Annual Notice of Rights and Responsibilities of Parent/Guardian and Student 2026-2027

Sierra Sands Unified School District

113 W. Felspar Avenue

Ridgecrest, CA 93555

TABLE OF CONTENTS

School Calendar and Minimum Day Schedule 5
Superintendent's Message 6
Introduction 7
Key to Acronyms 7
ABSENCES 8
- Excused Absences 8
- Absences for Confidential Medical Services 8
- Absences for Religious Instruction 9
- Grade Reduction/Loss of Academic Credit 9

SCHOOL ATTENDANCE/ATTENDANCE ALTERNATIVES 9
- Attendance Alternatives 9
- Intradistrict Transfers 9
- Interdistrict Transfers 9
- Parental Employment to Establish Residency 10
- Open Enrollment Act 10
- Notice of Alternative Schools 10
- Charter Schools 10
- Private Schools 10
- Mentally Gifted Students 10
- Instruction by Tutor 10
- Individualized Instruction 11
- Students in Hospitals Outside of School District 11

STUDENT DISCIPLINE 11
- Rules and Procedures on School Discipline 11
- Duties of Pupils 11
- Student Discipline Grounds 11
- Additional Grounds for Students in Grades 4-12 11
- Non-punitive Correction Preferred 11
- Suspension From School 12
- Mandatory and Discretionary Expulsion Recommendations 12
- Involuntary Transfer of a Student Convicted of a Violent Felony or Misdemeanor 12
- Discipline of Students with Disabilities 12
- Law Enforcement Notification 12
- Release of a Student to a Peace Officer 13
- Teacher Responsibility for Student Conduct 13
- School Accountability Report Card 13
- Safe Place to Learn Act 13
- Dress Code 13
- Property Damage or Personal Injury - Parents Liable 13
- Damaged Library Materials - Parents Liable 13
- Overdue Library Materials - Parents Liable 13

Social Media Monitoring 14
STUDENT SERVICES 14
Minimum Age of Admission to Kindergarten and Transitional 14
Special Education - Individuals with Disability Act (IDEA) 14
Special Education/Child Find 14
Special Education Complaints 14
Section 504/Students with Disabilities 14
Fingerprinting Program 14
Children in Homeless Situations 15
Homeless Student Rights 15
California Kids Investment and Development Savings - CalKIDS 15
Investing for Future Education 15
CAMPUS SAFETY 15
Comprehensive School Safety Plan 15
Drug Free Campus 16
Megan's Law Notification 15
School Bus Safety 16
Safe Storage of Firearms 16
SCHOOL RECORDS AND ACHIEVEMENT 16
Pupil Records/Notice of Privacy Rights 16
Release of Pupil Directory Information 16
Release of Student Records/Compliance with Subpoena or Court Order 16
Release of Student Records to School Officials and Employees of the District 17
EDUCATIONAL MATERIALS/CURRICULUM 17
Sex Equity in Career Planning 17
Prospectus of School Curriculum 17
Multilingual Education 17
Prohibition Against Discriminatory Educational Materials 17
Notification of International Baccalaureate and Dual Enrollment Courses 17
Right to Refrain From Harmful Use of Animals 17
Parental Rights - Education Empowerment Act 18
Complaints Concerning Deficiencies Related to Instructional Materials 18
RIGHTS IN THE EDUCATIONAL ENVIRONMENT 18
Statement of Nondiscrimination 18
Title IX of the U.S, Education Amendments of 1972 18
Sexual Harassment Policy 18
Educational Equity Regardless of Immigration Status, Citizenship, or Religion 18
Uniform Complaint Procedures 19
Prohibition of Entry of Immigration Enforcement without Judicial Process 19
Employee Misconduct, Professional Boundaries, and Grooming Awareness 19
Other Parental Rights 19
Code of Conduct for Employee - Pupid Interactions 20
Employee Conduct and Parental Involvement 20

Pregnant and Parenting Pupils 20
HEALTH SERVICES 20
Medication 20
Continuing Medication Regimen 21
Communicable Diseases and Immunization Requirements 21
The Cancer Preventional Act - HPV Vaccination 21
Information for Use in Emergencies 21
Physical Examination; Parent Refusal to Consent 21
Vision Appraisal 22
Mental Health Services Available on Campus and in the Community 22
Scoliosis Screening Notice 22
Dental Fluoride Treatment 22
Concussion and Head Injury During Athletic Activity 22
Pupil Nutrition - Notice of Free and Reduced Price Meals 22
The Seizure Safe Schools Act 23
Health Care Coverage Information 23
Medical and Hospital Services 23
Sun Protective Clothing - Use of Sunscreen 23
Environmental Safety - Asbestos and Pesticides 23
Dangers Associated with Synthetic Drugs 23
Tobacco Free Schools 24
SEX/HIV EDUCATION 24
Instruction in Comprehensive Sexual Health Education and HIV Prevention 24
Health Instruction/Conflicts with Religious Training and Beliefs 24
MISCELLANEOUS 25
Local Control and Accountability Plan 25
Every Student Succeeds Act 25
Notice of Minimum Days and Pupil-free Staff Development Days 25
Pupil Fees 25
HIGH SCHOOLS ONLY 25
Open Campus 25
California High School Proficiency Exam 26
Automatic Cal Grant Program Applicant Status - Opt Out 26
Release of Information to Military 26
Participation in State Assessments and Exemption Requests 26
High School Curriculum - College Preparatory Courses 26
CSU Direct Admission 26
Advanced Placement Examination Fees 27
Notification of Apprenticeship and Preapprenticeship Programs 27
APPENDIX A: Uniform Complaint Procedures (UCP) 28
APPENDIX B: Title IX Sexual Harassment Policy 44
APPENDIX C: IDENTIFICATION & EDUCATION UNDER SECTION 504 55
APPENDIX D: Firearms Safety Memorandum 59

SCHOOL CALENDAR & MINIMUM DAY SCHEDULE

SIERRA SANDS UNIFIED SCHOOL DISTRICT Academic Calendar for 2026-27

July 2026			1	2	3	July 3 - Independence Day Observed
	6	7	8	9	10	
	13	14	15	16	17	
	20	21	22	23	24	
	27	28	29	30	31	
August 2026	3	4	5	6	7	August 3 - Optional Teacher Work Day
	10	11	12	13	14	August 4 - Teacher Professional Learning Day
	17	18	19	20	21	August 6 - First Day of Instruction
	24	25	26	27	28	
18	31					
September 2026		1	2	3	4	
	7	8	9	10	11	September 7 - Labor Day
	14	15	16	17	18	
	21	22	23	24	25	
21	28	29	30			
October 2026				1	2	October 2 - End of 1st Quarter
	5	6	7	8	9	
	12	13	14	15	16	October 12- Columbus Day
	19	20	21	22	23	October 23 - Teacher Professional Learning Day
20	26	27	28	29	30	
November 2026	2	3	4	5	6	November 6 - End of 1st Trimester
	9	10	11	12	13	November 11 - Veterans Day
	16	17	18	19	20	
	23	24	25	26	27	November 23 - 25 - Non School Days
15	30					November 26, 27 - Thanksgiving Holidays
December 2026		1	2	3	4	
	7	8	9	10	11	
	14	15	16	17	18	December 18 - End of 1st Semester
	21	22	23	24	25	December 21 - January 6 - Winter Recess
14/88	28	29	30	31		December 24, 25 - Classified Holidays

January 2027					1	January 1 - New Year's Day Observed
	4	5	6	7	8	
	11	12	13	14	15	
	18	19	20	21	22	January 18 - Martin Luther King Jr Birthday
16	25	26	27	28	29	
February 2027	1	2	3	4	5	
	8	9	10	11	12	February 12- Lincoln's Birthday Observed **
	15	16	17	18	19	February 15 - Washington's Birthday
	22	23	24	25	26	February 19 - End of 2nd Trimester
18						
March 2027	1	2	3	4	5	
	8	9	10	11	12	
	15	16	17	18	19	March 19 - End of 3rd Quarter
	22	23	24	25	26	March 26 - In Lieu of Admission Day
19	29	30	31			March 29 - April 2 - Spring Break
April 2027				1	2	
	5	6	7	8	9	
	12	13	14	15	16	
	19	20	21	22	23	
20	26	27	28	29	30	
May 2027	3	4	5	6	7	
	10	11	12	13	14	
	17	18	19	20	21	May 27 - Last Day of Instruction
	24	25	26	27	28	May 28 - Optional Teacher Work Day
19/92/180	31					May 31 - Memorial Day
June 2027		1	2	3	4	June 1 - Classified Mandatory Work Day
	7	8	9	10	11	
	14	15	16	17	18	June 18 - Juneteenth Holiday Observed*
	21	22	23	24	25	
	28	29	30			

First/Last Day of Instruction	PURPLE
Quarter End	ORANGE
Trimester End	BLUE
Non-school Days	GREEN
Legal Holiday	RED
Winter/Spring Recess	
Professional Learning Days	TURQUOISE

MINIMUM DAY SCHEDULE

Elementary School	Secondary School
November 16, 17, 18, 19, 20	December 16, 17, 18
December 18	May 25, 26, 27
March 9, 10, 11, 12	
May 24, 25, 26, 27	

LATE START WEDNESDAYS SCHOOL START TIMES (Noted in Yellow)

Burroughs	8:10 a.m.	Las Flores	8:30 a.m.
China Lake	8:00 a.m.	Pierce	9:30 a.m.
Faller	8:30 a.m.	Richmond	9:30 a.m.
Gateway	8:30 a.m.	Vieweg	9:30 a.m.
Inyokern	8:45 a.m.		

Adopted 10/23/25

Superintendent's Message

On behalf of the Board of Education, faculty, and staff of the Sierra Sands Unified School District, I welcome you to the 2026-2027 school year. It is our sincere desire that each and every student be provided with the best possible educational experience. As required by law, this is the annual notice to parents/guardians of Sierra Sands Unified School District ("District"). This notice provides information to parents/guardians about federal laws and state education codes, as well as information relating to the rights of parents or guardians of children. If your questions or concerns regarding our district schools, programs, policies, or procedures are not addressed in this booklet, please call your school or the District office for further information. For your convenience, telephone numbers are listed below.

As required by law, I wish to notify you as parents and/or guardians of students enrolled in our schools of your rights and responsibilities. I ask, therefore, that you please take a moment of your time to carefully review the "Mandated Notification to Parents" section of this handbook. After your review, please **sign** and **return** to your student's school the acknowledgement located on your child's emergency card, indicating that you have received and reviewed these materials.

Dr. April Moore
Superintendent
Sierra Sands Unified School District

Faller Elementary	(760) 499-1690
Gateway Elementary	(760) 499-1850
Inyokern Elementary	(760) 499-1683
Las Flores Elementary	(760) 499-1860
Pierce Academy of the Arts	(760) 499-1670
Richmond Elementary	(760) 499-1890
Vieweg STEM Academy	(760) 499-1840
China Lake Junior High	(760) 499-1820
Sherman E. Burroughs High School	(760) 499-1800
High Desert School & Mesquite High School	(760) 499-1810
Adult School	(760) 499-1722
Student Support Services	(760) 499-1774
Education Services	(760) 499-1640
SELPA	(760) 499-1702
Technology	(760) 499-1630
Business Services	(760) 499-1604
Human Resources	(760) 499-1620
Superintendent's Office	(760) 499-1600

Introduction

California Education Code section 49880 requires each school district to notify parents and guardians of their legal rights and obligations at the beginning of the first semester or quarter of the regular school year. The following summarizes those rights and responsibilities.

Education Code section 48982 requires that this notice be signed and returned by the parent or guardian to the school. Your signature acknowledges that you have received and reviewed this notice. It does not indicate that you have given or withheld consent for your child to participate in any particular program or activity. Some items in this notice require separate advance notification before a specific activity or class takes place. A separate letter will be sent to you before any such activity, and your child will be excused from participation whenever you file a written statement with the school principal requesting that your child not participate. Other items in this notice describe rights that you or your child may exercise at any time. Throughout this notice, the term “parent” includes a parent or legal guardian.

Please take the time to review the information provided in this document and keep it for reference during the school year. You will be asked to ***sign*** and ***submit*** to your student’s school the ***Mandatory Parent Notification Receipt*** on your child’s Emergency Card as required by EC 48982, and any other pertinent forms. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact an administrator at your child’s school for assistance. Again, you may also visit our website for current updates and valuable information at http://www.ssusd.org/.

Key to Acronyms

AR	Sierra Sands Unified School District Administrative Regulations
BP	Sierra Sands Unified School District Board Policy
BPC	California Business and Professions Code
CCR	California Code of Regulations
CDE	California Department of Education
CFR	Code of Federal Regulations
EC	California Education Code
GC	California Government Code
HSC	California Health and Safety Code
LC	California Labor Code
SSUSD	Sierra Sands Unified School District
PC	California Penal Code
USC	United States Code
VC	California Vehicle Code
WIC	California Welfare and Institutions Code

ABSENCES

EXCUSED ABSENCES (EC §48205): A pupil shall be excused from school when the absence is:

- Due to the pupil's illness, including an absence for the benefit of the pupil's mental or behavioral health.
- Due to quarantine under the direction of a county/city health officer.
- For purposes of having medical, dental, optometrical, or chiropractic services rendered.
- For purposes of attending the funeral services or grieving the death of a member of the pupil's immediate family or person determined to be in such close association with the pupil that they are considered by parent or guardian to be the pupil's immediate family (up to 5 days per incident).
- For purposes of jury duty.
- Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
- For justifiable personal reasons including attendance in court, religious observance or retreat, employment conference, or educational conference on the legislative or judicial process offered by a nonprofit organization. All absences under this category require a written request by the parent and must be approved by the principal or designated representative pursuant to uniform standards established by the governing board of the school district.
- For purposes of serving as a member of a precinct board for an election.
- For purposes of spending time with an immediate family member who is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment. The length of the excused absence is determined at the discretion of the Superintendent.
- For purposes of attending the pupil's naturalization ceremony.
- For purposes of participating in a cultural ceremony or event.
- For a middle or high school pupil engaging in a civic or political event (one excused day per school year and must notify school prior to absence; additional days at administrator discretion).
- For accessing victim services, grief support, or safety planning following the death of an immediate family member (up to 3 days per incident).
- Due to the pupil's participation in military entrance.
- As approved by the Superintendent pursuant to Education Code section 48260(c). A pupil absent pursuant to this section shall be allowed to complete all missed assignments and tests that can reasonably be provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit.

ABSENCES FOR CONFIDENTIAL MEDICAL SERVICES (EC §46010.1): Students in grades 7 through 12 may be excused from school to obtain confidential medical services without the consent of a parent or guardian.

ABSENCE FOR RELIGIOUS INSTRUCTION (EC §46014): With written parental consent, a student may be excused from school to participate in religious exercises or instruction.

GRADE REDUCTION/LOSS OF ACADEMIC CREDIT (EC §48980(i)): A student's grade may not be reduced, and academic credit may not be withheld, solely on the basis of an excused absence under Education Code section 48205. If missed assignments or tests can reasonably be provided, a student who completes them satisfactorily within a reasonable period of time must receive full credit for that work.

SCHOOL ATTENDANCE / ATTENDANCE ALTERNATIVES

ATTENDANCE ALTERNATIVES (EC §48980(g)): The district provides information to parents or guardians regarding options for selecting schools other than the student's assigned school of attendance.

INTRADISTRICT TRANSFERS (EC §35160.5(b)): The district maintains a policy allowing students to apply for attendance at a school within the district other than their school of residence. Priority is given to students residing within a school's attendance area. If the number of applicants exceeds available capacity, selection is conducted through a random and unbiased process in accordance with district policy. Academic or athletic performance is not used as a criterion for acceptance or rejection.

INTERDISTRICT TRANSFERS (EC §46600, et seq.): Two or more school districts may enter into an agreement allowing students to transfer between districts for up to five years, renewable for additional five-year periods. The terms and conditions of the transfer are set by the agreement between the districts. Once enrolled under an interdistrict agreement, a student does not need to reapply and may continue attending the school of enrollment unless the agreement says otherwise. A district of residence may not deny a transfer request from a student whose parent or guardian is an active-duty military member where the receiving district has approved the application. A student who has been identified as a victim of bullying committed by a student of their home district shall be given priority for interdistrict attendance under any existing agreement or given additional consideration for the creation of a new agreement if none exists, as long as the receiving school has capacity. If a transfer request is denied, parents may appeal the decision to the county board of education within 30 calendar days.

PARENTAL EMPLOYMENT TO ESTABLISH RESIDENCY (EC §48204(b)): If at least one parent or guardian is physically employed within the boundaries of another school district for a minimum of 10 hours per school week, the student may be considered a resident of that district for enrollment purposes. This option does not guarantee enrollment — the receiving district retains the right to accept or deny the request — but a student may not be rejected on the basis of race, ethnicity, sex, parental income, academic achievement, or any other arbitrary consideration.

OPEN ENROLLMENT ACT (EC §48350, et seq.): If your child attends a school that has been identified on the state's Open Enrollment List as a low-performing school, you have the right to apply for a transfer to another public school with higher performance, either within or outside the district. The district is required to notify parents/guardians of this option at the start of the school year. For more information about the application process and deadlines, please contact the district.

NOTICE OF ALTERNATIVE SCHOOLS (EC §58501): California law authorizes school districts to establish alternative schools designed to provide students with a different educational environment that emphasizes self-reliance, creativity, student-driven learning, and collaboration between students, parents, and teachers. If you are interested in learning more about alternative school programs available in your area, information is available from the county superintendent of schools, the district's administrative office, and the principal's office at each school.

CHARTER SCHOOLS (EC §§47600–47663; 5 CCR §11963): Charter schools are publicly funded schools that operate under a charter granted by a school district, county board of education, or the State Board of Education. Charter schools are governed by the Education Code but are generally free of many of its standard requirements. Charter schools may offer classroom-based or non-classroom-based instruction. For information about charter schools in your area, contact the district office or visit the California Department of Education website.

PRIVATE SCHOOLS (EC §48222): Children may be instructed in a private full-time day school by persons qualified to teach in the State of California. Private schools are selected and paid for by the student's parents. For more information regarding the private school affidavit, please visit the California Department of Education's website at https://www.cde.ca.gov/sp/ps/affidavit.asp.

MENTALLY GIFTED STUDENTS (EC §48223): Children who are mentally gifted and who are being instructed in a private full-time day school, where all or part of the courses of instruction required to be taught in the public schools are being taught, may be excused from compulsory public school attendance. For more information, contact the district office.

INSTRUCTION BY TUTOR (EC §48224): As an alternative to private school, children may be instructed by a private tutor who holds a valid state credential for the applicable grade level. Private tutors are selected and paid for by the student's parents.

INDIVIDUALIZED INSTRUCTION (EC §§48206.3, 48980(b)): If your child has a temporary disability that prevents attendance in regular classes, the district will provide individualized instruction at home or in a hospital or other residential health facility when possible. Please contact the district office if you believe your child may be eligible for individualized instruction services.

STUDENTS IN HOSPITALS OUTSIDE OF SCHOOL DISTRICT (EC §§48206.3, 48207, 48208): If your child is placed in a hospital or other residential health facility located outside your school district due to a temporary disability, your child may be eligible to receive individualized instruction from the school district in which the facility is located. You should notify both the district where you reside and the district where the facility is located so that instruction can be arranged.

STUDENT DISCIPLINE

RULES AND PROCEDURES ON SCHOOL DISCIPLINE (EC §35291): Education Code sections 48900, et seq. outline the rules pertaining to student discipline, and related due process procedures. Combined with district policies, school officials have legal authority to impose student discipline and ensure students have due process. Copies of relevant Education Code sections and district policies are available upon request.

DUTIES OF PUPILS (5 CCR §300): Students must follow school rules, comply with directions from school staff, behave respectfully, apply themselves in their studies, and use appropriate language at all times.

STUDENT DISCIPLINE GROUNDS (EC §48900): Education Code section 48900 identifies behaviors for which a student may be subject to suspension or expulsion, including causing or threatening harm, possession of weapons, drugs or alcohol, theft, vandalism, harassment or bullying, and other acts that disrupt school activities or otherwise violate school rules. Disciplinary actions are imposed in accordance with applicable law and district policies.

ADDITIONAL GROUNDS FOR STUDENTS IN GRADES 4–12 (EC §§48900.2, 48900.3, 48900.4, 48900.7): For students in grades 4 through 12, additional grounds for suspension or expulsion include sexual harassment (EC §48900.2), hate violence (EC §48900.3), harassment, threats, or intimidation directed at any student or staff member (EC §48900.4), and terroristic threats against school officials or school property (EC §48900.7).

NON-PUNITIVE CORRECTION PREFERRED (EC §§48900.5(b), 48900.6, 48900.9(b)): California law requires that other means of correction always be considered before a student is suspended, expelled, or removed from the regular classroom through any form of exclusionary discipline. Schools are encouraged to use classroom-based interventions, restorative practices, counseling, and other supportive approaches before resorting to suspension or expulsion.

SUSPENSION FROM SCHOOL (EC §48911): A school principal, the principal's designee, or the Superintendent may suspend a student from school for any conduct prohibited by Education Code section 48900. The maximum duration of any single suspension is five school days. If expulsion proceedings are initiated, the student may remain suspended until the governing board makes a final decision. You will be notified promptly if your child is suspended, and you have the right to request a meeting with school officials to discuss the suspension.

MANDATORY AND DISCRETIONARY EXPULSION RECOMMENDATIONS (EC §48915): Education Code section 48915 establishes specific expulsion requirements beyond those in Education Code section 48900. For certain serious acts including possession of a firearm, brandishing a knife at another person, unlawfully selling a controlled substance, committing or attempting to commit sexual assault, and possessing an explosive, the school principal is required to recommend expulsion with no discretion. For other serious acts such as assault likely to cause serious bodily injury, possession of a knife, robbery or extortion, and possession of certain controlled substances, the principal shall recommend expulsion unless specific mitigating circumstances exist. A full description of the grounds for suspension and expulsion is available upon request from the district office.

INVOLUNTARY TRANSFER OF A STUDENT CONVICTED OF A VIOLENT FELONY OR MISDEMEANOR (EC §48929): Pursuant to district policy, a student who has been convicted of a violent felony or a misdemeanor involving a firearm may be involuntarily transferred to another school site if the victim of the offense is enrolled at the same school. The purpose of this policy is to protect the safety and well-being of the victim. Parents and guardians will be notified of any such transfer in accordance with applicable law.

DISCIPLINE OF STUDENTS WITH DISABILITIES (EC §48915.5; 20 USC §1415(k)): Federal law governs the authority of school districts to suspend and expel students with disabilities. If a student's misconduct is determined to be a manifestation of their disability, the student must return to their pre-suspension placement after 10 cumulative days of suspension in a school year, unless the student's IEP team and parents agree otherwise. A student with a disability may not be expelled for misconduct that is a manifestation of their disability.

LAW ENFORCEMENT NOTIFICATION (EC §48902): The Education Code requires the school principal to notify local law enforcement when a student engages in any of the following conduct on school grounds or at a school activity: assault with a deadly weapon or other instrument likely to produce serious bodily injury; assault by means of force likely to produce serious bodily injury; use, possession, or sale of narcotics, alcohol, or other controlled substances; possession of a firearm within a school zone; possession of another dangerous weapon such as a dirk or dagger; or possession or furnishing of a firearm or explosive at school.

RELEASE OF A STUDENT TO A PEACE OFFICER (EC §48906): If a school official releases your child to a peace officer for the purpose of removing your child from school premises, the school official will take immediate steps to notify you or a responsible relative of your child. The only exception is when a student has been taken into custody as a victim of suspected child abuse or neglect, in which case the school will follow the direction of the investigating law enforcement agency.

TEACHER RESPONSIBILITY FOR STUDENT CONDUCT (EC §44807): Every teacher is required to hold students accountable for their conduct on the way to and from school, on the playground, and during recess. Teachers may exercise the amount of physical control that is reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, the teacher, and others.

SCHOOL ACCOUNTABILITY REPORT CARD (EC §§35256, 35258): Parents have the right to request and receive information about the School Accountability Report Card (SARC), which provides details about a school's academic performance, student achievement, safety, teacher qualifications, class sizes, and facility conditions. Copies are available upon request and on the district's website.

SAFE PLACE TO LEARN ACT (EC §§234.1, 234.4): The district is committed to maintaining a learning and working environment free from discrimination, harassment, intimidation, and bullying including cyberbullying. Information on the district's policies and procedures for reporting and resolving complaints is available at school sites and on the district's website in English and other required languages. To obtain a copy of these policies or to report concerns, parents and students may contact the district office.

DRESS CODE (EC §35183): The district is authorized to adopt a reasonable dress code. Students are expected to dress appropriately for school, and clothing or items that are disruptive, unsafe, or associated with gangs are prohibited. Specific dress code requirements are available at the school site or upon request.

PROPERTY DAMAGE OR PERSONAL INJURY — PARENTS LIABLE (EC §48904(a); CC §1714.1): Parents or guardians are liable for property damage or personal injuries caused by their child's willful misconduct in an amount up to $25,000.00.

DAMAGED LIBRARY MATERIALS — PARENTS LIABLE (EC §19910): The parent or guardian of a minor who willfully damages or destroys any book, map, chart, picture, or other school or library property is liable to the district for the cost of replacing or repairing that property, up to the amount permitted by law.

OVERDUE LIBRARY MATERIALS — PARENTS LIABLE (EC §§19911; 48904(b)): The parent or guardian of a minor who fails to return borrowed school or library materials in a timely manner may be held responsible for the cost of replacing those materials. Grades, diplomas, and transcripts may be withheld until the matter is resolved or a voluntary work program is arranged.

SOCIAL MEDIA MONITORING (EC §49073.6): The district has adopted a program to gather and maintain information from students' social media accounts for purposes directly related to school or student safety. If your child's social media information has been gathered, you will be notified. You and your child have the right to: (1) be informed that your child's social media information is being gathered; (2) access and review the information that has been collected; and (3) request the correction or removal of any information gathered. All information gathered will be deleted within one year of the pupil reaching the age of 18 or within one year of the pupil no longer being enrolled in the district, whichever comes first.

STUDENT SERVICES

MINIMUM AGE OF ADMISSION TO KINDERGARTEN AND TRANSITIONAL (EC §48000): A child shall be eligible for enrollment in kindergarten if the student will have a fifth birthday on or before September 1. Any child who will have their fourth birthday by September 1 shall be admitted to a transitional kindergarten (TK) program in accordance with law and district policy.

SPECIAL EDUCATION – INDIVIDUALS WITH DISABILITY ACT (IDEA) (20 USC § 1400, et seq.): State and federal law require that a free appropriate public education (FAPE) be provided in the least restrictive environment to eligible students with disabilities ages 3 through 21. Information about eligibility, parent rights, and procedural safeguards is available upon request.

SPECIAL EDUCATION / CHILD FIND (EC §56301): The district actively identifies and evaluates students who may have disabilities. Parents who suspect their child may have exceptional needs may request an assessment by contacting Amy Self, Executive Director of SELPA at 760-499-1702. The request may be made verbally or in writing. Once a written assessment request is received, the district must respond within 15 calendar days with either a proposed assessment plan or written explanation of its refusal to assess.

SPECIAL EDUCATION COMPLAINTS (5 CCR §§3200–3205; CFR §§300.151–300.153): If you believe the district has violated federal or state law governing the identification, evaluation, or placement of a student with disabilities, you may file a written complaint with the California Department of Education.

SECTION 504 / STUDENTS WITH DISABILITIES (Section 504 of the Rehabilitation Act of 1973): The district does not discriminate on the basis of disability and annually notifies parents or guardians of their rights under Section 504, including the district’s obligation to provide equal access to programs and services.

FINGERPRINTING PROGRAM (EC §32390): If the district offers a voluntary fingerprinting program for students enrolled in kindergarten or newly enrolled in the district, parents or guardians will be notified of the program procedures, any applicable fees, and their right to decline participation.

CHILDREN IN HOMELESS SITUATIONS (42 USC §§11431–11435): The district shall designate a liaison for students experiencing homelessness who ensures that parents, guardians, and students are informed of their educational rights and that public notice of these rights is provided as required by law.

HOMELESS STUDENT RIGHTS (EC §48851): The district annually provides a housing questionnaire to all families to identify students experiencing homelessness. This questionnaire includes information about the rights and protections available to homeless students, including immediate enrollment, school stability, and access to educational services. The district ensures that information is available in languages understood by families and collects responses to help identify and support students in need of services.

CALIFORNIA KIDS INVESTMENT AND DEVELOPMENT SAVINGS — CalKIDS (EC §69996, et seq.): The State of California offers the CalKIDS program, which provides eligible public school students with college savings accounts to support future higher education. Additional information is available at the California State Treasurer's website.

INVESTING FOR FUTURE EDUCATION (EC §48980(d)): Parents are advised of the importance of investing for higher education for their children and of considering appropriate investment options, including United States savings bonds.

CAMPUS SAFETY

COMPREHENSIVE SCHOOL SAFETY PLAN (EC §§32280, et seq.; SB 848; SB 98; AB 49): Each school in the district maintains a comprehensive school safety plan. Copies are available upon request at the district office and are provided to local law enforcement. Effective 2026-27, school safety plans must include: (1) procedures to notify parents, guardians, teachers, administrators, and school personnel when the presence of immigration enforcement is confirmed on campus; and (2) procedures for the supervision and protection of children from child abuse, neglect, and sex offenses. Safety plans are updated annually and must be completed by March 1 of each year.

DRUG FREE CAMPUS: The possession, use, or sale of narcotics, alcohol, or other controlled substances is strictly prohibited at all school activities and on school grounds. Violations may result in referral to local law enforcement and district disciplinary action, up to and including suspension or expulsion.

MEGAN'S LAW NOTIFICATION (PC §290.4): Parents and members of the public have the right to review information about registered sex offenders in California. This information is available at the main office of the local law enforcement agency serving this school district, or online at www.meganslaw.ca.gov.

SCHOOL BUS SAFETY (EC §39831.5): Safety rules and regulations for school bus passengers are provided to all students who are new to the district or who have not previously been transported by school bus. If your child will be riding a school bus, please contact the district office for a complete list of bus stops, rules of conduct, and safety information.

SAFE STORAGE OF FIREARMS (EC §49392): California law requires that firearms be stored safely and securely to prevent children from gaining access to them. The risk of children bringing firearms to school can be significantly reduced by storing firearms in a locked container or with a locking device that renders the firearm inoperable, and by storing firearms separately from ammunition. Parents and guardians are encouraged to review California's child access prevention laws, which impose criminal and civil liability on adults who fail to store firearms safely.

SCHOOL RECORDS AND ACHIEVEMENT

PUPIL RECORDS / NOTICE OF PRIVACY RIGHTS (EC §§49063, et seq., 49069.7, 49073; FERPA): Federal and state law grant parents and eligible students the right to access and protect the privacy of student records. Pupil records are confidential and will not be disclosed without consent except as permitted by law. Pupil records include any information directly related to an identifiable student that is maintained by the district. Parents and eligible students may request access to student records by contacting the student's school, and the district will respond to requests within five business days. The district may disclose records without consent to school officials or contractors who have a legitimate educational interest, or to other parties as permitted by law. When a student enrolls in another school or district, the district will transfer records as required. Parents and eligible students have the right to request amendment of student records they believe are inaccurate, misleading, or in violation of privacy rights, and may request a hearing if the district denies the request. The district maintains a record of requests for access to pupil records as required by law. Complaints regarding alleged violations of student record privacy rights may be filed with the U.S. Department of Education.

RELEASE OF PUPIL DIRECTORY INFORMATION (EC §49073; 34 CFR §99.37): The district may release directory information in accordance with state and federal law, including a student's name, date of birth, address, telephone number, email, participation in activities, dates of attendance, and degrees or awards received. Directory information does not include citizenship or immigration status. Parents and eligible students may request that the district not release directory information by submitting a written request within 30 days of receipt of this notice.

RELEASE OF STUDENT RECORDS/COMPLIANCE WITH SUBPOENA OR COURT ORDER (EC §§49076, 49077): The district will make a reasonable effort to notify parents or eligible students in advance before disclosing student records in response to a subpoena or court order, unless otherwise directed by law.

RELEASE OF STUDENT RECORDS TO SCHOOL OFFICIALS AND EMPLOYEES OF THE DISTRICT (EC §§49076(a)(1), 49064(d)): Districts may release educational records, without prior written parental consent, to school officials, employees, and service providers who have a legitimate educational interest in the records.

Educational Materials/Curriculum

SEX EQUITY IN CAREER PLANNING (EC §221.5(d)): Beginning in grade 7, parents and guardians are notified in advance of career counseling and course selection activities. School counselors and staff may not guide students toward or away from any career path, course, or program based on the student's sex. Parents and guardians are encouraged to participate in these counseling sessions and decisions alongside their child.

PROSPECTUS OF SCHOOL CURRICULUM (EC §49091.14): Each school annually prepares a prospectus of its course curriculum. The prospectus is available for review at the school site, and copies may be requested for a fee not to exceed the actual cost of duplication.

MULTILINGUAL EDUCATION (EC §310): The district provides information on available language acquisition programs, including a description of each program, to parents at enrollment or upon request.

PROHIBITION AGAINST DISCRIMINATORY EDUCATIONAL MATERIALS (EC §244): The district shall not adopt or approve materials or curriculum that subject a pupil to unlawful discrimination based on characteristics protected by law, including disability, gender, gender identity or expression, nationality, race or ethnicity, religion, sexual orientation, or immigration status. Parents may file a complaint for violations through the district’s Uniform Complaint Procedures.

NOTIFICATION OF INTERNATIONAL BACCALAUREATE AND DUAL ENROLLMENT COURSES (EC §48980.6): At the beginning of the first semester or quarter, the district shall notify the parents or guardians of pupils in grades 7–12 of any dual enrollment or International Baccalaureate courses offered by the district.

RIGHT TO REFRAIN FROM HARMFUL USE OF ANIMALS (EC §32255, et seq.): Students have the right to decline participation in educational projects that involve the dissection or other harmful or destructive use of animals. If your child wishes to exercise this right, please notify the school in writing so that an alternative project can be arranged.

PARENTAL RIGHTS — EDUCATION EMPOWERMENT ACT (EC §49091.10): The Education Empowerment Act grants parents and guardians the right to inspect instructional materials used in their child's classroom upon request, to observe school activities involving their child in accordance with district procedures, and to be informed of and deny permission for any behavioral, mental, or emotional evaluation of their child. Students may not be compelled to affirm or disavow any worldview, religious doctrine, or political opinion.

COMPLAINTS CONCERNING DEFICIENCIES RELATED TO INSTRUCTIONAL MATERIALS, ETC. (EC §35186): Parents, students, and teachers have the right to file a complaint if there are deficiencies related to: insufficient or damaged instructional materials; emergency or urgent facility conditions that pose a threat to the health or safety of students or staff; or teacher vacancies or misassignments. Complaints may be filed anonymously. A complaint form is posted in every classroom, school office, district office, and can be downloaded from the district website. The district uses the Uniform Complaint Procedures to investigate and resolve all such complaints.

RIGHTS IN THE EDUCATIONAL ENVIRONMENT

STATEMENT OF NONDISCRIMINATION (Title VI; Title IX; ADA; Section 504; EC §200, et seq.): The district does not discriminate on the basis of gender, gender identity, gender expression, sex, race, color, religion, national origin, ethnic group identification, age, genetic information, mental or physical disability, sexual orientation, immigration status, or any other characteristic protected by law.

TITLE IX OF THE U.S. EDUCATION AMENDMENTS OF 1972: The district does not discriminate on the basis of sex in any of its educational programs or activities. Any student, parent, or employee who believes they have experienced sex discrimination or sexual harassment may contact the district's Title IX Coordinator. The name, office address, telephone number, and email address of the district's designated Title IX Coordinator are available upon request from the district office and are posted on the district's website.

SEXUAL HARASSMENT POLICY (EC §231.5; 5 CCR §4917): The district has adopted a written policy prohibiting sexual harassment of students. A copy of this policy is attached. The policy is also displayed prominently throughout district schools and offices and is included in orientation programs for both employees and students.

EDUCATIONAL EQUITY REGARDLESS OF IMMIGRATION STATUS, CITIZENSHIP, OR RELIGION (EC §234.7): If a parent or guardian is unavailable to care for a student, the district will follow the emergency contact information provided by the family. Under California law, a Caregiver's Authorization Affidavit may be used to designate a qualified relative to enroll a student in school and consent to school-related medical care. Recent law expands the category of eligible relatives to include individuals within the fifth degree of kinship.

UNIFORM COMPLAINT PROCEDURES (5 CCR §4622; EC §262.3): The district is required to annually notify parents, students, employees, and other interested parties of its Uniform Complaint Procedures. The UCP provides a process for filing, investigating, and resolving complaints related to district programs, services, and civil rights obligations. The district's UCP has been updated to reflect the amendment to Education Code section 262.3, effective January 1, 2026. A copy of the district's current Uniform Complaint Procedures is available free of charge. The district has a separate process for filing general complaints against employees.

PROHIBITION ON ENTRY BY IMMIGRATION ENFORCEMENT WITHOUT JUDICIAL PROCESS (EC §234.7; AB 49): School officials and employees are prohibited, to the extent practicable, from allowing immigration enforcement officers access to nonpublic areas of a school site without a valid judicial warrant, subpoena, or court order. The district will not, to the extent practicable, disclose education records or information about students, families, or staff to immigration enforcement officers without a parent’s written consent, unless first presented with a valid judicial warrant, subpoena, or court order.

EMPLOYEE MISCONDUCT, PROFESSIONAL BOUNDARIES, AND GROOMING AWARENESS (SB 848; EC §32100): The district maintains policies to support safe learning environments, including appropriate boundaries between employees and students and limits on electronic communication and social media contact. Students receive age-appropriate instruction on abuse and grooming prevention. The district utilizes the statewide employee misconduct database when screening new hires, and employees complete annual mandated reporter training.

OTHER PARENTAL RIGHTS (EC §51101): Parents and guardians also have the right to observe their child's classroom upon reasonable advance notice; to meet with their child's teacher and school principal; to volunteer at the school; to be notified promptly of unexcused absences; to receive information about classroom performance and standardized assessment results; to request a specific school or teacher and receive a response; to examine curriculum materials; to access student records and question any item that appears inaccurate or misleading; to receive information about psychological testing and deny permission for it; to participate in school site councils or parent advisory committees; to be notified as early as possible if their child is at risk of retention; and to be informed in advance about school rules, policies, dress codes, and procedures for school visits.

CODE OF CONDUCT FOR EMPLOYEE — PUPIL INTERACTIONS (EC §44050): The district maintains a code of conduct for employees that includes standards for employee interactions with students. Inappropriate employee conduct toward students includes, but is not limited to, engaging in any conduct that endangers students, staff, or others; harassing, discriminatory, or bullying behavior; physical abuse, sexual abuse, neglect, or willful harm or injury to a student; inappropriate socialization or fraternization with a student, or soliciting, encouraging, or maintaining an inappropriate relationship with a student; possessing, viewing, or distributing pornography on school grounds or using district technology; using profane, obscene, or personally abusive language directed at students; being dishonest with students, parents, or administrators; or disclosing confidential student information to persons not authorized to receive it. The district prohibits retaliation against anyone who reports an employee's inappropriate conduct or files a complaint. If you have concerns about an employee's conduct toward your child, please contact the school principal or the district office.

EMPLOYEE CONDUCT AND PARENTAL INVOLVEMENT (EC §§44050, 11503; 20 USC §§6312, 6318): The district maintains a code of conduct for employees that prohibits conduct endangering students, harassment or discrimination, physical or sexual abuse, inappropriate relationships with students, possession of pornography on school grounds, profane or abusive language toward students, dishonesty, and unauthorized disclosure of student information. The district prohibits retaliation against anyone who reports inappropriate employee conduct; concerns may be reported to the school principal or district office. The district is committed to involving parents as meaningful partners through parent advisory committees, family engagement communications, sharing of working drafts for parent review, assistance understanding academic standards, and workshops to support learning at home. An annual statement of program objectives and a review of progress are available upon request.

PREGNANT AND PARENTING PUPILS (EC §§221.51, 222, 222.5, 46015): The district shall not exclude any student from participation in any educational program on the basis of pregnancy, childbirth, termination of pregnancy, or recovery therefrom. Pregnant and parenting students are entitled to up to eight weeks of parental leave. The district will provide reasonable accommodations, including access to a private space for lactation or breastfeeding. Students shall not incur an academic penalty for using these accommodations.

HEALTH SERVICES

MEDICATION (EC §49423): If a student needs to take prescription medication during the school day and requires assistance from school staff, the school must be provided with a written statement of instructions from the student's physician and a signed parental request for assistance. Students may also be authorized to carry and self-administer certain prescription medications, such as auto-injectable epinephrine or inhaled asthma medication, with appropriate physician and parental authorization on file.

CONTINUING MEDICATION REGIMEN (EC §49480): If a student takes medication on a continuing basis for a non-episodic condition, they are required to inform the school nurse or other designated school employee of the medication being taken, the current dosage, and the name of the supervising physician. With parent's consent, the school nurse may contact the physician and may advise school personnel of any potential effects the medication may have on the student's behavior or health.

COMMUNICABLE DISEASES AND IMMUNIZATION REQUIREMENTS (EC §§48216, 49403; HS §§120325, 120335): Students are required to be properly immunized before attending school. All students entering kindergarten (including transitional kindergarten), advancing from 6th to 7th grade, or enrolling for the first time must meet California's immunization requirements unless a valid medical exemption signed by a licensed physician is provided. No new personal belief exemptions will be accepted. All students entering grades 7 through 12 must have a Tdap (whooping cough) booster. Students who are not properly immunized will be excluded from school until proof of immunization or a valid exemption is provided.

THE CANCER PREVENTION ACT — HPV VACCINATION (EC §48980.4; HS §120336): Students entering 6th grade are advised to adhere to current immunization guidelines regarding full human papillomavirus (HPV) immunization. HPV vaccination is recommended by the Federal Advisory Committee on Immunization Practices, the American Academy of Pediatrics, and the American Academy of Family Physicians. HPV vaccination can prevent over 90% of cancers caused by HPV. Two doses of the HPV vaccine are recommended for children between the ages of 9 and 12, and the second dose should be given before the start of 8th grade.

The vaccine is covered by most health insurance plans. If you do not have health insurance, the Vaccines for Children (VFC) program offers free vaccines to eligible children up to age 18. Ask your health care provider or local health department about where to get the HPV vaccine.

INFORMATION FOR USE IN EMERGENCIES (EC §49408): For the protection of your child's health and welfare, please complete and return the enclosed Emergency Information Card. This form allows the district to contact you or a designated emergency contact in the event of an illness, injury, or other emergency involving your child during the school day. Please ensure the information is current and update the school promptly if your contact information changes during the year.

PHYSICAL EXAMINATION; PARENT REFUSAL TO CONSENT (EC §49451): You have the right to exempt your child from any routine physical examination conducted at school. To do so, file a written, signed statement with your child's school principal each year stating that you do not consent to a physical examination of your child. Please note that if your child is believed to be suffering from a recognized contagious or infectious disease, your child may be sent home and will not be permitted to return until school authorities are satisfied that the contagious or infectious disease does not exist.

VISION APPRAISAL (EC §49455): The district is required to appraise each student's vision during kindergarten, upon initial enrollment, and in grades 2, 5, and 8. A student first enrolling in grade 4 or 7 will not be reappraised the following year. The appraisal includes tests for near vision, far vision, and color vision; color vision is tested once and only for male students. The appraisal may be waived if a parent presents a certificate from a licensed physician, surgeon, physician's assistant, or optometrist showing the results of a recent vision determination. This appraisal is also not required if a parent files a written objection based on a religious belief with the principal.

MENTAL HEALTH SERVICES AVAILABLE ON CAMPUS AND IN THE COMMUNITY (EC §§49428, 49429.5): The district is committed to supporting the mental health and well-being of all students. If you have concerns about your child's mental health or emotional well-being, please contact your child's school counselor, the school psychologist, or the district office. For a mental health emergency, please call 988 (Suicide and Crisis Lifeline) or 911.

SCOLIOSIS SCREENING NOTICE (EC §§49451, 49452.5): The district may screen female students in grade 7 and male students in grade 8 for scoliosis. If you do not wish your child to participate in this screening, you may file a written refusal with the school principal.

DENTAL FLUORIDE TREATMENT (HS §104830, et seq.): Students may receive a topical application of fluoride or other decay-inhibiting treatment at school. This treatment is available upon request. If you would like your child to receive this service, please submit a written request to your child's school.

CONCUSSION AND HEAD INJURY DURING ATHLETIC ACTIVITY (EC §49475): If your child participates in the district's athletic program, California law requires that you and your child review and sign a concussion and head injury information sheet before your child may begin practice or competition. This sheet explains the nature and risks of concussion and head injuries, the signs and symptoms to watch for, and the steps that will be taken if a concussion is suspected. A student who is suspected of having sustained a concussion or head injury during a practice or competition must be immediately removed from activity. The student may not return to activity until they are evaluated by, and receive written clearance from, a licensed health care provider.

PUPIL NUTRITION — NOTICE OF FREE AND REDUCED PRICE MEALS (EC §§48980(b), 49510, 49520, 49558): Needy children may be eligible for free or reduced-price meals. Details, eligibility criteria, and applications are available at your child's school. When a household is selected for verification of meal benefit eligibility, the district will notify you that your child's eligibility is being verified. For information about California's Universal Meals Program, which provides two free meals per school day to all students regardless of income, please visit the district's website or the California Department of Education website.

THE SEIZURE SAFE SCHOOLS ACT (EC §§49468–49468.5): If your child has been diagnosed with seizures, a seizure disorder, or epilepsy and has been prescribed emergency anti-seizure medication by a health care provider, you may request that the school designate one or more trained volunteers to administer emergency anti-seizure medication or therapy if needed. Before any emergency anti-seizure medication may be administered, the district must obtain a completed Seizure Action Plan from your child's parent or guardian. Please contact the school nurse or district office for more information.

HEALTH CARE COVERAGE INFORMATION (EC §§49452.9, 49557.2): The district has information available about health care coverage options and enrollment assistance for families who may be uninsured or underinsured. If you are interested in learning about available health coverage programs for your child, please contact the district office or your child's school for information and assistance.

MEDICAL AND HOSPITAL SERVICES (EC §49472): The district is required to notify parents in writing if it does not provide or make available medical or hospital services for students injured while participating in athletic activities. The district is also authorized to provide medical or hospital services through nonprofit membership corporations or insurance policies for student injuries arising out of school-related activities. Please contact the district office for information about the district's current student accident insurance coverage.

SUN PROTECTIVE CLOTHING — USE OF SUNSCREEN (EC §35183.5): Students are permitted to wear sun-protective clothing outdoors and to carry and apply sunscreen during the school day without a prescription or physician's note. School sites must allow students to exercise these protections.

ENVIRONMENTAL SAFETY — ASBESTOS AND PESTICIDES (40 CFR §763.84, 763.93; EC §§17611.5, 17612, 48980.3): The district maintains plans for managing and eliminating health risks associated with asbestos-containing materials in school buildings; these plans are available for review at the district office, and parents are notified annually of any planned or in-progress inspections or response actions. The district also informs parents about pesticide use on school grounds. A list of all pesticide products expected to be applied at district school sites during the upcoming year is available from the district office. If you wish to be notified before individual pesticide applications are made at your child's school, please register with the district office.

DANGERS ASSOCIATED WITH SYNTHETIC DRUGS (EC §48985.5): Parents and guardians of all enrolled students are informed of the following dangers associated with synthetic drugs: (1) Synthetic drugs not prescribed by a physician, such as fentanyl, can be extremely dangerous and potentially fatal even in very small amounts; (2) Dangerous synthetic drugs may be found hidden in counterfeit pills that appear to be legitimate prescription medications; (3) Social media platforms are being used to market and sell synthetic drugs, including fentanyl, directly to young people. This information is also posted on the district's website and on each school's website.

TOBACCO FREE SCHOOLS (HS §104420): The use of tobacco and nicotine products is strictly prohibited at all times in district-owned or leased buildings, on district property, and in district vehicles. This prohibition applies to students, staff, parents, and visitors at all school-sponsored programs, activities, and athletic events, whether held on or off district property. Prohibited products include cigarettes, cigars, smokeless tobacco, snuff, chew, clove cigarettes, and electronic cigarettes or vaping devices. Violations may result in disciplinary actions.

SEX / HIV EDUCATION

INSTRUCTION IN COMPREHENSIVE SEXUAL HEALTH EDUCATION AND HIV PREVENTION (EC §51938): The district shall annually notify parents about instruction in comprehensive sexual health education and HIV prevention education planned for the school year. Written and audiovisual educational materials used in such education are available for review upon request. Parents have the right to excuse their child from all or part of such instruction by submitting a written request to the district. The district must notify parents in writing before any test, questionnaire, or survey concerning sexual attitudes is administered and provide them with an opportunity to review the materials.

HEALTH INSTRUCTION/CONFLICTS WITH RELIGIOUS TRAINING AND BELIEFS (EC §51240): Parents or guardians may request in writing that their child be excused from any part of health instruction that conflicts with their religious training and beliefs.

MISCELLANEOUS

LOCAL CONTROL AND ACCOUNTABILITY PLAN (EC §§52059.5–52077): The district is required to adopt a three-year LCAP and update it annually by July 1. The LCAP must identify annual goals and actions across eight state priorities and is posted on the district's website. Parents and community members may submit written comments on the LCAP and are encouraged to participate in the adoption process. If you believe the district is not in compliance with its LCAP obligations, you may file a complaint using the Uniform Complaint Procedures.

EVERY STUDENT SUCCEEDS ACT (20 USC §6301, et seq.): Under the Every Student Succeeds Act, parents have the right to request information about the professional qualifications of their child's classroom teachers, paraprofessionals, and aides, including whether the teacher holds the appropriate state credential for the grade level and subject they teach, whether they are teaching under an emergency or provisional permit, and whether any paraprofessionals provide services to their child and their qualifications. Parents also have the right to receive individual reports on their child's performance on statewide assessments. To submit a request, please contact your child's school. Additional notices required under ESSA will be sent separately.

NOTICE OF MINIMUM DAYS AND PUPIL — FREE STAFF DEVELOPMENT DAYS (EC §48980(c)): Parents and guardians are notified annually of all scheduled minimum days and pupil-free staff development days. When these days are known at the start of the school year, they are included in the attached school calendar. If additional minimum or pupil-free days are scheduled later in the year, parents and guardians will be notified as early as possible and no later than one month before the scheduled day.

PUPIL FEES (EC §49010, et seq.): Students enrolled in public school may not be charged a fee to participate in any educational activity that is a fundamental part of their education, including curricular and extracurricular activities. If you believe the district has improperly charged a fee, you may file a complaint using the district's Uniform Complaint Procedures. Complaint forms are available at the district office.

HIGH SCHOOLS ONLY

OPEN CAMPUS (EC §44808.5): Pursuant to Education Code section 44808.5, the governing board of the Sierra Sands Unified School District has decided to permit the pupils enrolled at Burroughs High School to leave school grounds during the lunch period. Education Code section 44808.5 further states: "Neither the school district nor any officer or employee thereof shall be liable for the conduct or safety of any pupil during such time as the pupil has left the school grounds pursuant to this section."

CALIFORNIA HIGH SCHOOL PROFICIENCY EXAM (5 CCR §11523; EC §48412): The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in California public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education, which is equivalent in all respects to a high school diploma. A student who receives a Certificate of Proficiency may, with verified approval from their parent or guardian, leave high school before completing the 12th grade. Parents and guardians must provide written consent before a minor student may withdraw from school on the basis of a Certificate of Proficiency. For more information about the CHSPE, visit http://www.chspe.net/ or contact the district office.

AUTOMATIC CAL GRANT PROGRAM APPLICANT STATUS — OPT OUT (EC §69432.9): California law requires school districts to notify 12th grade students — and, for students under 18, their parents or guardians — that the student will automatically be deemed a Cal Grant applicant unless they choose to opt out. Grade point averages are submitted to the California Student Aid Commission by October 1 each year. A separate written notice regarding the Cal Grant automatic applicant process, opt-out procedures, and applicable deadlines will be sent to all 12th grade students and their parents by October 15 of the student's 12th grade year. Only a parent or guardian may opt out on behalf of a student under 18; once a student turns 18, only the student may opt out.

RELEASE OF INFORMATION TO MILITARY (EC §49073.5; 20 USC §7908): Federal law requires the district to provide military recruiters with access to secondary school students' names, addresses, and telephone numbers. Under California law, parents and guardians have the right to request that this information not be released without prior written consent. To exercise this right, a written request must be submitted to the student's school. The district will honor all timely opt-out requests.

PARTICIPATION IN STATE ASSESSMENTS AND EXEMPTION REQUESTS (EC §60615; 5 CCR §852): Students will participate in the California Assessment of Student Performance and Progress (CAASPP) as required by law. A parent may submit a written request each year to excuse their child from all or any part of the assessments. District staff shall not solicit or encourage exemption requests.

HIGH SCHOOL CURRICULUM — COLLEGE PREPARATORY COURSES (EC §51229): The district provides parents of students in grades 9 through 12 with information on college admission requirements and career technical education, including access to resources available through CaliforniaColleges.edu. The California College Guidance Initiative (CCGI) receives enrollment data for public-school students in grades 6 through 12 from the California Department of Education. The district may share student data with CCGI to provide students and families with access to online tools and resources for college and career planning.

CSU DIRECT ADMISSION (SB 640): Students who complete A–G coursework and meet CSU eligibility requirements may qualify for guaranteed admission to a CSU campus. Students are encouraged to meet with their school counselor to learn about A–G requirements and CSU options.

ADVANCED PLACEMENT EXAMINATION FEES (EC §§48980(j), 52242): State funds may be available to assist eligible students with the cost of Advanced Placement (AP) examination fees.
NOTIFICATION OF APPRENTICESHIP AND PREAPPRENTICESHIP PROGRAMS — NEW 2025-26 (EC §48980.5): The district provides students in grades 11 and 12 with information about local apprenticeship and preapprenticeship opportunities, including access to the Department of Industrial Relations' Division of Apprenticeship Standards online database. Parents and students may access this resource through a direct link on the district's website.

NOTIFICATION OF APPRENTICESHIP AND PREAPPRENTICESHIP PROGRAMS — NEW 2025-26 (EC §48980.5): The district provides students in grades 11 and 12 with information about local apprenticeship and preapprenticeship opportunities, including access to the Department of Industrial Relations' Division of Apprenticeship Standards online database. Parents and students may access this resource through a direct link on the district's website.

APPENDIX A: Uniform Complaint Procedures (UCP)

Board Policy 1312.3: Uniform Complaint Procedures
Last Revised Date: 01/19/2023

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts a uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to the UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. After School Education and Safety programs (Education Code 8482-8484.65)
4. Agricultural career technical education (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. Childcare and development programs (Education Code 8200-8488)
7. Compensatory education (Education Code 54400)
8. Consolidated categorical aid programs (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from

    any state financial assistance, based on a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school (Education Code 48645.7, 48853, 48853.5, 49069.5,

51225.1, 51225.2)

12. Every Student Succeeds Act (Education Code 52059.5; 20 USC 6301 et seq.)
13. Local control and accountability plan (Education Code 52075)
14. Migrant education (Education Code 54440-54445)
15. Physical education instructional minutes (Education Code 51210, 51222, 51223)
16. Student fees (Education Code 49010-49013)
17. Reasonable accommodations to a lactating student (Education Code 222)
18. Regional occupational centers and programs (Education Code 52300-52334.7)
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)
20. School Safety Plans (Education Code 32280-32289)
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)
22. State preschool programs (Education Code 8207-8225)
23. State preschool health and safety issues in license-exempt program (Education Code 8212)
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is agreeable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation or bullying), the Superintendent or designee shall keep the identity of the complainant and/or the subject of the complaint, if different from the complainant, confidential when appropriate and as

long as the integrity of the complaint process is maintained.

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

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

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

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, or the appropriate law enforcement agency. (5 CCR 4611)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.

4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)

6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance. (5 CCR 15582)

8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities

conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

Administrative Regulation 1312.3
Last Revised Date: 07/15/2021

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

(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 4031- Nondiscrimination in Employment)

Compliance Officers

The district designates the individual(s), position(s), or unit(s) identified below as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serves as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

Assistant Superintendent of Human Resources
Sierra Sands Unified School District
113 W. Felspar Avenue Ridgecrest, CA 93555
bauld@ssusd.org
(760) 499-1620

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

In no instance shall a compliance officer be assigned to a complaint in which he/she has a bias or conflict of interest that would prohibit him/her from fairly investigating or resolving the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

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

(cf. 4331 - Staff Development)
(cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the results of an investigation. If interim measures are determined to be necessary, the

compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, one or more of the interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

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

In addition, the Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

(cf. 0420 - School Plans/Site Councils)
(cf. 1220 - Citizen Advisory Committees)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Websites)
(cf. 1114 - District-Sponsored Social Media)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy.

2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint.

(cf. 0460 - Local Control and Accountability Plan)
(cf. 3260 - Fees and Charges)

3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities

4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred

5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)

(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)
(cf. 6175 - Migrant Education Program)

6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints

7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant

8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision

9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable

10. A statement that copies of the district's UCP are available free of charge

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

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

Filing of Complaints

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

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)

2. Any complaint alleging noncompliance with law regarding the prohibition against students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)

3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by a person who alleges that they have personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful

discrimination. The complaint shall be initiated no later than six months from the date that the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

5. When the complainant or alleged victim of unlawful discrimination (such as discriminatory harassment, intimidation or bullying), when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. Meditation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of a sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, (such as discriminatory harassment, intimidation or bullying), the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed to through the mediation. If mediation is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint

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

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

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the

relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

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

Timeline for Final Decision

Unless extended by written agreement with the complainant, a final decision shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint. Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

(cf. 9321 - Closed Session)

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

Final Written Decision

For all complaints, the district's final written decision shall include: (5 CCR 4631*)*

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
    a. Statements made by any witnesses
    b. The relative credibility of the individuals involved

c. How the complaining individual reacted to the incident
d. Any documentary or other evidence relating to the alleged conduct
e. Past instances of similar conduct by any alleged offenders
f. Past false allegations made by the complainant

2. The conclusion(s) of law

3. Disposition of the complaint

4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

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

a. The manner in which the misconduct affected one or more students' education

b. The type, frequency, and duration of the misconduct

c. The relationship between the alleged victim(s) and offender(s)

d. The number of persons engaged in the conduct and at whom the conduct was directed

e. The size of the school, location of the incidents, and context in which they occurred

f. Other incidents at the school involving different individuals

5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600.

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

a. The corrective action(s) imposed on the respondent.

b. Individual remedies offered or provided to the subject of the complainant or another person who was the subject of the complaint but this information should not be shared with the respondent.

c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence.

6. Notice of the complainant's and respondent's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal.

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

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall

include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

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

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with the CDE. (Education Code 262.3)

2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 263)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions

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

(cf. 5137 - Positive School Climate)

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling

(cf. 6164.2 - Guidance/Counseling Services)

2. Academic support

3. Health services

4. Assignment of an escort to allow the victim to move safely about campus

5. Information regarding available resources and how to report similar incidents or retaliation

6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim

7. Restorative justice

8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

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

following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a Student Success Team (cf. 6164.5 - Student Success Teams)
6. Denial of participation in extracurricular or co-curricular activities or other privileges as permitted by law

(cf. 6145 - Extracurricular and Cocurricular Activities)

7. Disciplinary action, such as suspension or expulsion, as permitted by law (cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 52075)

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

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's final written decision of a complaint regarding any specified federal or state educational program subject to the UCP may file an appeal in writing with the CDE within 30 calendar days of receiving the district's decision. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The district failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the district's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the district's investigation report are not supported by substantial evidence.
4. The legal conclusion in the district's investigation report is inconsistent with the law.
5. In a case in which the district found noncompliance, the corrective actions fail to provide a proper remedy.

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

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

If notified by CDE that the district's investigation report failed to address allegation(s) raised by the complaint, the district shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

SIERRA SANDS Unified School District
113 W. Felspar, Ridgecrest, CA 93555 | Phone: 760-499-1600 | ssusd.org
Dave Ostash, Ed.D., Superintendent

UNIFORM COMPLAINT PROCEDURES COMPLAINT FORM

COMPLAINANT CONTACT INFORMATION

Name*_____

Student Name (if applicable) _____ Date of Birth _____

Address_____

City_____ Zip Code_____

Home Phone_____ Cell or Work Phone _____

I am filing this complaint on behalf of:

☐ myself ☐ my child or a student ☐ another child or student ☐ a group

BASIS OF COMPLAINT

Discrimination, harassment, intimidation, or bullying** in district programs or activities on the basis of the following actual or perceived protected class or characteristic (check all that apply):

☐ Sex	☐ Sexual Orientation	☐ Gender
☐ Gender Identity	☐ Gender Expression	☐ Ancestry
☐ Ethnic Group Identification	☐ Race or Ethnicity	☐ Religion
☐ Nationality	☐ National Origin	☐ Age
☐ Marital or Parental Status	☐ Physical or Mental Disability	☐ Color
☐ Genetic Information	☐ Association with a person or group with one or more of the Actual or perceived categories listed above	

*For complaints alleging noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, the complaint can be filed anonymously if the complaint provides enough evidence or information leading to evidence to support an allegation of noncompliance and to allow an appropriate investigation. However, if the complainant wishes to receive a copy of the District's decision in response to the complaint, the complainant's contract information requested above must be provided.

** For complaints of bullying that are not based on the above listed protected classes or characteristics, please contact your school site principal for further investigation and response.

Noncompliance with state or federal laws regarding the following (check all that apply):

☐ Adult Education Programs

☐ Consolidated Categorical Aid Programs

Consolidated Categorical Aid Programs

☐ Migrant Education

☐ Career/Technical Education Programs

☐ Child Care and Development Programs

☐ Child Nutrition Programs

☐ Special Education Programs

☐ Pupil Fees, Charges, or Deposits for Educational Activities

☐ Development and Adoption of School Safety Plan

☐ Local Control and Accountability Plan

DETAILS OF COMPLAINT

Date of Alleged Violation_____ Location of Alleged Violation _____

Name of Person(s) Being Complained About _____

Please complete the following to the best of your ability. (Attach additional sheets of paper if you need more space and attach any supporting or relevant documentation.)

1. Please describe with as much detail as possible the facts underlying your complaint. Provide details such as the names of those involved, the dates an incident or incidents occurred, whether witnesses were present and the names of any witnesses, etc. Please provide any details which you feel might be helpful to the complaint investigator.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

2. Please describe what steps, if any, you have taken to resolve this issue before filing this complaint. Have you attempted to discuss this issue with the person about whom you are complaining or with other District personnel? If so, with whom and what was the result?

_____

_____

_____

_____

_____

3. Please describe your desired outcome or remedy so as to assist the complaint investigator in attempting to satisfactorily resolve your complaint.

_____

_____

_____

Signature _____ Date _____

This complaint form must be submitted to the District Compliance Officer at the address listed below unless the complaint alleges noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities. In such cases, this complaint form may be submitted to your school site principal. Complaints alleging unlawful discrimination, harassment, intimidation, or bullying must be initiated no later than six months from the date of the alleged discrimination, harassment, intimidation, or bullying, or six months from the date of the complainant first obtained knowledge of the facts of the discrimination, harassment, intimidation, or bullying. Complaints alleging noncompliance with the legal prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities must be filed no later than one year from the date the alleged violation occurred. Complaints will be investigated in a manner that protects the integrity of the process and the confidentiality of the parties to the extent that the investigation of the complaint is not obstructed. The District's governing board prohibits any form of retaliation against any person for the filing of a complaint or participation in the complaint process.

Once completed, please deliver your complaint and any attachments to:

Assistant Superintendent of Human Resources
113 W. Felspar Ave.
Ridgecrest, CA 93555
(760) 499-1620

The district will investigate and report its decision to the complainant within 60 calendar days of the District's receipt of the complaint per the District's Uniform Complaint Procedures found at Board Policy and Administrative Regulation 1312.3. The complainant has the right to appeal the district's final decision to the California Department of Education within 15 calendar days of receiving the decision.

APPENDIX B: Title IX Sexual Harassment Policy

Policy 5145.7: Sexual Harassment
Last Revised Date:08/13/2020

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targets at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The district strongly encourages any student who feels that he/she is being or has been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult who has experienced off-campus sexual harassment that has a continuing effect on campus to immediately contact their teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint is addressed through Title IX complaint procedures or uniform complaint procedures, as applicable, and shall offer supportive measures to the complainant.

The Superintendent or designee shall inform students and parents/guardians of the district's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the district's web site, and including it in student and staff handbooks. All district staff shall be trained regarding the policy.

Instruction/Information

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

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence
2. A clear message that students do not have to endure sexual harassment under any circumstance
3. Encouragement to report observed instances of sexual harassment, even where the victim of the harassment has not complained
4. A clear message that student safety is the district's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and prompt action shall be taken to stop any harassment, prevent recurrence, and address any continuing effect on students
6. Information about the district's procedure for investigating complaints and the person(s) to whom a report of

sexual harassment should be made

7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the district investigation of a sexual harassment complaint continues

8. A clear message that, when needed, the district will implement measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation.

Complaint Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or expulsion, provided that in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall have his/her employment terminated in accordance with law and the applicable collective bargaining agreement.

Record-Keeping

In accordance with law, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools.

Regulation 5145.7: Sexual Harassment

Last Revised Date: 08/13/2020

The district designates the following individual as the responsible employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as well as to investigate and resolve sexual harassment complaints under AR 1312.3 - Uniform Complaint Procedures. The Title IX Coordinator may be contacted at:

Bryan Auld
Assistant Superintendent of Human Resources
113 W. Felspar Ave.
Ridgecrest, CA 93555
bauld@ssusd.org
760-499-1620

The district shall notify students, parents/guardians, employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

Prohibited Conduct

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the educational setting under any of the following conditions: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance, or of creating an intimidating, hostile or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading descriptions

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

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

Notifications

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)
2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures and standards of conduct are posted (Education Code 231.5)
3. Be summarized on a poster which shall be prominently and conspicuously displayed in each bathroom and locker room at each school. The poster may be displayed in public areas that are accessible to and frequented by students, including, but not limited to, classrooms, hallways, gymnasiums, auditoriums, and cafeterias. The poster shall display the rules and procedures for reporting a charge of sexual harassment; the name, phone number, and email address of an appropriate school employee to contact to report a charge of sexual harassment; the rights of the reporting student, the complainant, and the respondent; and the responsibilities of the school. (Education Code 231.6)
4. Be posted in a prominent location on the district's website in a manner that is easily accessible to parents/guardians and students. This shall include the name or title, office address, email address, and telephone number of the employee(s) designated as the district's Title IX Coordinator. (Education Code 234.6; 34 CFR 106.8)

5. Be provided as part of any orientation program conducted for new and continuing students at the beginning of each quarter, semester, or summer session (Education Code 231.5)

6. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

7. Be included in any handbook provided to students, parents/guardians, employees, or employee organizations (34 CFR 106.8)

Reporting Complaints

Any student or parent/guardian who believes that the student has been subjected to sexual harassment by another student, an employee, or a third party or who has witnessed sexual harassment is strongly encouraged to report the incident to a teacher, the principal, the district's Title IX Coordinator, or any other available school employee. Within one school day of receiving such a report, the principal or other school employee shall forward the report to the district's Title IX Coordinator. Any school employee who observes an incident of sexual harassment involving a student shall, within one school day, report the observation to the principal or Title IX Coordinator, regardless of whether the alleged victim files a formal complaint.

When a report or complaint of sexual harassment involves off-campus conduct, the Title IX Coordinator shall assess whether the conduct may create or contribute to the creation of a hostile school environment. If the Title IX Coordinator determines that a hostile environment may be created, the complaint shall be investigated and resolved in the same manner as if the prohibited conduct occurred at school.

When a verbal or informal report of sexual harassment is submitted, the Title IX Coordinator shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with applicable district complaint procedures. Complaint Procedures

All complaints of sexual harassment by and against students shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 1312.3 - Uniform Complaint Procedures.

Regulation 5145.71: Title IX Sexual Harassment Complaint Procedures

Last Reviewed Date: 08/13/2020

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30)

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

All other sexual harassment complaints shall be investigated and responded to pursuant to AR 1312.3 - Uniform Complaint Procedures.

A report of sexual harassment shall be submitted directly to or forwarded to the district's Title IX Coordinator using the contact information listed in AR 5145.7 - Sexual Harassment.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the process for filing a formal complaint.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations in which a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations. In such cases, the alleged victim is not a party to the case, but will receive notices as required by the Title IX regulations at specific points in the complaint process.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

The Superintendent or designee shall ensure that the Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such persons receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, even if a formal complaint is not filed, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures which are nondisciplinary, nonpunitive, and do not unreasonably burden the other party. Such measures may include, but are not limited to, counseling, course-related adjustments, modifications of class schedules, mutual restrictions on contact, increased security, and monitoring of certain areas of the campus. The Title IX Coordinator shall consider the complainant's wishes with respect to supportive measures. (34 CFR 106.30, 106.44)

Emergency Removal from School

On an emergency basis, the district may remove a student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or

Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint that did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly, and simultaneously to the parties, send written notice of the dismissal and the reasons for the dismissal. (34 CFR 106.45)

If a complaint is dismissed on the grounds that the alleged conduct does not constitute sexual harassment as defined in 34 CFR 106.30, the conduct may still be addressed pursuant to BP/AR 1312.3 - Uniform Complaint Procedures as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student

Formal Complaint Process

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, the district investigates allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process

4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence

5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall provide either party with no less than three calendar days to raise concerns of conflict of interest or bias regarding any of these persons.

During the investigation process, the district shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence

3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney

4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties

5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate

6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report

7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

9. After sending the investigative report to the parties and before reaching a determination regarding responsibility, afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 45 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the district shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the determination, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered. Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion. After the completion of the complaint procedure, if it is determined that a student at any grade level has committed sexual assault or sexual battery at school or at a school activity off school grounds, the principal or Superintendent shall immediately suspend the student and shall recommend expulsion. (Education Code 48900.2, 48915)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference

3. Education of the student regarding the impact of the conduct on others

4. Positive behavior support

5. Referral of the student to a student study team

6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

Record-Keeping

The Superintendent or designee shall maintain for a period of seven years a record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, any appeal or informal resolution and the results therefrom, and responses made pursuant to 34 CFR 106.44. (34 CFR 106.45)

The Superintendent or designee shall also maintain for a period of seven years all materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public. (34 CFR 106.45)

APPENDIX C: IDENTIFICATION & EDUCATION UNDER SECTION 504

Regulation 6164.6: Identification and Education Under Section 504
Last Revised Date: 02/16/2023

The Superintendent designates the following position as the district's 504 Coordinator to implement the requirements of Section 504 of the Federal Rehabilitation Act of 1973: (34 CFR 104.7)

Laura Herbert
Coordinator of Student Support Services
Sierra Vista Education Center
1327 A N. Norma St. Ridgecrest, CA 93555
Email: lherbert@ssusd.org
Phone: (760) 499-1774

Definitions

For the purpose of implementing Section 504, the following terms and phrases shall have only the meanings specified below:

Free appropriate public education (FAPE) means the provision of regular or special education and related aids and services designed to meet the individual educational needs of a student with disabilities as adequately as the needs of students without disabilities are met, at no cost to the student or his/her parent/guardian except when a fee is specifically authorized by law for all students. (34 CFR 104.33)

Student with a disability means a student who has a physical or mental impairment which substantially limits one or more major life activities. (28 CFR 35.108)

Physical impairment means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genito-urinary, immune, hemic, lymphatic, skin, and endocrine. (28 CFR 35.108)

Mental impairment means any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability. (28 CFR 35.108)

Substantially limits major life activities means limiting a person's ability to perform functions, as compared to most people in the general population, such as caring for himself/herself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, and working. Major life activities also includes major bodily functions such as functions of the immune system, special sense organs and skin, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, as well as the operation of an individual organ within a body system. The determination of whether an impairment substantially limits a student's major life activities shall be made without regard to the ameliorative effects of mitigating measures other than ordinary eyeglasses or contact lenses. Mitigating measures are measures that an individual may use to eliminate or reduce the effects of an impairment, including, but not limited to, medications, medical supplies or equipment, prosthetic devices, assistive devices, reasonable modifications or auxiliary aids or services, learned behavioral or adaptive neurological modifications, psychotherapy, behavioral therapy, or physical therapy. (42 USC 12102; 28 CFR 35.108)

Referral, Identification, and Evaluation

Any action or decision to be taken by the district involving the referral, identification, or evaluation of a student with disabilities shall be in accordance with the following procedures:

1. A parent/guardian, teacher, other school employee, student success team, or community agency may refer a student to the principal or 504 Coordinator for identification as a student with a disability under Section 504.

2. Upon receipt of any such referral, the principal, 504 Coordinator, or other qualified individual with expertise in the area of the student's suspected disability shall consider the referral and determine whether an evaluation is appropriate. This determination shall be based on a review of the student's school records, including those in academic and nonacademic areas of the school program; consultation with the student's teacher(s), other professionals, and the parent/guardian, as appropriate; and analysis of the student's needs.

   If it is determined that an evaluation is unnecessary, the principal or 504 Coordinator shall inform the parents/guardians in writing of this decision and of the procedural safeguards available, as described in the "Procedural Safeguards" section below.

3. If the student needs or is believed to need special education or related services under Section 504, the district shall conduct an evaluation of the student prior to his/her initial placement. (34 CFR 104.35)

   Prior to conducting an initial evaluation of a student for eligibility under Section 504, the district shall obtain written parent/guardian consent.

   The district's evaluation procedures shall ensure that the tests and other evaluation materials: (34 CFR 104.35)

   a. Have been validated and are administered by trained personnel in conformance with the instruction provided by the test publishers
   b. Are tailored to assess specific areas of educational need and are not merely designed to provide a single general intelligence quotient
   c. Reflect the student's aptitude or achievement or whatever else the tests purport to measure rather than his/her impaired sensory, manual, or speaking skills, except where those skills are the factors that the tests purport to measure

Section 504 Services Plan and Placement

Services and placement decisions for students with disabilities shall be determined as follows:

1. A multidisciplinary 504 team shall be convened to review the evaluation data in order to make placement decisions.

   The 504 team shall consist of a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. (34 CFR 104.35)

   In interpreting evaluation data and making placement decisions, the team shall draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. The team shall also ensure that information obtained from all such sources is documented and carefully considered and that the placement decision is made in conformity with 34 CFR 104.34. (34 CFR 104.35)

2. If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services,

accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

If, upon evaluation, a student is determined to be eligible for services under Section 504, the team shall meet to develop a written 504 services plan which shall specify the types of regular or special education services, accommodations, and supplementary aids and services necessary to ensure that the student receives FAPE.

3. If the 504 team determines that no services are necessary for the student, the record of the team's meeting shall reflect whether or not the student has been identified as a person with a disability under Section 504 and shall state the basis for the determination that no special services are presently needed. The student's parent/guardian shall be informed in writing of his/her rights and procedural safeguards, as described in the "Procedural Safeguards" section below.

4. The student shall be placed in the regular educational environment, unless the district can demonstrate that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to his/her individual needs. (34 CFR 104.34)

5. The district shall complete the identification, evaluation, and placement process within a reasonable time frame. The district shall adhere to this time frame regardless of any extended school breaks or times that school is otherwise not in session.

6. A copy of the student's Section 504 services plan shall be kept in his/her student record. The student's teacher(s) and any other staff who provide services to the student shall be informed of the plan's requirements.

If a student transfers to another school within the district, the principal or designee at the school from which the student is transferring shall ensure that the principal or designee at the new school receives a copy of the plan prior to the student's enrollment in the new school.

Review and Reevaluation

The 504 team shall monitor the progress of the student and, at least annually, shall review the effectiveness of the student's Section 504 services plan to determine whether the services are appropriate and necessary and whether the student's needs are being met as adequately as the needs of students without disabilities are met. In addition, each student with a disability under Section 504 shall be reevaluated at least once every three years.

A reevaluation of the student's needs shall be conducted before any subsequent significant change in placement. (34 CFR 104.35)

Procedural Safeguards

The Superintendent or designee shall notify the parents/guardians of students with disabilities of all actions and decisions by the district regarding the identification, evaluation, or educational placement of their children. He/she also shall notify the parents/guardians of all the procedural safeguards available to them if they disagree with the district's action or decision, including an opportunity to examine all relevant records and an impartial hearing in which they shall have the right to participate. (34 CFR 104.36)

If a parent/guardian disagrees with any district action or decision regarding the identification, evaluation, or educational placement of his/her child under Section 504, he/she may request a Section 504 due process hearing within 30 days of

that action or decision.

Prior to requesting a Section 504 due process hearing, the parent/guardian may, at his/her discretion, but within 30 days of the district's action or decision, request an administrative review of the action or decision. The Coordinator shall designate an appropriate administrator to meet with the parent/guardian to attempt to resolve the issue and the administrative review shall be held within 14 days of receiving the parent/guardian's request. If the parent/guardian is not satisfied with the resolution of the issue, or if the parent/guardian did not request an administrative review, he/she may request a Section 504 due process hearing.

A Section 504 due process hearing shall be conducted in accordance with the following procedures:

1. The parent/guardian shall submit a written request to the Coordinator within 30 days of receiving the district's decision or, if an administrative review is held, within 14 days of the completion of the review. The request for the due process hearing shall include:

    a. The specific nature of the decision with which he/she disagrees
    b. The specific relief he/she seeks
    c. Any other information he/she believes is pertinent to resolving the disagreement

2. Within 30 days of receiving the parent/guardian's request, the Superintendent or designee and 504 Coordinator shall select an impartial hearing officer. This 30-day deadline may be extended for good cause or by mutual agreement of the parties.

3. Within 45 days of the selection of the hearing officer, the Section 504 due process hearing shall be conducted and a written decision mailed to all parties. This 45-day deadline may be extended for good cause or by mutual agreement of the parties.

4. The parties to the hearing shall be afforded the right to:

    a. Be accompanied and advised by legal counsel and by individuals with special knowledge or training related to the problems of students with disabilities under Section 504
    b. Present written and oral evidence
    c. Question and cross-examine witnesses
    d. Receive written findings by the hearing officer stating the decision and explaining the reasons for the decision

If desired, either party may seek a review of the hearing officer's decision by a federal court of competent jurisdiction.

The Superintendent or designee shall ensure that the district has taken appropriate steps to notify students and parents/guardians of the district's duty under Section 504. (34 CFR 104.32)

APPENDIX D: FIREARMS SAFETY MEMORANDUM

To: Parents and Guardians of Students in the Sierra Sands Unified School District

From: Dr. April Moore

Subject: California Law Regarding Safe Storage of Firearms

The purpose of this memorandum is to inform and to remind parents and legal guardians of all students in the Sierra Sands Unified School District of their responsibilities for keeping firearms out of the hands of children as required by California law. Seveny-four percent of children know where their parents' firearms are stored, and 60 percent report that they have handled them[1]. Sadly, over 80 percent of teens who have died by suicide used a firearm that belonged to someone in their home[2]. **These incidents can be easily prevented by storing firearms in a safe and secure manner, including keeping them locked up when not in use and storing them separately from ammunition.**

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

- With very limited exceptions, California makes a person criminally liable for keeping any firearm, loaded or unloaded, within any premises that are under their custody and control where that person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, and the child obtains access to the firearm and thereby (1) causes death or injury to the child or any other person; (2) carries the firearm off the premises or to a public place, including to any preschool or school grades kindergarten through twelfth grade, or to any school-sponsored event, activity, or performance; **or** (3) unlawfully brandishes the firearm to others.[3]
    - **Note:** The criminal penalty may be significantly greater if someone dies or suffers great bodily injury as a result of the child gaining access to the firearm.

- With very limited exceptions, California also makes it a crime for a person to negligently store or leave any firearm, loaded or unloaded, on their premises in a location where the person knows or reasonably should know that a child is likely to gain access to it without the permission of the child's parent or legal guardian, unless reasonable action is taken to secure the firearm against access by the child, even where a child **never** actually accesses the firearm.[4]

- In addition to potential fines and terms of imprisonment, as of January 1, 2020, a gun owner found criminally liable under these California laws faces prohibitions from possessing, having custody or control, owning, receiving, or purchasing a firearm for 10 years.[5]

- Finally, a parent or guardian may also be civilly liable for damages resulting from the discharge of a firearm by that person's child or ward.[6]

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

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

Sincerely,

Dr. April Moore

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California Department of Education

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[1] Baxley F, Miller M. Parental Misperceptions About Children and Firearms. *Arch Pediatr Adolesc Med.* 2006;160(5):542–547. doi:10.1001/archpedi.160.5.542
[2] Barber, C., Azrael, D., Clark, D. E., & Hemenway, D. (2010). Who are the owners of firearms used in adolescent suicides?. *Suicide & life-threatening behavior*, *40*(6), 609–611.
[3] See California Penal Code sections 25100 through 25125 and 25200 through 25220.
[4] *See* California Penal Code section 25100(c).
[5] *See* California Penal Code Section 29805.
[6] *See* California Civil Code Section 1714.3.