

# MANTECA UNIFIED SCHOOL DISTRICT

*Every student works to achieve grade level standards, feels safe and is supported to realize individual success.*

## **RIGHTS OF PARENTS OR GUARDIANS OF MINOR PUPILS**

*Excerpts from Education Code Relating to Rights of Parents or Guardians of Minor Pupils  
District Policies are Subject to Change. To view the District Policies, visit the website at: [www.mantecausd.net](http://www.mantecausd.net)*

### **1. RIGHT TO REFRAIN FROM HARMFUL OR DESTRUCTIVE USE OF ANIMALS** (Education Code 32255-32255.6, 48980)

Any pupil with a moral objection to dissecting or otherwise harming or destroying animals, or parts of thereof, shall notify his/her teacher in writing regarding this objection. If the teacher believes that an adequate alternative education project is possible, the teacher may develop with the pupil an alternate avenue for obtaining the knowledge, information, or experience required by the course of study in question. Classes and activities conducted as part of a program in agriculture education that provide instruction on the care, management and evaluation of domestic animals are exempt from these provisions.

### **2. DISTRICT DISCIPLINE RULES** (Education Code 35291, 35291.5, 48980, and AR 6145)

The Board of Education of Manteca Unified School District feels that pupils should be held accountable for their behavior in a positive manner which encourages self-discipline.

All pupils shall comply with the school regulations, pursue the required course of study, and submit to the authority of the teachers of the school. Every pupil shall attend school punctually and regularly; conform to the regulations of the school; obey promptly all the directions of his/her teacher and others in authority; observe good order and propriety of deportment; be diligent in study; be respectful to his/her teacher and others in authority; be kind and courteous to schoolmates; and refrain from the use of profane and vulgar language.

Every teacher and administrator in the public schools shall enforce the course of study, the use of legally authorized textbooks, and the rules and regulations prescribed for the schools. Every teacher and administrator in the public schools shall hold pupils to strict account for their conduct.

Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours. (Education Code, § 48900(r))

The Board believes that the use or possession of any amount of a controlled substance, as identified in the Health and Safety Code 11053-11058, causes a continuing danger to the physical safety of the pupil. The pupil will be suspended and referred for disciplinary action.

When a pupil's behavior is such that it keeps others from learning or endangers the well-being of others, that pupil shall be disciplined and may lose his/her educational privileges.

Student participation in extra-curricular activities are pursuant to Administrative Regulation 6145 which states, "Students who are suspended from school for five days and/or suspended twice within a quarter are to be declared "unsatisfactory" with a nine-week loss of privileges commencing from the time of the suspension. These privileges include such activities as: athletics, public performances, field trips, and graduation ceremonies.

Each school shall adopt rules and procedures on school discipline. The principal of each school shall take steps to ensure that these rules and procedures are communicated to continuing pupils at the beginning of each school year, and to new pupils at the time of their enrollment in school.

### **3. REQUIRED PARENTAL ATTENDANCE** (Education Code 35291, 48900.1, 48980)

Current law enables parents/guardians to be absent from work without endangering their employment status in order to attend a portion of their child's school day at a teacher's request. Besides furthering improved classroom behavior, such attendance can promote positive parent-child interactions. Whenever a pupil is suspended from a class because he/she committed an obscene act, engaged in habitual profanity or vulgarity, disrupted school activities or otherwise willfully defied valid staff authority, the teacher of the class from which the pupil was suspended may require the pupil's parent/guardian to attend a portion of a school day in that class. After completing the classroom visit and before leaving the school premises, the parent/guardian shall also meet with the principal or designee.

### **4. VISITS TO THE SCHOOL** (Board Policy 1250)

Persons wishing to visit a class should make arrangements in advance with the teacher and principal or designee for an agreeable time. To ensure the safety of students and staff and avoid potential disruption, all visitors shall register at the school site office immediately upon entering any school building or grounds when school is in session. For purposes of security, the principal or designee shall design a visible means of identification for visitors.

A student is not permitted to leave the school with anyone who has not been clearly identified as the student's legal parent or guardian, or a person authorized to act on the behalf of the parent or guardian.

### **5. EXCUSED ABSENCES** (Education Code 48205)

Absences for all pupils must be cleared within five (5) school days, from the date of the absence. After five (5) school days, an uncleared absence will be recorded as unexcused. Excused absences are listed: Illness; Quarantine; Having medical, dental, optometric, other medical procedures rendered for the student; For the purpose of attending a funeral services of a member or 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 of California; A pupil under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and shall be given full credit.

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## **6. ABSENCE FOR CONFIDENTIAL MEDICAL SERVICES** (Education Code 46010.1)

State law allows for school authorities to excuse any pupil in grades 7 through 12 from school for purposes of obtaining confidential medical services without the consent of the pupil's parent/guardian. However, the normal procedure in Manteca Unified School District is to make a sincere effort to ensure that parent/guardians are aware of all current concerns with their children and to excuse only those absences certified by the parent/guardian.

## **7. ABSENCE FOR RELIGIOUS PURPOSES** (Education Code 46014)

Pupils may be excused, with written permission from parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. No pupil shall be excused from school for such purpose on more than four days per school month.

## **8. ABSENCE FOR JUSTIFIABLE PERSONAL REASONS** (Education Code 48205)

Upon prior written request by the parent/guardian, a pupil's absence may be excused for (3) three days for the following justifiable personal reasons: appearance in court; observation of a holiday or ceremony if his/her religion; employment interview or conference; when a student is the custodial parent of a child who is ill or has a medical appointment during school hours; attendance at a funeral for other than a member of the student's immediate family; attendance at funeral services for a member of the immediate family (one day if the service is conducted in California and not more than three days if the service is conducted outside California); college visit-senior year, and Take Your Son or Daughter to Work Day. A pupil absent under this section shall be allowed to complete all assignments and tests missed during the absence which can be reasonably provided, and, upon satisfactory completion, shall be given full credit.

## **9. AVAILABILITY OF HOME/HOSPITAL INSTRUCTION FOR PUPILS WITH TEMPORARY DISABILITIES** (Education Code 48206.3, 48207, 48208)

A pupil with a temporary disability who is in a hospital or other residential health facility, excluding a state hospital, which is located outside of the School District in which the pupil's parent(s) or guardian(s) resides shall be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.

It shall be the primary responsibility of the parent(s) or guardian(s) of a pupil with a temporary disability to notify the school district in which the pupil deemed to reside pursuant to Section 48207 of the pupil's presence in a qualifying hospital.

## **10. HOMELESS STUDENTS (McKinney-Vento Act)**

The term "homeless children and youth" means individual who lack a fixed, regular, and adequate nighttime residence. This definition includes: children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; children who may be living in motels, hotels, trailer parks, or shelters; children/youth who 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; children/youth who are living in cars, parks, public spaces, abandoned buildings substandard housing, bus or train stations, or similar settings, or migratory children who qualify as homeless because they are children who are living in similar circumstances listed above. Homelessness is defined in a number of ways. Please consult with school site staff regarding the McKinney-Vento Act or contact Homeless Liaison, Coordinator of Health Services, (209) 858-0782.

## **11. ATTENDANCE OPTIONS** (Education Code 35160.5, 48980(g))

Every attempt is made to have space available for pupils at their school of residence. If space is not available, pupils will be transported at District expense, if transportation is required per District busing policy, to an "overflow" school.

Pupils who reside within the MUSD boundaries may apply for enrollment in any District school through the Open Enrollment process. An unbiased selection process is used for the admission of pupils from outside a school's attendance area. Applications are available at all school sites only during the Open Enrollment period.

Applications for an Open Enrollment request for high school pupils and for eighth grade pupils who will go to high school are to be submitted to the home high school during the month of January for possible placement for the fall semester of the next school year.

Open Enrollment Request forms are to be submitted to the schools of residence during the month of January for possible placement for the fall semester of the following school year.

Parents of pupils who will be in the grades one through twelve will be notified of the status of their Open Enrollment Request form prior to the beginning of the school year.

Before the beginning of each year, school principals will determine if space is still available for all Open Enrollment pupils. If space is not available, pupils will be referred back to their school of residence.

## **12. AVAILABILITY OF EMPLOYMENT-BASED SCHOOL ATTENDANCE OPTIONS** (Education Code 48204, 35160.5)

Manteca Unified School District (MUSD) Board Policy 5118.2, authorizes and establishes procedures for admission and attendance of contracted District employees' children at MUSD from the students' district of residence. Contracted employees of MUSD may request inter-district transfers for their children and will be given priority for enrollment at a site where space is available should the district of residence give approval for the transfer. Enrollment of an employee's child shall not displace attendance of a resident student.

## **13. SEXUAL HARASSMENT POLICY AS RELATED TO PUPIL** (Education Code 48900.2)

It is the policy of the Manteca Unified School District to strictly prohibit sexual harassment by any pupil, or employee. Sexual harassment is forbidden by both state and federal law. Disciplinary action will be taken against persons found in violation.

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## **14. PUPIL RECORDS—PRIVACY RIGHTS AND DIRECTORY INFORMATION (Education Code 49061, 49063, 49068, 49069, 49070, 49073, 49076)**

A parent or guardian has the right to inspect and review during school hours all records relating directly to their child within five (5) days of the written request to the school principal. The types of educational records maintained by the District include attendance, achievement, conduct, test scores, etc. The principal of each school is responsible for maintenance of such pupil records.

Records are reviewed by site administrators, certificated staff and other school officials, employees, persons or agencies, having a legitimate educational interest. Decisions to expunge such records shall be made to the site administrator. In addition to those listed above, others who may review records include officials or employees of other school systems where educational programs leading to high school graduation are provided, federal, state, and local officials as needed for program audits and legal compliance, the district attorney for truancy mediation, and a prosecuting agency under circumstances. The District may also release information from records to appropriate persons in emergencies, agencies and organizations in connection with pupil application for financial aid, accrediting associations, organizations conducting studies on behalf of educational institutions as limited by Education Code 49076 or other educational institutions subject to parents' rights as provided in Education Code 49068.

Additionally, Section 9528 requires that parents be notified that the school routinely discloses names, addresses, and telephone numbers to military recruiters upon request, subject to a parent's request not to disclose such information without written consent. A single notice provided through a mailing, student handbook, or other method that is reasonably calculated to inform parents of the above information is sufficient to satisfy the parental notification requirements of both FERPA and Section 9528.

A log is maintained for each pupil's record which lists all persons, agencies or organizations requesting or receiving information from the record and the interests thereof. Such log is located at each school and open to inspection by a parent or guardian.

Parents and guardians have the right to know the names and positions of persons who have had access to a pupil's records and the purposes for which they had access.

Parents and guardians have the right to authorize the release of educational records to themselves. Only custodial parents and guardians may authorize the release of educational records to others.

Custodial parents and guardians have the right to challenge the content of pupils' records and to know the procedure for such. Reproduction of pupil records for parents or guardians will be charged at a rate of ten cents per page.

The District may make available to various persons, agencies or institutions the following categories of directory information, unless notified by the parent or guardian in writing not to release such:

- Name
- Address
- Telephone
- 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
- Most recent previous educational institution attended

## **15. LIMITED ENGLISH PROFICIENT STUDENTS**

The Act requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, not later than 30 days after the beginning of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the reasons for the identification of the student as limited English proficient; the need for placement in a language instruction educational program; the student's level of English proficiency and how such level was assessed; the status of the student's academic achievement; the methods of instruction used in the available programs; how the recommended program will meet the student's needs; the exit requirements for the program; how the program meets the objectives of the student's IEP, if applicable, and; parent options for removing a student from a program and/or declining initial enrollment. (Section 1112(e) (3)(A) of the ESEA, as amended by ESSA)

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

## **16. ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS (ELPAC) (Education Code 313; 60810)**

The English Language Proficiency Assessments for California (ELPAC) is the required state test for English language proficiency that must be given to students whose primary language is a language other than English. State and federal law require that MUSD schools administer this test to eligible students in Kindergarten through Grade 12. Identifying students who need help learning English is important so that they can get the support they need to do well in all school subjects. The Initial ELPAC is used to initially identify students as English Learners. The Summative ELPAC, given to all English Learners every spring until they are reclassified as proficient in English, is used to measure skills and annual growth. If you would like more information, please visit the California Department of Education's ELPAC webpage at <https://www.cde.ca.gov/ta/tg/ep/>. Please contact your child's school if you have any questions about the ELPAC.

All schools are required to provide a Structured English Immersion (SEI) program option. In this option your child will be placed in a classroom that uses mostly English for instruction. SEI is a language acquisition program for English learners in which nearly all classroom instruction is provided in English, but with curriculum and a presentation designed for pupils who are learning English. At minimum, students are offered ELD and access to grade level academic subject matter content. Requesting a Language Acquisition Program: Language acquisition programs are educational programs designed to ensure English acquisition occurs as rapidly and effectively as possible and provides instruction to English learners based on the state-adopted academic content standards, including English language development (ELD) standards. (EC Section 306[c]) Parents/Guardians may choose a language acquisition program that best suits their child. Schools in which the parents or legal guardians of 30 pupils or more per school or the parents or legal guardians of 20 pupils or more

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in any grade request a language acquisition program that is designed to provide language instruction shall be required to offer such a program to the extent possible. (EC Section 310[a]) Parents may provide input regarding language acquisition programs during the development of the Local Control Accountability Plan. If interested in a different program from that listed above, please contact the office of Lisa Herrin, Director of Compensatory Education @ (209) 858-0853 or the administrator at your child's school of attendance. Parents of English learners have a right to decline or opt their children out of the school district's language acquisition program or opt out of particular English learner service(s) within a language acquisition program. (20 U.S.C Section 6318[c][A][vii]) However, LEAs remain obligated to provide the student meaningful instruction (5 CCR Section 11302) until the student is reclassified, inform the parent when progress is not made, and offer the parent programs and services to consider at that time.

## **17. IMMUNIZATIONS AND CONTROL OF COMMUNICABLE DISEASES** (Education Code 49403, 49451, H.S.C. Chapter 7, Section 3380, Division 4 and Chapter 291, Statues of 1995)

State regulations specify that pupils provide a written immunization record signed by a physician, nurse or health department showing the month and year of each required vaccine dose. These records must show that pupils have received all currently due immunizations required in order to be admitted to school. Pupils not meeting state requirements will be referred to their health provider or the local health department for immunizations prior to admittance.

Effective July 1, 2019, all students entering seventh grade will be required to present documentation of a Tdap Booster and a second Varicella. All new admissions to a school will be required to meet the July 2019 immunization requirements.

When there is a good reason to believe that a child may have a recognized contagious or infectious disease, the pupil may be sent home and shall not be permitted to return to school until school authorities are satisfied that any contagious or infectious disease is being treated or does not exist.

Any questions should be addressed to the Coordinator of Health Services at the (209) 858-0782.

## **18. NOTICE REGARDING IMMUNIZATION RECORDS**

As required by Health and Safety Code Section 120440, the School District may share some information on your child with the local health department immunization registry and the state health department, unless you refuse to allow this. The registry may share this information with other doctors, clinics, or hospitals your child goes to for care, if they ask for it. The only information we will share is: 1) you and your child's name; 2) your child's birthplace; 3) vaccines he or she has received; 4) any serious reaction he/she had to vaccine; 5) your address and phone number, and other non-medical information if needed to make sure it is the correct person's record. The doctors, clinics, or hospitals which receive this information can use to: 1) help in deciding what vaccines your child needs; 2) phone or send you a reminder when a vaccine is due, and, 3) tally numbers of patients who are or are not up to date on their vaccines (without patient names, addresses etc., included).

The registry may also share the same information, without address or phone number, with the following if they request it: 1) schools; 3) child care centers; 3) WIC supplemental food clinics; 4) CalWORKs public assistance program; 5) health care plans; and 6) other persons or entities when disclosure is otherwise specifically authorized by law. These persons and entities can use that information only for the reasons listed above, and, a) for schools or child care centers, to help you prove your child has had the vaccines required for entry; b) for WIC clinics, to let you know if your child has vaccine doses due; and, c) for health care plans, to help process insurance payments. All of these people and groups listed above who ask for and get this information are required by law to keep it confidential and use it only for the reasons listed above.

In addition, you have the following rights: 1) to refuse to have us share any of this information now or at any time; 2) to refuse to get reminder notices when vaccines are due; 3) to look at your child's record at the health department registry and correct any errors; and, 4) to get the names and addresses of anyone with whom this information is shared.

If you wish to refuse to have the District share this information, or to refuse to receive reminders when your child is due for vaccines, please contact the Health Services Department at (209) 858-0782.

## **19. ADMINISTRATION OF MEDICATION AT SCHOOL** (Education Code 49423) **and NOTICE TO SCHOOL OF NON-EPISODIC CONDITION** (Education Code 49480)

State law requires that the parents/guardians notify the school if their pupil is on a continuing medication regimen for a non-episodic condition (i.e. asthma, diabetes, epilepsy, hay fever, attention deficit disorder, etc.) If the medication is to be administered at school during the school day, the school must receive: (1) a written statement from the physician detailing the method, amount, and time schedules by which the medication is to be taken; (2) a written statement from the parent/guardian of the pupil indicating the desire for school personnel to assist in the administration of medication in the manner set forth in the physician's statement; and (3) the medication in the original pharmacy labeled container. Parental permission may be requested for the school nurse to communicate with the physician and to advise school personnel regarding the condition of the student and possible effects of the medication on the child. A form for the physician and parent requests is available from the school office and the District website. It must be returned completely filled out prior to the administration of any medication.

Non-prescription medications such as aspirin, Tylenol, etc., may only be administered at school if the same requirements outlined for prescription medications are followed. Students may not have any medication in their possession unless the physician and parent/guardian request specifically state the need, and the principal and school nurse agree. As a parent/guardian, you have the right to bring medication to school and administer the medication to your child.

## **20. REFUSAL TO CONSENT TO PHYSICAL EXAMINATION** (Education Code 49451) **VISION, HEARING, AND SCOLIOSIS SCREENING** (Education Code 49452, 49456)

State law requires schools to conduct vision, hearing and scoliosis screening examinations of pupils at specified grade levels. When a defect or possible abnormality is suspected, the parent/guardian will be notified in writing and asked to take the pupil to an appropriate health care provider for further evaluation and recommendations. Parents are encouraged to communicate those results with the school office staff or school nurse. A parent may request in writing that their child be exempt from these assessments.

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A parent/guardian may file a written notice annually with the principal of the school stating that consent to a physical examination is not granted, and the pupil will be excused from screening tests. Likewise, a parent/guardian may request the teacher to refer his/her child to participate in a screening examination at any grade level.

## 21. AVAILABILITY OF INSURANCE PLAN (Education Code 49470-49473)

The medical/dental costs of pupil accidents are normally the responsibility of the parent(s) or legal guardian(s). Pupil accident insurance solves many problems in advance. The School District does not carry insurance to pay for the cost of treatment for students injured on school grounds while under school supervision or while participating in school-sponsored activities. Parents are responsible for providing medical/dental care and health insurance for their children.

Every year, Manteca Unified School District provides parent(s) or legal guardian(s) with applications for school-time accident insurance. The contract is made between the parent(s) or legal guardian(s) and the insurance company. The Manteca Unified School District only supplies the application forms. This low-cost insurance helps pay for the medical/dental costs if a child is injured while under the jurisdiction of the school. The principal of your child's school will provide you with further information if you so desire. Please contact your school site for more information. You may also call Health Services at (209) 858-0782 for assistance in Covered California applications, and no cost plan eligibility.

## 22. PUPIL FEE

A pupil enrolled in a public school must not be required to pay a pupil fee for participation in an educational activity. (Education Code, § 49011)

(a) The following requirements apply to prohibited pupil fees:

- 1) All supplies, material, and equipment needed to participate in educational activities must be provided to pupils free of charge.
- 2) A fee waiver policy shall not make a pupil fee permissible.
- 3) School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.
- 4) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school.

(b) Solicitation of voluntary donations of funds or property and voluntary participation in fundraising activities are not prohibited. School districts, schools, and other entities are not prohibited from providing pupils prizes or other recognition for voluntarily participating in fundraising activities. (Education Code, § 49010 et seq.)

A complaint of noncompliance may be filed under the District's Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Education Code, § 49013)

## 23. FREE AND REDUCED PRICE MEALS (Education Code 49510-49520)

Applications for free and reduced-priced meals are available at each school office or in the Nutrition Education office. Online applications may be submitted at [www.musdnutrition.net](http://www.musdnutrition.net).

Applications are required within the first 30 days of the beginning of each school year to continue meal benefits. Submission due date for the 2020/2021 School year is September 17, 2020 to retain benefits. Applications may be submitted at any time during the school year to qualify for new benefits. Eligibility is determined by income and household size. Nutrition Education will notify qualifying households in writing within 15 days of the application submission. Eligibility guidelines change annually. Even if you are unsure of qualifying, we urge you to consider submitting an application. All information and benefits are strictly confidential.

Students attending Community Eligibility Provision schools will not need to submit the Alternate Income form for the 2020/2021 school year if one was submitted in the 2018/2019 or 2019/2020 school year. These schools include Lincoln, French Camp, New Vision, Calla and Manteca Day School. New students must submit Alternate Income forms upon enrollment.

Breakfast or brunch meals are available daily at each school site. Meal benefits apply to breakfast or brunch and lunch. Reduced priced meals are offered at no cost.

Student Meal Prices 2020/2021		
	TK-8	9-12
Breakfast or Brunch	N/A	\$2.00
Lunch	\$2.50	\$3.00

## 24. CHARGE POLICY FOR STUDENT MEALS

Manteca Unified School District Board Policy 3551 allows Kindergarten through 12th grade students the ability to charge school meals when funds are not available. Parents/guardians will receive notification regarding the student meal charges and repayment options.

- Meal charges do not apply to students upon approval of Free and Reduced Meal Benefits.
- New applications must be submitted by September 17th of the new school year.
- Free and Reduced meal approval does not forgive prior accrued meal charges.
- Balances may be checked and paid on [MyPaymentsPlus.com](http://MyPaymentsPlus.com).
- Parents/guardians may choose to opt out of the Meal Charge option by contacting Nutrition Education at (209) 858-0778 or [www.musdnutrition.net](http://www.musdnutrition.net).

### Payment Methods

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**District Office:** Payments may be made on student lunch accounts in the Nutrition Education Office during office hours 8:30AM-4:00PM

**Credit and Debit cards:** Accepted *only* at the Nutrition Education office

**Online:** Payments can be made at any time by logging into [MyPaymentsPlus.com](http://MyPaymentsPlus.com)

**Cafeteria:** Payments can be made in your school cafeteria by check or cash

**School Office:** Presale envelopes are available in the school site office or can be printed from the Nutrition Education Website at [www.musdnutrition.net](http://www.musdnutrition.net)

For more information visit [MUSDNutrition.net](http://MUSDNutrition.net) or call (209) 858-0778

## 25. FOOD ALLERGIES, INTOLERANCES AND SPECIAL DIET NEEDS

Manteca Unified School District provides special meal requests per written documentation signed by a licensed physician. Find more information and medical release forms at [www.musdnutrition.net](http://www.musdnutrition.net).

## 26. HIV/AIDS PREVENTION INSTRUCTION (Education Code 51938)

State law requires that school districts ensure that all pupils in grades 7 through 12 receive AIDS prevention instruction at least once in junior high or middle school, and at least once in high school.

The law requires trained instructors to use age-appropriate instructional materials that accurately reflect the latest information and recommendations from the United States Surgeon General, Federal Centers for Disease Control and Prevention, and the National Academy of Sciences, and include the following:

- a) Information on the nature of AIDS and its effects on the human body.
- b) Information on how the Human Immunodeficiency Virus (HIV) is and is not transmitted, including information on activities that present the highest risk of HIV infection.
- c) Discussion of methods to reduce the risk of HIV infection. This instruction shall emphasize that sexual abstinence, monogamy, avoidance of multiple sexual partners, and abstinence from injected drug use are the most effective means for AIDS prevention. The instruction shall also include statistics based upon the latest medical information citing the failure and success rates of condoms and other contraceptives in preventing sexually transmitted HIV infection and information on other methods that may reduce the risk of HIV transmission from injected drug use.
- d) Discussion of the public health issues associated with AIDS.
- e) Information on local resources for HIV testing and medical care.
- f) Development of refusal skills to assist pupils to overcome peer pressure and to use effective decision making skills to avoid high-risk activities.
- g) Discussion about societal views on AIDS, including stereotypes and myths regarding persons with AIDS. This instruction shall emphasize compassion for persons with AIDS.

It is the practice of MUSD to notify parents/guardians prior to units of instruction about HIV/AIDS and provide opportunities to review any materials used with students by the instructors. If a parent/guardian wishes his/her child to be exempted from HIV/AIDS instruction in elementary or secondary schools, the parent/guardian may request that the child not receive instruction in an annual written note to the teacher or principal. Any questions may be addressed to the principal, school nurses or Coordinator of Health Services at (209) 858-0782.

## 27. EXCUSE FROM COMPREHENSIVE SEXUAL HEALTH EDUCATION (Education Code 51240)

A parent or guardian of a pupil has the right to excuse their child from all or part of comprehensive sexual health education, HIV/AIDS prevention education, and assessments related to that education.

## 28. COMPREHENSIVE SEXUAL HEALTH EDUCATION (Education Code 51933, 51934, 51937, 51938, 51939)

Sex education is taught in Manteca Unified School District as part of a comprehensive health promotion and disease prevention education program, under the family life education component of the health courses. The health curriculum committee of Manteca Unified School District is responsible for designing course content based on: 1) the state adopted Health Framework; 2) the state adopted Family Life Education Guidelines; and 3) commonly held community beliefs, values and standards, where parents are viewed as the primary family life teachers of their children. Parents will be notified in writing prior to any family life education instruction at every level in Manteca Unified School District elementary and secondary schools.

Parents are invited to review instructional materials to be used in classroom family life education presentations. Any parent/guardian may submit, on an annual basis, a written request, that their child not participate in courses in which human reproductive organs and their functions and processes are described, illustrated, or discussed. No pupil may attend a class if a request to not attend the class has been received by the school.

## 29. SPECIAL EDUCATION AND SERVICES (Education Code 56040, 56301, 56321, 56343)

Each individual with exceptional needs who is eligible to receive Special Education instruction and related services shall receive Special Education instruction and/or related services at no cost to his/her parents.

A parent or guardian who believes his/her child may be handicapped or have exceptional needs may request that their child be evaluated for possible participation in an appropriate Special Education program. You, as parent/guardian, will be informed in writing prior to an assessment, and you must give your consent for the formal assessment.

In addition, parents will receive written notification of a meeting to review these assessments. The Individualized Education Program (IEP) team shall determine a child's eligibility for special education services under CCR Title 5 Part 3030. The IEP team shall include one or both parents, a representative selected by a parent, or both.

Once a child is found eligible and placed in special education, the individualized education program must be reviewed at least annually. A meeting of an IEP team requested by a parent to review an individualized education program shall be held within 30 days from the date of receipt of the parent's written request.

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A copy of Parental Rights and Procedural Safeguards may be obtained from the school principal or the Director of Special Education. (Education Code Sections 56175, 56176, 56177)

Reimbursement for the cost of a private school placement by the parent may be granted if the court or hearing officer finds that the LEA failed to provide a free, appropriate public education to the student in a timely manner prior to the enrollment in the private school.

Parents seeking reimbursement for unilaterally placed private school students based on the allegation that the public school failed to provide free, appropriate public education may have those reimbursements reduced or denied if they do not provide the School District at the most recent IEP meeting with information describing the nature of their concerns relating to the public placement and a proposed resolution to the problem; their intent to reject the public school placement and their intent to enroll their child in a private school. Parents must give written notice to the School District containing the above information at least ten (10) business days prior to the child's removal from a public school placement; and must make their child available if the LEA notifies them of their intent to evaluate the student. Reimbursement for private school placement by a parent may also be denied or reduced if a judge finds the parent's actions unreasonable.

Exceptions to this are: 1) the parent(s) cannot write English; 2) compliance is likely to result in physical or serious emotional harm to the child; 3) the School District prevented the parent from providing such notice; and 4) parents did not receive the notice regarding the assessment.

## **Complaints**

Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Parents may submit a description of the manner in which the parent believes special education programs for handicapped do not comply with state or federal law or regulations to: Dr. Suzan Turner, Director of Special Education (209) 858-0837.

## **30. ALTERNATIVE SCHOOLS (Education Code 58500 and 58501)**

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

- a) Maximize the opportunity for pupils 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 pupil learns because of his/her desire to learn;
- c) Maintain a learning situation maximizing pupil self-motivation and encouraging the pupil in his/her own time to follow his/her own interests. These interests may be conceived by him/her totally and independently or may result in whole or in part from a presentation by his/her teachers of choices of learning projects;
- d) Maximize the opportunity for teachers, parents and pupils to develop cooperatively the learning process and its subject matter. This opportunity shall be a continuous, permanent process;
- e) Maximize the opportunity for pupils, teachers, and parents to react continuously 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 for each attendance unit have copies of the law available for your information.

## **31. CALIFORNIA HEALTHY KIDS SURVEY**

The California Healthy Kids Survey (CHKS) is a comprehensive and customizable youth self-report data collection system that provides essential and reliable health risk assessment and resilience information to schools, districts, and communities. Targeted at grades 5-12 and administered every other year, the CHKS enables schools and communities to collect and analyze valuable data regarding local youth health risks, assets, and behaviors. Local CHKS data can be accessed on the California Healthy Kids website at [www.wested.org/hks](http://www.wested.org/hks) or by calling Health Services at 858-0782.

## **32. CALIFORNIA'S HEALTH INSURANCE – MEDI-CAL & HEALTHY FAMILIES**

For low cost or no cost medical, dental and vision insurance, or assistance in applying for Covered California, call the Health Services Department at (209) 858-0782.

## **33. NATIVE AMERICAN INDIAN EDUCATION – Title VII**

The federal government awards a set dollar amount for eligible Native American/Alaskan Native students to help them "meet or exceed the established State Academic Standards." In order to apply for a formula grant under the Native American Program, your child's school must determine the number of Native American/Alaskan Native children enrolled. In order to be a member of the Title VII program, a Native American/Native Alaskan student who attends school in the Manteca Unified School District area must have a 506 form on file with the school district. To receive a copy of the 506 Form, contact your child's school or contact Linda Voorheis at (209) 823-4369 or (209) 986-4369.

## **34. PUPIL PROTECTIONS RELATING TO IMMIGRATION AND CITIZENSHIP STATUS (Also refer to Board Policy 5125 and Board Policy 5145.13)**

No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid.

- (a) Except as required by state or federal law or as required to administer a state or federally supported educational program, school officials and employees of a local educational agency shall not collect information or documents regarding citizenship or immigration status of pupils or their family members.

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- (b) The superintendent of a school district, the superintendent of a county office of education, and the principal of a charter school, as applicable, shall report to the respective governing board or body of the local educational agency in a timely manner any requests for information or access to a school site by an officer or employee of a law enforcement agency for the purpose of enforcing the immigration laws in a manner that ensures the confidentiality and privacy of any potentially identifying information.
- (c) If an employee of a school is aware that a pupil's parent or guardian is not available to care for the pupil, the school shall first exhaust any parental instruction relating to the pupil's care in the emergency contact information it has for the pupil to arrange for the pupil's care. A school is encouraged to work with parents or guardians to update the emergency contact information and not to contact Child Protective Services to arrange for the pupil's care unless the school is unable to arrange for care through the use of emergency contact information or other information or instructions provided by the parent or guardian.
- (d) The governing board or body of a local educational agency shall do both of the following:
- (1) Provide information to parents and guardians, as appropriate, regarding their children's right to a free public education, regardless of immigration status or religious beliefs. This information shall include information relating to "know your rights" immigration enforcement established by the Attorney General and may be provided in the annual notification to parents and guardians pursuant to Section 48980 or any other cost-effective means determined by the local educational agency.
  - (2) Educate pupils about the negative impact of bullying other pupils based on their actual or perceived immigration status or their religious beliefs and customs.

## 35. NONDISCRIMINATION/HARASSMENT (Board Policy 5145.3)

The Governing Board desires to provide a safe school environment that allows all students equal access and opportunities in the district's academic and other educational support programs, services, and activities. The Board prohibits, at any district school or school activity, unlawful discrimination, including discriminatory harassment, intimidation, and bullying of any student based on the student's actual or perceived race, color, ancestry, national origin, nationality, ethnicity, ethnic group identification, age, religion, marital or parental status, physical or mental disability, immigration status, sex, sexual orientation, gender, gender identity, or gender expression or association with a person or group with one or more of these actual or perceived characteristics.

This policy shall apply to all acts related to school activity or to school attendance occurring within a district school. (EC 234.1)

Unlawful discrimination, including discriminatory harassment, intimidation, or bullying, includes physical, verbal, nonverbal, or written conduct based on any of the categories listed above. Unlawful discrimination also shall include the creation of a hostile environment when the prohibited conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an educational program or activity; creates an intimidating, threatening, hostile, or offensive educational environment; has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

Unlawful discrimination also includes disparate treatment of students based on one of the categories above with respect to the provision of opportunities to participate in school programs or activities or the provision or receipt of educational benefits or services.

The Board also prohibits any form of retaliation against any individual who files or otherwise participates in the filing or investigation of a complaint or report regarding an incident of discrimination. Retaliation complaints shall be investigated and resolved in the same manner as a discrimination complaint.

The Superintendent or designee shall facilitate students' access to the educational program by publicizing the district's nondiscrimination policy and related complaint procedures to students, parents/guardians, and employees. He/she shall provide training and information on the scope and use of the policy and complaint procedures and take other measures designed to increase the school community's understanding of the requirements of law related to discrimination. The Superintendent or designee shall regularly review the implementation of the district's nondiscrimination policies and practices and, as necessary, shall take action to remove any identified barrier to student access to or participation in the educational program. He/she shall report his/her findings and recommendations to the Board after each review.

Students who engage in unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, in violation of law, Board policy, or administrative regulation shall be subject to appropriate consequence or discipline, which may include suspension or expulsion for behavior that is severe or pervasive as defined in Education Code 48900.4. Any employee who permits or engages in prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall be subject to disciplinary action, up to and including dismissal.

## 36. STUDENT WELLNESS (Board Policy 5030)

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

### School Health Council/Committee

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b)

To fulfill this requirement, the Superintendent or designee may appoint a school health council or other district committee whose membership shall include representatives of these groups. He/she also may invite participation of other groups or individuals, such as

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health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

The school health council/committee shall advise the district on health- related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council/committee may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

## Goals for Nutrition, Physical Activity, and Other Wellness Activities

The Board shall adopt goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. (42 USC 1758b)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of non-nutritious foods and beverages through signage, vending machine fronts, logos, scoreboards, school supplies, advertisements in school publications, coupon or incentive programs, free giveaways, or other means.

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

Professional development shall be regularly offered to health education and physical education teachers, coaches, activity supervisors, food services staff, and other staff as appropriate to enhance their health knowledge and skills.

The Superintendent or designee may disseminate health information and/or the district's student wellness policy to parents/guardians through district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and academic performance.

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

## Nutritional Guidelines for Foods Available at School

All foods and beverages available to students on the school campus within the school day shall meet the USDA Smart Snacks in School nutrition standards and California Department of Education competitive foods rules. These standards and rules aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits.

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

The Superintendent or designee shall provide access to free, potable water during meal times in the food service area in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and serving water in an appealing manner.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's food services program, should support the health curriculum and promote optimal health. Nutritional standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutritional standards.

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes. He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible. (Board Policy 5030)

## Program Implementation and Evaluation

The Superintendent shall designate one or more district or school employees, as appropriate, to ensure that each school site complies with this policy. At the school site this shall be the Principal or their designee. The District designees shall be the Deputy Superintendent, Director of Nutrition Education and Health Services Coordinator. (42 USC 1758b)

The Superintendent or designee may assess the implementation and effectiveness of this policy at least once every two years.

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The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements.
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records.
3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program.
4. Extent to which foods sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutritional standards.
5. Results of the state's physical fitness test at applicable grade levels.
6. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity.
7. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program.
8. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate.

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the school health council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

The Superintendent or designee shall inform and update the public, including parents/guardians, students, and others in the community, about the content and implementation of this policy and assessment results. (42 USC 1758b)

In addition, the assessment results shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

## Posting Requirements

Each school shall post the district's policies and regulations on nutrition and physical activity in public view within all school cafeterias or in other central eating areas. (Education Code 49432)

## **37. LCAP (Local Control Accountability Plan)**

The Manteca Unified School District Strategic Plan (LCAP) is a three-year plan which puts into action the strategies and services that we believe will help us to achieve the district mission: through smart actions and decisions, MUSD will work together using meaningful, measurable and aligned data for all students to achieve mastery of grade level standards in all subjects based on their unique educational pathway in a safe environment inclusive of design, security and climate. This plan also addresses all state and identified local priorities. The 2020-2023 plan continues three broad goals recognized by the local board of education: 1) Every student will work to achieve mastery of grade level standards in all subjects. 2) Every student feels safe in the school environment inclusive of design, security and climate. 3) Every student is supported within a multi-tiered system to realize their individual success. Information on the MUSD Strategic Plan (LCAP) can be found on the District's website at: <https://www.mantecausd.net/Page/100>

## **38. EQUAL OPPORTUNITY**

Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official: Dante Alvarez, Director of Certificated Personnel (209) 858-0864.

## **39. UNIFORM COMPLAINT PROCEDURES (UCP)**

This document contains rules and instructions about the filing, investigation and resolution of a Uniform Complaint Procedures (UCP) complaint regarding an alleged violation by Manteca Unified School District of federal or state laws or regulations governing educational programs, including non-compliance with laws relating to pupil fees and our Local Control and Accountability Plan (LCAP).

This document presents information about how we process UCP complaints concerning particular programs or activities that are subject to the UCP.

A UCP complaint is a written and signed statement by a complainant alleging a violation of federal or state laws or regulations, which may include an allegation of unlawful discrimination, harassment, intimidation, bullying or charging pupil fees for participation in an educational activity or non-compliance with the requirements of our LCAP.

A complainant is any individual, including a person's duly authorized representative or an interested third party, public agency, or organization who files a written complaint alleging violation of federal or state laws or regulations, including allegations of unlawful discrimination, harassment, intimidation, bullying and non-compliance with laws relating to pupil fees or non-compliance with the requirements of our LCAP.

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If the complainant is unable to put the complaint in writing, due to a disability or illiteracy, we shall assist the complainant in the filing of the complaint.

## The Responsibilities of Manteca Unified School District (MUSD):

MUSD shall have the primary responsibility to ensure compliance with applicable state and federal laws and regulations. MUSD shall investigate and seek to resolve, in accordance with our UCP process, any complaints alleging failure to comply with applicable state and federal laws and regulations including, but not limited to, allegations of discrimination, harassment, intimidation, or bullying or noncompliance with laws relating to all programs and activities implemented by the Manteca Unified School District that are subject to the UCP.

The Manteca Unified School District developed the Uniform Complaint Procedures (UCP) process with policies and procedures adopted by our board. According to state and federal codes and regulations, the programs and activities subject to the UCP are: Accommodations for Pregnant and Parenting Pupils ; Adult Education; After School Education and Safety; Agricultural Career Technical Education; Career Technical and Technical Education; Career Technical; Technical Training (State); Career Technical Education (Federal); Child Care and Development; Compensatory Education; Course Periods without Educational Content; Education Of Pupils In Foster Care, Pupils Who Are Homeless, Former Juvenile Court Pupils Now Enrolled In A School District, and Pupils Of Military Families; Every Student Succeeds Act / No Child Left Behind (Titles I–VII); 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 Plans For Student Achievement; School Safety Plans; School site Councils; State Preschool; State Preschool Health And Safety Issues In LEAs Exempt From Licensing.

The following complaints shall be referred to other agencies for appropriate resolution and are not subject to our UCP process set forth in this document unless these procedures are made applicable by separate interagency agreements: Allegations of child abuse shall be referred to County Department of Social Services (DSS), Protective Services Division or appropriate law enforcement agency; Health and safety complaints regarding a Child Development Program shall be referred to Department of Social Services for licensed facilities, and to the appropriate Child Development regional administrator for licensing-exempt facilities; Employment discrimination, harassment, intimidation or bullying complaints shall be sent to the State Department of Fair Employment and Housing (DFEH), and Allegations of fraud shall be referred to the Legal, Audits and Compliance Branch in the California Department of Education (CDE).

Pupil Fees: A pupil fee is a fee, deposit, or other charge imposed on pupils, or a pupil's parents or guardians, in violation of state codes and constitutional provisions which require educational activities to be provided free of charge to all pupils without regard to their families' ability or willingness to pay fees or request special waivers. Educational activities are those offered by a school, school district, charter school, or county office of education that constitute a fundamental part of education, including, but not limited to, curricular and extracurricular activities.

A pupil fee includes, but is not limited to, all of the following: A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit. A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment. A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

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

## The UCP Annual Notice

We ensure annual dissemination of a written notice of our complaint procedures to all students, employees, parents or guardians of its students, school and district advisory committee members, appropriate private school officials or representatives, and other interested parties that includes information regarding allegations about discrimination, harassment, intimidation, or bullying.

Our UCP Annual Notice shall also include information regarding the requirements of EC Section 49010 through 49013 relating to pupil fees and information regarding the requirements of EC Section 52075 relating to the LCAP.

Our UCP Annual Notice shall be in English and in the primary language, pursuant to section 48985 of the Education Code, or mode of communication of the recipient of the notice.

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

## Filing UCP Complaints

When Filing Pupil Fees UCP Complaints: 1) A pupil fees complaint may be filed with the principal of a school or our superintendent or his or her designee. 2) A pupil fees complaint and/or an LCAP complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. 3) A pupil fees complaint shall be filed no later than one year from the date the alleged violation occurred.

## When Filing State Preschool Health and Safety Issues UCP Complaints

UCP complaints regarding state preschool health and safety issues pursuant to HSC section 1596.7925 shall include the following statements: 1) File with the preschool program administrator or his or her designee. 2) A state preschool health and safety issues complaint pursuant to HSC section 1596.7925 about problems beyond the authority of the preschool program administrator shall be forwarded in a timely manner, but not to exceed 10 working days to the appropriate local educational agency official for resolution. 3) A state preschool health and safety issues complaint pursuant to HSC section 1596.7925 may be filed anonymously. A complainant who identifies himself or herself is entitled to a response if he or she indicates that a response is requested. A complaint form shall include a space to mark to indicate whether a response is requested. If Section 48985 of the Education Code is otherwise applicable, the response, if requested, and report shall be written in English and the primary language in which the complaint was filed. 4) A complaint form for a state preschool

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health and safety issue pursuant to HSC section 1596.7925 shall specify the location for filing a complaint. A complainant may add as much text to explain the complaint as he or she wishes.

When Filing All UCP Complaints: MUSD will provide an opportunity for complainants and/or representatives to present evidence or information. Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Refusal by MUSD to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant.

The complaint will be investigated and a written report with a Decision will be issued to the complainant by us within 60 days from the date of the receipt of the complaint, unless the complainant agrees in writing to an extension of time.

This report will contain the following elements: 1) The findings of fact based on the evidence gathered. 2) Conclusion of law. 3) Disposition of the complaint. 4) The rationale for such a disposition. 5) Corrective actions, if any are warranted. 6) Notice of the complainant's right to appeal our Decision to the CDE. 7) Procedures to be followed for initiating an appeal to CDE.

The preschool program administrator or the designee of the district superintendent shall (1) make all reasonable efforts to investigate any problem within his or her authority. Investigations shall begin within 10 days of the receipt of the complaint and (2) remedy a valid complaint within a reasonable time period, but not to exceed 30 working days from the date the complaint was received and report to the complainant the resolution of the complaint within 45 working days of the initial filing. If the preschool program administrator makes this report, he or she shall also report the same information in the same timeframe to the designee of the district superintendent.

UCP Complaint Investigation The staff member, position, or unit responsible to receive and investigate UCP complaints and ensure our compliance in our agency is Dante Alvarez, Director of Certificated Personnel, P.O. Box 32, Manteca, CA 95366; (209) 858-0794; email: [dalvarez@musd.net](mailto:dalvarez@musd.net). The staff member, position, or unit responsible to receive and investigate UCP complaints and ensure our compliance in our agency is knowledgeable about the laws and programs assigned to investigate. MUSD will investigate all allegations of unlawful discrimination, harassment, intimidation or bullying against any protected group as identified in EC Section 200 and 220 and Government Code (GC) Section 11135, including any actual or perceived characteristics as set forth in Penal Code (PC) Section 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 we conduct, which is funded directly by, or that receives or benefits from any state financial assistance.

Unlawful discrimination, harassment, intimidation or bullying complaints shall be filed no later than six months from the date the alleged discrimination, harassment, intimidation or bullying occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation or bullying.

All complainants are protected from retaliation.

MUSD advise complainants of the right to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws.

UCP Complaint Resolution If MUSD finds merit in a complaint regarding Pupil Fees; Local Control and Accountability Plan (LCAP); and/or Physical Education Instructional Minutes (grades one through eight), the remedy shall go to all affected pupils and parents/guardians.

If we find merit in a complaint regarding Reasonable Accommodations to a Lactating Pupil; Course Periods without Educational Content (grades nine through twelve); and/or Education of Pupils in Foster Care, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district, and pupils in military families, the public school or LEA shall provide a remedy to the affected pupil.

MUSD ensures an attempt shall be made in good faith to engage in reasonable efforts to identify and fully reimburse all pupils, parents and guardians who paid a pupil fee within one year prior to the filing of the complaint.

MUSD shall report summarized data on the nature and resolution of all state preschool health and safety issues complaints on a quarterly basis to the county superintendent of schools and our board. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of our board. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. We are aware that all complaints and responses are public records.

UCP Complaint Appeal Process An appeal is a request made in writing to a level higher than the original reviewing level by an aggrieved party requesting reconsideration or a reinvestigation of the lower adjudicating body's decision. A complainant may appeal our Decision of a UCP complaint to the State Superintendent of Public Instruction (SSPI) or his or her designee at the CDE (here and after known as SSPI) regarding all specified federal and state educational programs subject to the UCP.

To appeal our Decision of all UCP complaints except State Preschool Health and Safety Issues the complainant must file a written appeal within 15 days of receiving the Decision to the SSPI. To appeal our Decision of State Preschool Health and Safety Issues only the complainant must file a written appeal within 30 days of receiving the Decision to the SSPI. This appeal to the CDE must fully explain the basis for the appeal, stating how the facts of our Decision are incorrect and/or the law is misapplied.

In addition, the appeal shall be sent to CDE with: 1.) A copy of the original locally filed complaint; and 2.) A copy of our Decision of this original locally filed complaint.

A complainant not satisfied with the resolution of the preschool program administrator or the designee of the district superintendent has the right to describe the complaint to our board at a regularly scheduled hearing. The SSPI shall comply with the requirements of 5 CCR section 4633 and shall provide an Investigation Report to the State Board of Education describing the basis for the complaint, our response to the state preschool health and safety issues complaint and its remedy or proposed remedy.

#### **40. WILLIAMS ALTERNATIVE UNIFORM COMPLAINT POLICY** *(visit the website for more information about Williams Act)*

The Governing Board recognizes that the District is responsible for providing all students, including English learners, with standards-aligned, state/district adopted textbooks or instructional materials in good condition, facilities that are safe, clean and in good repair for students and staff, and for ensuring that all teachers are qualified for their respective assignments in both subject matter competency and training/credentials to teach English learners.

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The District shall follow alternative uniform complaint procedures when addressing complaints that may arise in these areas. The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board acknowledges and respects every individual's right to privacy. Complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Complaint Compliance Officer or designee on a case-by-case basis.

The Board prohibits retaliation in any form for participating in a complaint procedure. Such participation shall not in any way affect the status, grades or work assignments of the complainant. If a complainant is not satisfied with the resolution of the complaint, he/she may describe the complaint to the Governing Board at a regularly scheduled hearing.

For complaints concerning a facility condition that poses an emergency or urgent threat to the health or safety of students, a complainant who is not satisfied with the resolution proffered by the principal, Superintendent, or designee, may file an appeal to the Superintendent of Public Instruction within fifteen (15) days of receiving the resolution report. Complainant shall comply with the appeal requirements of Section 4632.

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints on a quarterly basis to the Board and the County Superintendent of Schools. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting.

## **41. CONTINUED EDUCATION OPTIONS FOR JUVENILE COURT SCHOOL STUDENTS** (Education Code § 48645.3(a), 48645.7)

A Juvenile court school student, or the person holding the right to make educational decisions for the student, may voluntarily defer or decline issuance of their diploma until after the student is released from the juvenile detention facility, thereby allowing the student to take additional coursework at a local education agency. The county office of education will notify the student, the person holding the right to make educational decisions for the student, and the student's social worker or probation officer of all of the following:

- a. The student's right to a diploma;
- b. How taking coursework and meeting other educational requirements will affect the student's ability to gain admission to a post-secondary educational institution;
- c. Information about transfer opportunities available through the California Community Colleges; and
- d. The option to defer or decline the diploma and take additional coursework.

## **42. FINGERPRINTING PROGRAM** (Education Code 32390)

The School District does make available a fingerprinting program for children enrolled in kindergarten or newly enrolled pupils in the District. Interested parents should contact the site principal.

## **43. SEXUAL HARASSMENT-PUPILS** (Education Code 48900.2)

The Governing Board is committed to maintaining a learning environment that is free of harassment and false allegations of harassment. The Board prohibits the unlawful sexual harassment of any pupil by any employee, pupil, or other person at school or at any school-related activity.

The Superintendent or designee shall ensure that pupils receive age-appropriate information related to sexual harassment. Pupils shall be assured that they need not endure any form of harassment because of or about sexual orientation. They shall further be assured that they need not endure, for any reason, any harassment which impairs the education environment or a pupil's emotional well-being at school. They shall be informed that they should immediately contact the principal or designee if they feel they are being harassed.

Any pupil who engages in the sexual harassment of anyone at school or a school-related activity shall be subject to disciplinary action up to and including expulsion. Any pupil who engages in false accusations of sexual harassment of anyone at school or at a school-related activity shall be subject to disciplinary action up to and including expulsion.

Any employee who engages in, permits or fails to report sexual harassment shall be subject to disciplinary action up to and including dismissal. In addition, criminal or civil charges may be brought against the alleged sexual harasser. Sexual harassment also may be considered a violation of laws relating to child abuse. Staff shall immediately report complaints of sexual harassment to the principal or designee or to another District administrator. Staff shall similarly report any such incidents they may observe, even if the harassed pupil has not complained. The principal or designee shall promptly investigate each allegation of sexual harassment in a way that ensures the privacy of all parties concerned. In no case shall the pupil be required to resolve the complaint directly with the alleged offending person.

If a properly reported situation involving sexual harassment is not promptly investigated and remedied by the principal or designee, a complaint of harassment may be filed in accordance with the District's Uniform Complaint Procedures or procedures for complaints concerning District employees. The Complaint Compliance Officer or designee shall determine which procedure is appropriate.

The District prohibits retaliatory behavior against any complainant or any participant in the complaint process. Information related to a complaint of sexual harassment shall be kept confidential to the extent possible, and individuals involved in the investigation of such a complaint shall not discuss related information outside the investigation process. The individual who has a complaint filed against him/her shall be advised of the alleged complaint and of the complainant, unless there are compelling reasons to not disclose the name.

Pupils may obtain procedures for reporting charges of Sexual Harassment and pursuing remedies from the school principal and or by contacting the Complaint Compliance Officer: Dante Alvarez, Director of Certificated Personnel (209) 858-0864.

## **44. SCHOOL ACCOUNTABILITY REPORT CARD** (Education Code 35256, 35258)

The School Accountability Report Card, or SARC, is an annual report that provides information to parents and the community about the overall performance of your child's school including demographics, student testing, teacher qualifications, textbook sufficiency, school finances, and school safety. SARC's for Manteca Unified schools are available by selecting the appropriate link on the MUSD SARC webpage at <https://www.mantecausd.net/Page/102>. You may also find SARC's by typing a school's name in the search box at the

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California Department of Education's SARC website at <http://sarconline.org/>. A paper copy of the SARC may be requested from your school principal.

## **45. INFORMATION REGARDING PROFESSIONAL QUALIFICATIONS OF TEACHERS, PARAPROFESSIONALS & AIDES**

Upon request, parents have a right to information regarding the professional qualifications of their student's classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he/she teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher is teaching in the field of discipline of the certification of the teacher, and whether any instructional aides or paraprofessionals provide services to the parents/guardians child and, if so, their qualifications. (Section 1112(e)(1)(A) of the ESEA, as amended by ESSA)

## **46. CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS (Education Code 60615)**

Students in Manteca Unified School District, along with public school students throughout California, participate in the California Assessment of Student Performance and Progress (CAASPP), the state academic achievement testing system. CAASPP is intended to provide information to teachers, parents/guardians, and students that can be used to monitor student progress and readiness for college and careers. If you would like more information, please visit the California Department of Education's CAASPP System webpage at <http://www.cde.ca.gov/ta/tg/ca/> or the MUSD CAASPP webpage at <https://www.mantecausd.net/studentinfo>. Please contact your child's school if you have any questions about your child's participation.

Beginning with the 2018-19 school year, CAASPP paper student score reports will no longer be provided by the California Department of Education. So, instead of mailing score reports as in past years, MUSD will offer confidential online CAASPP student score reports through the district's secure Parent Connect website. Once a Parent Connect account is set-up, parents will be able to quickly view, download, or print their child's online score report along with other important information. Parents may also contact their child's school office to request a paper copy of the report or if they need assistance setting up a Parent Connect account.

[MUSD, in compliance with the federal Every Student Succeeds Act (ESSA) and state guidelines, does not encourage parents/guardians to exempt students from participating in CAASPP assessments but only wishes to inform all parents of their right as noted below.]

All students are encouraged to participate in CAASPP since results provide valuable information about student progress for both parents and teachers. However, parents/guardians may request that their child not be tested with any CAASPP assessment in any content area. A written request must be submitted annually to the student's school prior to testing. The written request must include the student's name, school, grade, and specific tests to be exempted. The request must be signed and dated. Stating a reason for the request is not required. Per state guidelines, if the request is received after testing has begun, any test items already completed will be scored with results reported.

## **47. INTERNET POLICY (Education Code 51870.5)**

Manteca Unified School District is in compliance with the "Children's Internet Protection Act, (CIPA)" passed by Congress in 2000. Although Manteca Unified does not have complete control of access to the Internet or control of information on the Internet, we have enacted filter blocking for all web traffic on the Internet. We have trained all staff that use the Internet for proper use, exercising vigilance when working with students, and obtaining written consent and waiver from parents and guardians of students who access the Internet. We make no guarantees of any kind, whether expressed or implied, for the Internet services we are providing.

## **48. PARENT AND FAMILY ENGAGEMENT POLICY**

Title I, Part A, of the Elementary and Secondary Education Act (ESEA), as reauthorized by the Every Student Succeeds Act (ESSA), requires that local educational agencies (LEAs), conduct outreach to all parents and family members and implement programs, activities, and procedures for the involvement of parents and family members. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children (ESSA Section 1116[a][1]). LEAs and Schools receiving Title I, Part A funds are required to develop a Parent and Family Engagement Policy as outlined in ESSA Section 1116(a). Please find MUSD's Parent and Family Engagement Policy BP 6020(a) at: <https://www.mantecausd.net/boardoftrustees> Board Policies. A hard copy may be obtained at the district office or by request at: [CompensatoryEducation@musd.net](mailto:CompensatoryEducation@musd.net) or (209) 858-0853.

## **49. LEAVING SCHOOL GROUNDS (Education Code 44808.5)**

Pupils enrolled at the five comprehensive high schools are permitted to leave the school grounds during the lunch period if they meet all site requirements. Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such times as the pupil has left the school grounds.

## **50. SCHOOL BUS RIDER RULES AND INFORMATION (Education Code 39831.5)**

Transportation may be furnished by the School District to students who live outside the non-bus zones providing funds and buses are available. The Transportation Department shall use the following radius as a basis for identifying non-busing zones:

Grades K-8<sup>th</sup> - 1.25 miles

Grades 9-12<sup>th</sup> - 2.25 miles

Students must live outside the no-busing zone in order to receive home to school transportation services. The Superintendent or designee may authorize transportation within the no-busing zone when special problems or hazards exist.

Transportation will be provided for pupils enrolled in certain special education programs or for physically disabled students.

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Attending Schools Outside of the Attendance Area/Open Enrollment

Transportation is provided to students who are enrolled in a Special Education or vocation/technical programs that are not offered at their local school. Pupils who attend a school outside of their attendance area through the Open Enrollment program must provide their own transportation to and from school.

## School Bus Routes and Stops

School bus routes are established to provide safe, reliable and efficient transportation service to the students of the District. School bus stops are established in compliance with Title 13 CCR 1238.

The school secretary can give you information on the bus stop for your child, or you can call the Transportation Department at (209) 858-0708.

Students must arrive at the bus stop five (5) minutes prior to the scheduled departure time. Buses are scheduled to run on a fixed time schedule. The bus cannot wait for students who arrive late to the bus stop. If the bus is late, please be patient. Trains and other traffic conditions can delay the bus and cause it to run behind schedule. If the bus has not arrived within 15 minutes following the scheduled departure time, you can call the school or the District transportation department to receive information.

## **School Bus Rules**

### When walking to or from the bus stop, pupils are expected to:

- Cross streets at corners and use crosswalks.
- Arrive at the bus stop five (5) minutes prior to departure time.
- Refrain from standing or playing in the roadway while waiting for the bus.
- Remain in line at least twelve (12) feet from the bus when it stops to pick up passengers, and not move toward the bus until the door is open.
- Be ready to board the bus without delay.
- Respect the property of residents around the bus stop.
- Refrain from crossing the street except in front of the bus with the bus driver and red lights in operation.

### While riding the bus pupils are expected to:

- Follow directions of driver per Title V, CCR Section 14013, Authority of Driver.
- Not bring animals, insects, reptiles, alcoholic beverages, firearms, or explosives on the bus.
- Ride only the bus that is assigned to their route.
- Conduct themselves in an acceptable manner. Vulgarity and boisterous conduct will not be tolerated.
- Refrain from blocking the aisle or emergency door with musical instruments, lunch boxes, books or other possessions.
- Refrain from extending arms, heads, or any objects from the bus window.
- Be quiet when approaching a railroad track.
- Refrain from eating, drinking or smoking on the bus.
- Refrain from damaging or defacing any part of the bus and keep the area around them clean and free from litter.
- Board/depart the bus at their designated stop only, unless they have a written permission slip signed by both their parent/guardian and the school office.
- Abide by bus rules at all times.

In the event a student fails to follow the rules of conduct, a Notice of Unsatisfactory Conduct on the School Bus will be issued to that student. The parent/guardian signature on the form will affirm parental notification that the student is not following the rules of bus-related conduct.

## Red Light Crossing Instructions

The school bus driver shall escort the students when they need to cross a highway or private road upon which the school bus is stopped, except at a location where traffic is controlled by a traffic officer or official traffic control signal. The driver shall ensure that students are crossed in compliance with CVC 22112.

## Video Surveillance Systems

Video surveillance systems may be used on school sites and school buses to monitor student behavior. The Board believes that such monitoring will deter misconduct and help to ensure the safety of students and staff.

## Danger Zone

The DANGER ZONE is the immediate area 12-feet around the bus. In the DANGER ZONE, the bus driver cannot see you. If the bus starts moving while you are in the DANGER ZONE, you could be injured. If this occurs, move away from the bus and get the driver's attention. NEVER try to retrieve items from under the bus.

## Reduced Visibility

During periods of reduced visibility (200 feet or less), delays in home- to-school transportation service may be required. When the transportation system is delayed, notifications are made to parents by an automated telephone message and through local radio stations. An informational flyer is sent home with the students each year in the month of September asking parents to sign up for this service and indicating the radio stations that will be used.

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## **51. PESTICIDE USAGE (SB 2260, Education Code 48980.3)**

Every six months an Asbestos District representative completes the six-month AHERA inspection. The District typically does asbestos abatement each year. If you would like to obtain more information about asbestos abatement at your school site, call the Maintenance Department at (209) 858-0711.

A list of the pesticides currently used by the School District can be found on the following page (subject to change). The following information on pesticide usage in Manteca Unified School District is provided to parents as required by the Health Schools Act of 2000: 1) Manteca Unified School District makes every attempt to avoid the use of pesticides on school grounds. In the event that pesticide usage does become necessary, the following list (next page) represents those pesticides that may be used during the 2020/2021 school year; 2) You may access the Department of Pesticide Regulation website at [www.cdpr.ca.gov](http://www.cdpr.ca.gov) to obtain information on pesticides and pesticide use reduction; and, 3) If you would like to receive notification of individual pesticide applications, you must complete the form entitled "Pesticide Application Notification." The form can be obtained from any school administration office or the Manteca Unified School District Office, 2271 West Louise Avenue, Manteca. Submit the completed form to your respective school administration office.

## **52. COVID-19 Response**

In response to the unprecedented COVID-19 pandemic the District recognizes that mitigated procedures will need to be enacted throughout the school year to lessen the exposure to COVID-19 in the school community. The School Board of Trustees provided direction to start the school year with a full day modified program that has put in place mitigated procedures as recommended by San Joaquin County Office of Education in consult with San Joaquin Public Health Services such as but not limited to:

- Before students and staff come to school, they will need to conduct a self-check for signs and symptoms of COVID-19.
- Anyone who has been exposed to someone with COVID-19 in the past 14 days, has COVID-19 symptoms, or who is not feeling well should not go to a school site.
- Students and staff should self-check for symptoms throughout the day. Those who develop signs and symptoms of COVID-19 will be sent home.
- Anyone with a fever of 100.4 or higher should not go to a school site.

**For COVID related publications from California Department of Public Health, California Department of Education, San Joaquin County Public Health, and San Joaquin Office of Education go to <https://www.mantecausd.net/coronavirus>.**

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<b>Pesticide Name</b>	<b>Active Ingredient</b>
Advance	Abamectin
565 Plus XLO	Pyrethrins, d-trans Allethrin, Piperonyl Butoxide, n-Octyl Bicycloheptene Dicarboximide Butylcarbit, Propylpiperony, Ether
Borid® Powdered Boric Acid Insecticide	Orthoboric Acid
Contrac Rat and Mouse Bait	Bromadiolone
Delta Dust® Insecticide	Deltamethrin
Dragnet SFR Termiticide/Insecticide	Permethrin
Drax Ant Kill Gel	Orthoboric Acid
Essentria G and All Purpose	
Flore® Brand Fruit Eliminator	Ethephon
FluorGuard Ant Control Baits	N-Ethyl perfluorooctanesulfonamide
Fulilade II Turf & Ornamental	Naphthalene, Petroleum distillates, light paraffinic, Petroleum Solvent, Fluazifop-P-Butyl Technical
Fumitoxin	Aluminum Phosphide
Dimension 2 EW	Dithiopyr-Cyclohexanone
Gopher Getter Bait-Type I & Type II	Strychnine Alkaloid
Gordon's TRIMEC Turf Herbicide	Dimethylamine Salt of 2-(2-Methyl-4-chlorophenoxy) propionic acid (MCP), Dimethylamine Salt of 2, 4-dichlorophenoxyacetic acid (2, 4-D), Dimethylamine Salt of 3,6-dichloro-o-anisic acid (Dicamba)
Grant's Mole and Gopher Bait	Zinc Phosphide
Grass-B-Gone	Fluazifop-P-Butyl ®-2-(4((5-(trifluoromethyl)-2-pyridinyl)oxy)propanoate
Intruder® HPX-20	Cyfluthrin, Pyrethrins, Piperonyl Butoxide, Technical
MaxForce Fine Granule Insect Bait	Hydramethylnon
MaxForce Roach and Ant Killer Bait Gel	Fipronil
MaxxthorSC	Bifenthrin
Merit® 75 WSP Insecticide	Imidacloprid
Nyguard IGR Concentrate	Pyriproxyfen, (Methyl, Phenoxyphenony, Pyridine)
Premise® 75 Insecticide	Imidacloprid
PT 250 Propoxuer	Propoxur & petroleum distillates
Pyronyl™ Oil Concentrate	Pyrethrins, Piperonyl Butoxide, Technical, N-octyl bicycloheptene dicarboximide
Rodent Bait Diphacinone Treated Grain (0.01%)	Diphacinone
Roundup Prop Herbicide	Glyphosate
Stinger™ Wasp and Hornet Jet Spray	Tetramethrin, Phenothrin
Suspend® SC Insecticide	Deltamethrin
Talastar One (exterior use only)	Bifenthrin, Pyrethroid
Tempo 20 WP Ultra	Cyfluthrin
Tengard SFR One Shot	Permethrin, hydrocarbon Solvent, Triacetin, Surfactant Blend, Comonnet Proeuct Includes 1,2,4- trimethylbenzene, Ethylbenzene
Termidor® SC Termiticide/Insecticide	Fipronil
Treflan® E.C. Weed and Grass Preventer	Trifluralin
Turf Builder Plus 2	24-Dichlorophenoxyacetic acid (2,4-D, 2-(2-Methyl-4-chlorophenoxy) propionic acid (MCP), Urea, Monoammonium Phosphate, Potassium Sulfate
ULD® BP-300 Contact Insecticide	Pyrethrins, Piperonyl Butoxide, Technical, N-octyl bicycloheptene dicarboximide
Wasp Freeze	D-trans Allethrin, 3-Phenoxybenzyl-(1RS, 3RS; 1RS, 3SR) - 2.2-Dimethyl-3-(2methylprop-1-enyl) cyclopropan-carboxylate
Wisdom	Bifenthrin
Speed Zone	Carfentrazone-Ethyl, 2, 4-D,2-Ethylhexyl Ester Mecoprop—p acid

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## STUDENT DISCIPLINE

*Visit the District's website to view Board Policy 5000 series*

### **GROUNDINGS FOR SUSPENSION AND EXPULSION**

Students may be suspended or expelled for acts enumerated herein and related to school activity or school attendance, which occur at any time, including but not limited to, while on school grounds, while going to or coming from school, or during a lunch period whether on or off campus, during or while going to or coming from a school sponsored activity. (Education Code 48900(s))

(Education Code 48900, Board Policy 5144), Students may be subject to suspension or expulsion for having committed any of the acts listed below:

- (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 student had obtained written permission to possess the item from a certificated school employee with the principal or designee's concurrence.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance as defined in the Health and Safety Code 11053 et seq., alcoholic beverage, or intoxicant of any kind.
- (d) Unlawfully offered, arranged, or negotiated to sell any controlled substance defined in Health and Safety Code 11053 et seq., 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 controlled substance, alcoholic beverage or intoxicant. This restriction shall not prohibit the student from using or possessing, with approval of the principal and a doctor, his/her own prescription products.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole 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.
- (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.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude the replica is a firearm.
- (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 a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing as defined in Section 32050.
- (r) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward pupil or school personnel.
- (s) A pupil may not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including but 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 aides or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, "school property" includes, but is not limited to, electronic files and databases.

Unless enrolled in kindergarten or grades 1 through 3, students are also subject to suspension or recommendation for expulsion for any of the acts listed below:

- a. Committed sexual harassment as defined in Education Code 48900.2
- b. Caused, attempted to cause, threatened to cause, or participated in an act of hate violence as defined in Education Code 48900.3 and Penal Code Section 422.55. A pupil shall neither intimidate, oppress, threaten, nor cause an act of hate violence, nor deface property, because of another person's actual or perceived characteristics, including: disability, gender, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics.
- c. Intentionally harassed, threatened or intimidated a student or school district personnel to the extent of having the actual and reasonably expected effect of materially disrupting class work, creating substantial disorder, and invading student or school personnel rights by creating an intimidating or hostile educational environment. (EC 48900.4)

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d. A student may be recommended for expulsion for making a terrorist threat against school officials or property (EC48900.7).

Suspension by Teacher (EC 48910) - requires a teacher to ask parent/guardian to attend a parent-teacher conference regarding a suspension of a student from class by that teacher; requires a school administrator to attend the conference upon teacher or parent/guardian request.

Suspension (Education Code 48911) - Permits principal or designee or superintendent to suspend for specific reasons for no more than five consecutive school days; requires informal conference (unless it is determined that emergency situation exists) and requires parent/guardian to respond without delay; requires reasonable effort to contact parent/guardian and mandates written notice; requires report to Board of Education or Superintendent; when expulsion or suspension from continuation school for balance of semester is being considered, allows superintendent or designee, if danger or threat of disruption exists, to extend suspension until Board of Education has rendered decision.

Supervised classroom suspension (Education Code 48911.1[d]) - requires at the time a pupil is assigned to supervised suspension, a school employee shall notify, in person or by telephone, the pupil's parents or guardian. If the pupil is assigned to supervised suspension for longer than one class period, a school employee shall notify the parent or guardian in writing.

**Expulsion** (Education Code 48915 in part)

(a)(1)The principal or the superintendent shall recommend the expulsion of a student for any of the following acts committed at school or at a school-related activity off school grounds, unless the principal or superintendent finds that expulsion is inappropriate, due to the circumstance:

- (A) Causing serious physical injury to another person, except in self-defense.
- (B) Possession of any knife or other dangerous object of no reasonable use to the pupil.
- (C) Unlawful sale or possession of any controlled substance listed in Chapter 2 (commencing with Section 11053) or Division 10 of the Health and Safety Code, except for the first offense for the possession of not more than one avoirdupois ounce of marijuana (other than concentrated cannabis).
- (D) Robbery or extortion.
- (E) Assault or battery upon any school employee.

(c) The principal or the superintendent shall recommend expulsion of a student that has committed any of the following acts at school or at a school activity off school grounds:

- (1) Possess, sell or furnish a firearm.
- (2) Brandish a knife at another person.
- (3) Unlawfully selling a controlled substance.
- (4) Commit or attempt to commit a sexual assault or commit sexual battery.
- (5) Possession of an explosive.

Expulsion Hearing (Education Code 48918) - specifies right of student to a hearing to determine whether student should be expelled, permits student to request in writing that the hearing be postponed; requires hearing notice to be sent at least 10 days prior to hearing date and include: (1) date and place of hearing, (2) facts and charges, (3) copy of related district discipline rules, and (4) notice of parent/guardian or pupils obligation; (5) rights of student or parent/guardian to appear in person, to employ and be represented by counsel, to inspect and obtain copies of all hearing documents, to confront and question all witnesses, to question all evidence presented, and to present oral and documentary evidence, including witnesses; (c)(1) requires nonpublic hearing unless student or parent/guardian requests a public hearing; (j) requires written notice of any decision to expel to be sent to the student or parent/ guardian, including the right to appeal such expulsion to the County Board of Education.

Education Code 48918 (f)(2) allows for witnesses' statements to be considered by the Disciplinary Review Board panel as non-hearsay evidence, if the witnesses believe that revealing their identity would subject them to unreasonable risk of physical or psychological harm.

**Electronic Signaling and Communication Devices** (Board Policy 5131)

The Manteca Unified School District Governing Board allows pupils to possess and use electronic signaling and communication devices while on campus before and after school. All electronic signaling and communication devices will be in the "off" mode and out of sight while being transported by District-operated vehicles, and during school hours including instructional time, lunch, brunch, breaks, passing periods, rallies, assemblies, and other school activities during the instructional day, for all grades K-12.

Students may not capture photographic or digital images while on school property during the school day without the express permission of the principal or designee.

Students and parents are to be advised that the District is not responsible for the theft or loss of students' electronic devices.

## STUDENT DRESS

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. The following guidelines shall apply to all regular school activities:

1. Shoes must be worn at all times. Sandals must have heel straps. Flip flops or backless shoes or sandals are not acceptable. Open toe sandals with a back strap may be worn. High school students may wear flip flops unless otherwise required for instructional programs. Policies/programs may be established for instructional programs requiring closed toe shoes such as PE, ROP/Career & Technical, and Science.
2. Clothing, grooming, accessories, jewelry, and personal items (backpacks, gym bags, water bottles, etc.) shall be free of writing, pictures, symbols, or any other insignia which are crude, vulgar, profane, obscene, libelous, slanderous, lewd or sexually suggestive. Clothing that degrade any cultural, religious or ethnic values or which advocate racial, ethnic, or religious prejudice

# MANTECA UNIFIED SCHOOL DISTRICT

Every student works to achieve grade level standards, feels safe and is supported to realize individual success.

or discrimination, or which promote lewd behavior, or which bear the use of drugs, alcohol, tobacco company advertising, promotions and likenesses, or which advocate racial, ethnic or religious prejudice, or any unlawful acts are prohibited.

3. Clothes shall be sufficient to conceal undergarments at all times. Pants should be sized to fit the waist in order not to sag. Sagging pants are those that do not fit the student's waistline. Pants should not need a belt to hold them up. See-through or fish-net fabrics, halter tops, off-the-shoulder or low-cut tops, bare midriffs and skirts or shorts shorter than mid-thigh are prohibited.
4. Hair shall be clean and neatly groomed. Hair may not be sprayed by any coloring that would drip when wet.
5. A student will not be prohibited from wearing clothing, jewelry or personal items that express self-identification with, or support for, individuals or groups on the basis of the characteristics set forth in California Education Code Section 200, including but not limited to: disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, or sexual orientation.
6. The principal, staff, students, and parent/guardians at each school may establish reasonable dress and grooming regulations for times when students are engaged in extracurricular or other special school activities.
7. No clothing or articles of clothing (including but not limited to gloves, bandanas, shoestrings, wristbands, belts, and jewelry) related to group or gang which may provoke others to acts of violence for example, belt buckles with initials or red, blue, or brown web belts, belts hanging out of pants, red, blue, or other colored shoelaces, bandanas of any type of color, either worn in hair or displayed in clothing, gloves, towels or other items hanging from rear pants pockets or from belt; excessive clothing items of predominately one color, old English style writing on clothing or notebooks are prohibited.
8. Because gang/drug related symbols are constantly changing, definitions of gang/drug related apparel may be reviewed and updated whenever related information is received by administrator and/or school safety committee.
9. Any clothing, apparel, or attire which could be used as a weapon, or could be damaging to school property, including but not limited to steel-toed boots, chain, items with spikes or studs, etc., are prohibited.
10. The approved hats that students are allowed to wear must meet the following criteria: full brim (around the entire hat) with a width of 1.5-4 inches, straw or cloth, white, off white, tan, or plain. School approved baseball caps and beanies are permitted, with a home school logo (without other added design or writing). Baseball caps must be worn in such a manner as to provide protection from the sun facing forward. Approved hats may only be worn while outside the school buildings. Solid color beanies may be worn for protection against cold weather in white, off-white, tan, gray or black.

Students and parents/guardians shall be informed about dress and grooming standards at the beginning of the school year and whenever these standards are revised. A student who violates these standards shall be subject to appropriate disciplinary action.

## Gang-Related Apparel

The principal, staff and parents/guardians 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.

## Other

The Superintendent shall direct all staff members to respect the rights of students to express a problem through proper channels and according to established procedures.

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## PARENT AND FAMILY ENGAGEMENT

Title I, Part A, of the Elementary and Secondary Education Act (ESEA) reauthorized as the Every Student Succeeds Act (ESSA), ensures that local educational agencies (LEAs) and schools provide parents and families of Title I students with the information they need to make well-informed choices for their children including more effectively sharing responsibility for their child's success, and helping their children's schools develop effective and successful programs.

ESSA Section 1116, Parent and Family Engagement, contains the primary Title I, Part A requirements for the State educational agencies (SEAs), LEAs, and schools related to engaging parents and families in their children's education. All LEAs that receive Title I funds shall conduct outreach to all parents and family members and implement programs, activities, and procedures for the involvement of parents and family members. Such programs, activities, and procedures shall be planned and implemented with meaningful consultation with parents of participating children.

1. Each LEA shall develop jointly with, agree on with, and distribute to, parent and family members of participating children a written parent and family engagement policy. The policy shall be incorporated into the LEA's plan, developed under Section 1112, establish the agency's expectations and objectives for meaningful parent and family involvement [ESSA Section 1116 (2)].
2. Each school served under this part shall jointly develop with, and distribute to, parents and family members of participating children a written parent and family engagement policy, agreed on by such parents, that shall describe the means for carrying out the requirements of this section. Parents shall be notified of the policy in an understandable and uniform format and, to the extent practicable, provided in a language the parents can understand. Such policy shall be made available to the local community and updated periodically to meet the changing needs of parents and the school [ESSA Section 1116 (b)].
3. As a component of the school-level parent and family engagement policy, each school served under this part shall jointly develop with parents a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards [ESSA Section 1116 (d)].

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## RECEIPT OF NOTICE PARENT/GUARDIAN RIGHTS AND RESPONSIBILITIES

The Board of Education is required by law to notify parents/guardians of certain rights/ responsibilities. The annual notification of parent/guardian rights and responsibilities contains a summary of these rights and responsibilities. You may contact the principal of the school your child attends if you have questions regarding this information. Please complete and sign this form indicating that you have received a copy of the Student First Day Packet and return to your child's school within the first week of school.

I have received a copy of the Annual Notification of Parent/Guardian Rights/Responsibilities and Grounds for Suspension and Expulsion included in the Manteca Unified School District's Student First Day Packet. I have carefully reviewed and discussed its contents with my student. We are aware of our rights, responsibilities, school rules, codes and procedures for discipline as outlined in the First Day Packet.

Student Name: \_\_\_\_\_ School Year: \_\_\_\_\_

Name of School: \_\_\_\_\_

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

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

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## PUBLIC RELATIONS

Parent/guardian: some of the learning experiences enjoyed by students during the year are photographed and/or videotaped by a teacher, volunteer, or student teacher for public relations purposes by the school and/or District. These photos and videos may be shown or displayed at the school, District Office, on the District's website, or appear in an official District social media page, publication or public relations tool. This section DOES NOT restrict outside press or media representatives from photographing your child. Please talk with your child about your expectations relative to his/her being photographed by outside press.

Below, please indicate whether you wish to have your child photographed by the school and/or District personnel.

**I GRANT** permission for my child to be photographed and/or videotaped by the school and/or District.

**I DO NOT GRANT** permission for my child to be photographed and/or videotaped by the school and/or District.  
(excludes class picture/school yearbook)

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