding Discrimination, Exceptional Need Students, Categorical Programs, Federally Funded Programs.

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under Education Code, California Code of Regulations and Government Code including actual or perceived sex, sexual orientation, gender, ethnic group, identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, 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 district program or activity that receives or benefits from state financial assistance.

The District shall promote programs that ensure non-discriminatory practices in all District activities. If you want further details in this regard, or wish to file a complaint, please contact the

District's Uniform Complaint Officer.

The Governing Board designates the following compliance officer(s) to receive and investigate all complaints and ensure district compliance with law: Lynne Kennedy, Ph.D, Superintendent, 161 West Williams St., Banning, CA, 92220, (951) 922-2706.

The Uniform Complaint Procedure can be used in cases of discrimination or a violation of a federal or state law within the following programs: Adult Education, Career/Technical Education, Child Development, Consolidated Categorical Aid, No Child Left Behind (NCLB), State Compensatory Education, State Program for Students of Limited English Proficiency, School Improvement, Tenth-Grade Counseling, Tobacco-Use Prevention Education, Peer Assistance and Review, School Safety and Violence Prevention Act, Migrant and Indian Education, Nutrition Services, Special Education, Discrimination, Harassment, Civil Rights Guarantees that receive state or federal financial assistance as well as Williams Settlement issues and other areas designated by the District. [E.C. 200, 220, 234, 260 et seq., 56501; Penal Code 422.55; Title IX; 20 USC 1681-1688, 42 USC 2000d-2000d7; 34 CFR 106.9, Title VI of the Civil Rights Act of 1974, Section 504 of the Rehabilitation Act of 1973; Individuals with Disabilities Education Act (IDEA); Government Code 1135; 5 CCR 4610, 4622]

District's Uniform Complaint Process

You may contact your school's office or the District office to obtain a free copy of the district's complaint procedures. The complaint procedure can be used for a variety of issues not mentioned above including but not limited to employee issues, school safety planning requirements in the No Child Left Behind Act, and policies and procedures of the district. Confidentiality and privacy shall be respected in all complaint investigations. Complaints alleging discrimination may be filed by a person on their own behalf or on behalf of another person or group of people within six months of the occurrence or when facts became known. Complaints regarding a special needs student may be filed within 12 months of the occurrence. Staff has been trained to deal with these types of complaints. [E.C. 56500.2]

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer who is responsible for processing the claims. A complaint under the Uniform Complaint Procedure should be completed within 30 days from the receipt of the complaint unless the complainant agrees in writing to extend the timeline.
2. You may contact the UCP Officer to obtain a copy of the complaint process.
3. You may choose to have your complaint mediated.
4. There shall be an investigative meeting after receiving the complaint.
5. The compliance officer shall send a written report about the investigation and decision. There are then five days to appeal to the Board of Education.
6. If you are not satisfied with the results the complainant then has 15 days to appeal to the California Department of Education. The appeal must include a copy of the locally filed complaint and a copy of the LEA decision.
7. You may forward your complaint directly to CDE and they may choose to intervene immediately based on established criteria.
8. There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside of the district's complaint procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to: injunctions and restraining orders.

For discrimination complaints, 60 days must elapse from the time an appeal is filed with CDE before pursuing civil remedies except for an injunction. Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

American Civil Liberties Act 504 – Office of Civil Rights

Child Abuse – Department of Social Services, Protective Services Division, or law enforcement

Discrimination/Nutritional Services – U.S. Secretary of Agriculture

Employment Discrimination – Department of Fair Employment and Housing, Equal Employment Opportunity Commission.

General Education – this school district

Health and Safety/Child Development – Department of Social Services

Student Records – Family Policy Compliance Office (FPCO), U.S. Department of Education

[20 USC 7114(D)(7) (No Child left Behind), 20 USC 11138;34 CFR 300.510-511, 300.513; E.C. 232. 262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 6400o(a); 5 CCR 4600; 5 CCR 4620-4632]

Complaints Regarding the Williams Settlement, Instructional Materials, Teacher Placement, and School Facilities

Parents should use the District Uniform Complaint Procedure to identify and resolve any deficiencies regarding instructional materials, facility cleanliness and safety, emergency or urgent

facility conditions that pose a health or safety threat to students or staff, and teacher vacancies or misassignments. The procedure may be used for complaints regarding instruction and services provided to pupils who have not passed one or both parts of the high school exit examination after the completion of grade 12; however, the state budget crisis has given districts flexibility in providing these services. [E.C. 35186, 37254, 52378]

Williams Settlement complaint procedure

Free forms are available at the school, but the form need not be used to make a complaint. The Uniform Complaint Procedure shall be used for filing Williams related complaints with the following special circumstances applying:

1. Forms can be turned into the principal or designee who will make every reasonable attempt to investigate.
2. Complaints beyond the site authority will be forwarded to the District within 10 days.
3. Complaints may be filed anonymously. A response may be requested if complainant is identified and will be sent to the mailing address on complaint.
4. If the District is required to provide material in a foreign language based on California Department of Education census data and if requested, the response and report shall be written in English and the primary language in which the complaint was filed.
5. The form will have a box to request a response and indicate where to file the form.
6. Valid complaints should be remedied within 30 days of receipt.
7. Within 45 days of resolution, notice should be sent to complainant when a response was requested. A principal will also inform the Superintendent of resolution in the same timeframe.
8. If unsatisfied with resolution a complainant may describe the complaint to the governing board at a regularly scheduled meeting.
9. The District will report quarterly on the number of resolved and unresolved complaints and summarize data regarding complaints and resolutions to the county superintendent and the local governing board in public session making it part of the public records. [E.C. 35186, 48985]

SEXUAL HARASSMENT

The Board of Trustees is committed to maintaining an educational environment that is free from harassment. The Board prohibits sexual harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against persons who complain, testify, assist or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

☰ Instruction/Information

The Superintendent or designee shall ensure that all district students receive age-appropriate instruction and information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same gender
2. A clear message that students do not have to endure sexual harassment
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. Information about the person(s) to whom a report of sexual harassment should be made

☰ Complaint Process

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact his/her teacher or any other employee. A school employee to whom a complaint is made shall, within 24 hours of receiving the complaint, report it to the principal or designee.

Any school employee who observes any incident of sexual harassment involving a student shall report this observation to the principal or designee, whether or not the victim files a complaint.

In any case of sexual harassment involving the principal or any other district employee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall report to the nondiscrimination coordinator or the Superintendent or designee.

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint in accordance with administrative regulation. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where required.

☰ Disciplinary Measures

Any student who engages in sexual harassment of anyone at school or at a school-sponsored

or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

Record-Keeping

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools. All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. [5 CCR 4964; BP 5145.7]

MISCELLANEOUS

School Bus Passenger Safety

Students/parents will receive, upon registration, bus safety rules and expected passenger safety conduct. [E.C. 39831.5]

School Safety Plans: Notice to Specified Persons and Entities

Each school shall adopt its comprehensive school safety plan by March 1, 2000, and shall review and update its plan by March 1, every year thereafter. The plan will include an earthquake emergency procedure system and disaster policy for buildings with a capacity of 50 or more people. Each school shall report on the status of its school safety plan, to numerous community leaders and include a description of its key elements in the school accountability report card. [E.C. 32281, 32286, 32288; ne]

Before adopting its comprehensive school safety plan, each school site council or school safety planning committee is required to hold a public meeting to allow members of the public the opportunity to express an opinion about the school plan. Each school site council or safety planning committee shall notify, in writing, specified persons and entities including the local mayor, a representative of the local employee school organization, representatives of parent organizations including the parent teacher association and parent teacher clubs, a representative of each teacher organization at the school site, a representative of the student body government, and all other persons that have indicated they want to be notified. Each school district or county office of education shall annually notify the State Department of Education by October 15 of any schools that have not complied with the requirement to develop a comprehensive school site safety plan. [E.C. 35294.6, 35294.8, 35294.8(c)]

Management Plan for Asbestos-Containing Material

The district has available upon request a complete and updated management plan for asbestos-containing material. [Code of Federal Regulations: 40 CFR 763.93]

Pesticide Use

The District is providing parents the name of all pesticide products expected to be applied at school facilities this school year. That identification includes the name and active ingredients. Only fully certified pesticides can be used on school grounds.

Parents and guardians may register with the district if they wish to receive notification of pesticide applications at a particular school or facility, please request a REQUEST FOR INDIVIDUAL PESTICIDE APPLICATION NOTIFICATION from their school. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, www.cdpr.ca.gov. [E.C. 17610.1; 40 CFR 763.93]

<u>Product</u>	<u>Active Ingredient(s)</u>
Advance Granular Ant Bait	Abamectin B1 0.011 %
Maxforce Ant Killer Gel Bait.	Fipronil 0.01%
Maxforce Granular Bait	Hydramethylnon
Maxforce FC Cockroach Gel Bait	Fipronil 0.01%
Maxforce Ant Bait Station	Fipronil 0.01%
Niban Granular Bait	Orthoboric acid 5%

Further Information is Available

Further information regarding our district schools, programs, policies, and procedures is available to any interested person upon request to our district office. [E.C. 48209.13, FERPA, 34 CFR Section 99.7(b)]

ACKNOWLEDGEMENT OF RECEIPT OF ANNUAL NOTIFICATION OF PARENTS'/ STUDENTS' RIGHTS FOR 2010-11 SCHOOL YEAR

I hereby acknowledge receipt of information regarding my rights, responsibilities, and protection regarding:

STUDENT'S NAME: _____

SCHOOL: _____ GRADE: _____

RECEIVED BY: _____
(Parent or Guardian Signature) *Date*

DO NOT RELEASE DIRECTORY INFORMATION 2010-11 SCHOOL YEAR

If you **DO NOT** wish directory information released, please sign below and return to the school office. (Otherwise, leave blank). Note that this will prohibit the District from providing the pupil's name and other information to the news media, interested schools, parent-teacher associations, interested employers, and similar parties.

STUDENT'S NAME: _____

SCHOOL: _____ GRADE: _____

RECEIVED BY: _____
(Parent or Guardian Signature) *Date*

PHOTOGRAPHS, FILMS, SLIDES, INTERNET, VIDEO and AUDIO TAPE RECORDINGS RELEASE 2010-11 SCHOOL YEAR

Banning Unified School District requests permission to reproduce, through audio or visual means, activities related to this student's educational program. Note that signing this will prohibit the District from including your student in any video project that may be produced throughout the school year (*yearbook excluded*). Please mark the box below, fill out the information, and sign the appropriate line.

I **DO NOT** wish for my student's image to be reproduced through audio or visual means.

STUDENT'S NAME: _____

SCHOOL: _____ GRADE: _____

SIGNATURE: _____
(Parent or Guardian Signature) *Date*

PERMISSION/OBJECTION TO INTERNET USE 2010-11 SCHOOL YEAR

I have read the School District Acceptable Use Agreement (AR 4040) and understand its provisions. I accept responsibility for the appropriate use of Banning Unified School District computer resources, which include all computer systems, network systems, Internet and Intranet, website, or other data processing equipment owned by Banning Unified School District, as well as remote computers, or computer systems when used to access the Banning Unified School District computer resources, as outlined in the Acceptable Use Agreement. I understand that use of Banning Unified School District computer resources in violation of the Acceptable Use Agreement may result in student discipline and/or cancellation or restriction of user privileges. I agree to report any use which is in violation of the Acceptable Use Agreement to the appropriate system administrator, Superintendent, or Chief Business Official, as indicated in the Acceptable Use Agreement.

STUDENT'S NAME: _____
(Please Print) *Date*

STUDENT'S SIGNATURE: _____

I **GIVE PERMISSION** for my son/daughter/ward to access the Internet at his/her school site.

I **OBJECT** to my student having access to the Internet during the 2010-2011 school year. This objection applies to the 2010-2011 school year, and must be specifically renewed at the beginning of each school year.

PARENT/GUARDIAN'S NAME: _____
(Please Print) *Date*

SIGNATURE: _____ PHONE: _____

BANNING UNIFIED SCHOOL DISTRICT

161 W. Williams Street • Banning, CA 92220 • (951) 922-0201

SCHOOL CALENDAR 2010 – 2011 CALENDARIO DEL DISTRITO

July 2010 Julio						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August 2010 Agosto						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2010 Septiembre						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October 2010 Octubre						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2010 Noviembre						
S	M	T	W	T	F	S
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December 2010 Diciembre						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January 2011 Enero						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February 2011 Febrero						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27					

March 2011 Marzo						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April 2011 Abril						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

May 2011 Mayo						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2011 Junio						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

LEGEND -- CLAVE

HOLIDAY		FESTIVO
SCHOOL NOT IN SESSION		NO CLASES
PROFESSIONAL DEVELOPMENT DAY		DÍA DE DESARROLLO DEL PERSONAL
SATAFF WORK DAYS		PERSONAL TRABAJAN SIN ESTUDIANTES
END OF QUARTER		FIN DEL CUARTO
END OF SEMESTER		FIN DEL SEMESTRE
MINIMUM DAY - ELEMENTARY		DÍA MINIMO - PRIMARIAS
MINIMUM DAY - GRADES 7-12		DÍA MINIMO - GRADOS 7-12
MINIMUM DAY - STAFF / STUDENTS		DÍA MINIMO - PERSONAL / ESTUDIANTES
CST TESTING WINDOW		PERIODO DE PRUEBAS DE CST
AP TESTING WINDOW		PERIODO DE PRUEBAS DE COLOCACIÓN AVANZADA

IMPORTANT DATES -- FECHAS IMPORTANTES

New Teacher Orientation.....	1/12/2010.....	Orientación para Maestros Antes
All Teachers Return.....	8/23/2010.....	Premier Día de todos Maestros
First Day of School.....	8/23/2010.....	Primier Día de Escuela
**SBCP Days (optional).....	8/19-20/2010.....	**Días de SBCP (opcional)
Minimum Days:		Días Minimos:
K-6 for parent conf.....	11/1-5/10; 2/2-4/11; 4/13-15/11.....	K-6 para conferencias
Middle & High School.....	1/19-21/11; 6/14-16/11.....	Secundaria y Preparatoria
All Students & staff.....	12/18/09; 4/1/10; 6/11/10.....	Estudiantes y maestros
1st Quarter Ends.....	10/22/2010.....	Fin de 1st Quarto
1st Semester Ends.....	1/21/2011.....	Fin de 1st Semestre
3rd Quarter Ends.....	4/1/2011.....	Fin de 3rd Quarto
2nd Semester Ends.....	6/16/2011.....	Fin de 2nd Semestre
Middle School Promo.....	6/16/2011.....	Promoción de Secundaria
High School Graduation.....	6/16/2011.....	Graduación de Preparatoria
Last Day of School.....	6/16/2011.....	Ultimo día de Escuela
Last Teacher Workday.....	6/17/2011.....	Ultimo día para traban de Maestros
California Standardized Testing.....	4/25-5/23/2011.....	Pruebas Estandarizó de California
Advanced Placement Testing.....	5/3-14/2010.....	Pruebas de Colocación Avanzada

HOLIDAYS & LOCAL BREAKS -- FESTIVOS Y RECESOS LOCALES

Independence Day Observed *.....	7/5/2010.....	* Día de la Independencia
Labor Day *.....	9/6/2010.....	* Día del Trabajo
Veterans' Day Observed *.....	11/11/2010.....	* Día de los Veteranos
Thanksgiving Break.....	11/22-26/2010.....	Receso del Acción de Gracias
Thanksgiving Holiday *.....	11/25-26/2010.....	* Día de Acción de Gracias
Winter Break.....	12/23/2010-1/7/2011.....	Receso de Invierno
Floating Holiday *.....	12/23/2010.....	* Receso flotante
Christmas Holiday Observed *.....	12/24/2010.....	* Día de Navidad Observado
New Year's Holiday Observed *.....	12/31/2010.....	* Día de Año Nuevo
Martin L. King Jr. Day *.....	1/17/2011.....	* Día de Martin Luther King Jr.
Washington's Birthday Observed *.....	2/21/2011.....	* Día de Washington Observado
Lincoln's Birthday Observed *.....	2/25/2011.....	* Día de Lincoln Observado
Presidents' Week Recess.....	2/21-25/2011.....	Receso del Presidentes
Good Friday Holiday *.....	4/22/2011.....	* Receso de Good Friday
Spring Break.....	4/18-22/2011.....	Receso de Primavera
Memorial Day Holiday Observed *.....	5/30/2011.....	* Receso del Día Conmemorativo

SCHOOL BEGINS:.....8/24/2010
SCHOOL ENDS:.....6/11/2011
SCHOOL DAYS:.....180

PREMIER DÍA DE ESCUELA: ...8/24/2010
ULTÍMO DÍA DE ESCUELA:6/11/2011
DÍAS DE ESCUELA:.....180

* CSEA Paid Holidays

* CSEA Las Vacaciones pagadas