PRINCIPLES OF RIGHTS, RESPONSIBILITIES AND RESPECT
TO ENSURE A SAFE SCHOOL ENVIRONMENT

“Rights are best guarded and responsibilities best exercised when each person and group guards for all others those rights they wish guarded for themselves...A society is only as just and free as it is respectful of this right for its smallest minorities and least popular communities.” - Charles C. Haynes, Ph.D.

IN ORDER TO ACHIEVE THEIR EDUCATIONAL POTENTIAL, ALL STUDENTS HAVE A RIGHT TO ATTEND SCHOOL AND PARTICIPATE IN EDUCATIONAL PROGRAMS AND ACTIVITIES:

...Where respect for the rights of others is a standard set by the Board of Education, and where the Superintendent and each principal, classroom teacher, District staff member, and student take responsibility for safe-guarding those rights.

... Free from discrimination and harassment based on race, religion, ethnic background or national origin, language, gender, sexual orientation, economic status, physical or developmental disabilities, or other special needs.

... In which the total school environment is free from verbal or physical intimidation or harassment, including sexual harassment; vulgar or abusive language; derogatory ethnic, racial or sexual slurs or conduct; or acts of violence.

... In which the dignity and worth of all individuals are respected.

Proposition 8, “Right to Safe Schools. All students and staff of primary, elementary, junior high and senior high schools have the inalienable right to attend campuses which are safe, secure and peaceful.”

(Approved by the Board of Education 1/20/98)

Know what’s happening in Modesto City Schools!

Visit our website - mcs4kids.com/district

“Like” us on Facebook - MCS4Kids

Follow us on Twitter - @MCS4Kids

Manage how you receive important information from your student’s school with go.schoolmessenger.com!

Modesto City Schools prohibits discrimination, harassment, intimidation, and bullying in educational programs, activities, or employment on the basis of actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, parental, pregnancy, family or marital status, or association with a person or a group with one or more of these actual or perceived characteristics.
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<td>Free or Reduced Price Meal Information</td>
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<td>Character Education</td>
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<td>Bus Rules and Regulations and Student Transportation Form</td>
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<td>Future Ready Initiative - 1:1 Devices for Grades 7-12</td>
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<td>Special Programs/Alternative Education Programs</td>
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<td>Junior High and High School Graduation Requirements</td>
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<tr>
<td>College Counseling Program &amp; JC/CSU/UC Minimum Admission Requirements</td>
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<td>High School Exams, Work Permits, Driver’s Education &amp; Other Information</td>
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<td>Guidelines for Visitors</td>
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<td>Rights &amp; Responsibilities of Students/Parents/Teacher/Administrators</td>
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<td>Attendance &amp; Absences</td>
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<td>Gang Information</td>
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<td>Behavior Expectations &amp; Consequences</td>
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<td>K-6 Offenses - Level I, II &amp; III</td>
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<td>7-12 Offenses - Level I, II &amp; III</td>
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<td>Intra/Interdistrict Transfers</td>
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<td>Receipt &amp; Release Forms (Must be completed and returned)</td>
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<td>Media Opt-Out Form</td>
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<td>7-12 Medical Release Authorization</td>
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**Abbreviation Key:**

- AR - Administrative Regulation (MCS)
- BP - Board Policy (MCS)
- IC - Intervention Center (MCS)
- E.C. - California Education Code
- P.C. - California Penal Code
- C.A.C. - California Administrative Code, Title 5
# Directory of Schools

## Elementary Schools

<table>
<thead>
<tr>
<th>School</th>
<th>Address</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Elihu Beard</td>
<td>915 Bowen Avenue</td>
<td>574-1942</td>
</tr>
<tr>
<td>Bret Harte</td>
<td>909 Glenn Avenue</td>
<td>574-1952</td>
</tr>
<tr>
<td>Burbank</td>
<td>1135 Paradise Road</td>
<td>574-1962</td>
</tr>
<tr>
<td>El Vista</td>
<td>450 El Vista Avenue</td>
<td>574-1972</td>
</tr>
<tr>
<td>Enslen</td>
<td>515 Coldwell Avenue</td>
<td>574-1982</td>
</tr>
<tr>
<td>Catherine Everett</td>
<td>1530 Mt. Vernon Drive</td>
<td>574-1992</td>
</tr>
<tr>
<td>Fairview</td>
<td>1937 W. Whitmore Avenue</td>
<td>574-8102</td>
</tr>
<tr>
<td>Franklin</td>
<td>120 S. Emerald Avenue</td>
<td>574-8112</td>
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<tr>
<td>John Fremont</td>
<td>1220 W. Orangeburg Avenue</td>
<td>574-8122</td>
</tr>
<tr>
<td>William Garrison</td>
<td>1811 Teresa Street</td>
<td>574-8132</td>
</tr>
<tr>
<td>Harriette Kirschen</td>
<td>1900 Kirschen Drive</td>
<td>574-8142</td>
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<tr>
<td>Lakewood</td>
<td>2920 Middleboro Place</td>
<td>574-8152</td>
</tr>
<tr>
<td>James Marshall</td>
<td>515 Sutter Avenue</td>
<td>574-8162</td>
</tr>
<tr>
<td>Alberta Martone</td>
<td>1413 Poust Road</td>
<td>574-8172</td>
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<tr>
<td>John Muir</td>
<td>1215 Lucerne Avenue</td>
<td>574-8182</td>
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<td>Rose Avenue</td>
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<td>Shackelford</td>
<td>100 School Avenue</td>
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<tr>
<td>Sonoma</td>
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<td>Tuolumne</td>
<td>707 Herndon Road</td>
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<tr>
<td>Wilson</td>
<td>201 Wilson Avenue</td>
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<tr>
<td>Orville Wright</td>
<td>1602 Monterey Street</td>
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## Junior High Schools/Middle School

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<tr>
<td>Evelyn Hanshaw</td>
<td>1725 Las Vegas Street</td>
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<tr>
<td>La Loma</td>
<td>1800 Encina Avenue</td>
<td>574-1906</td>
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<tr>
<td>Mark Twain</td>
<td>707 S. Emerald Avenue</td>
<td>574-1918</td>
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<td>Roosevelt</td>
<td>1330 College Avenue</td>
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## High Schools

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<tr>
<td>Fred C. Beyer</td>
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<tr>
<td>Grace M. Davis</td>
<td>1200 W. Rumble Road</td>
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<tr>
<td>Thomas Downey</td>
<td>1000 Coffee Road</td>
<td>574-1685</td>
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<tr>
<td>Robert T. Elliott Alternative Education Center</td>
<td>1440 Sunrise Avenue</td>
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<tr>
<td>James C. Enochs</td>
<td>3201 Sylvan Avenue</td>
<td>574-1719</td>
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<tr>
<td>Joseph A. Gregori</td>
<td>3701 Pirrone Road</td>
<td>574-1738</td>
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<tr>
<td>Peter Johansen</td>
<td>641 Norseman Drive</td>
<td>574-1760</td>
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<tr>
<td>Modesto</td>
<td>18 H Street</td>
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<td>District Office</td>
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<td>Adult Education Program</td>
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<td>Child Development Programs</td>
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<td>Child Welfare &amp; Attendance (Intra &amp; Interdistrict Transfer Info)</td>
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<td><strong>Educational Services</strong></td>
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<td>Elementary Education (K-6)</td>
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<td>Secondary Education (7-12)</td>
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<td>English Learners Program</td>
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<td>Gifted &amp; Talented Education</td>
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<td>Health Services</td>
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<td>Healthy Start Programs</td>
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<tr>
<td>Franklin Elementary Healthy Start</td>
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<td>Robertson Road Elementary Healthy Start</td>
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<td>Wright Elementary Healthy Start</td>
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<td>Hanshaw Middle Healthy Start</td>
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<td>Downey High Healthy Start</td>
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<td>Independent Study Program</td>
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<td>Nutrition Services</td>
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<td>Parent Engagement</td>
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<td>Pupil Records</td>
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<td>Risk Management (Book Restitution)</td>
<td>492-5148</td>
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<tr>
<td>Scholarship Information</td>
<td>contact your school site</td>
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<tr>
<td>School Boundaries</td>
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<tr>
<td>Special Education</td>
<td>574-1623</td>
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<tr>
<td>Testing (CAASP/SBAC info)</td>
<td>574-1589</td>
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<tr>
<td>Transcripts</td>
<td>contact site from which you graduated</td>
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<td>Transportation (Bus Information)</td>
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<td>Work Permits (During school year)</td>
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<td>Work Permits (Summer only)</td>
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</table>
Board of Education
The Modesto City Schools Board of Education is made up of seven members elected from within Modesto City Schools’ district boundaries - approximately 250 square miles. Modesto City Schools is made up of two separate school districts - an elementary district that serves students in grades TK-8 and a high school district that serves 9-12 students. Both districts share the same Board of Education and administrative staff. Board of Education members serve four-year terms of office. They set District policy based on recommendations from the Superintendent and input from parents and community members. They approve new programs and curriculums, evaluate instructional programs, adopt budgets, select new schools sites, approve plans for new buildings, and provide a link between the community and the schools. Board of Education meetings are open to the public. Meetings are usually held every three weeks on Monday evenings, beginning at 6 p.m. in the Staff Development Center, located at 425 Locust Street (west of Highway 99; north of Maze Boulevard).

During each meeting, time is set aside for parents and interested community members to speak to the Board on issues of interest. The “Period of Public Presentation” begins at approximately 6:15 p.m. Board meeting agendas are available to the public at Board meetings, or on the Thursday afternoon before each Monday evening meeting in the Superintendent’s Office at 426 Locust Street. The agenda is also posted on the District website at www.mcs4kids.com.

In compliance with the Title VI of the Civil Rights Act, if you are Limited English Proficient (“LEP”) and need the assistance of an interpreter to participate in a Board of Education meeting, please contact the Superintendent’s office at (209) 574-1616, no later than noon on the Friday preceding the board meeting. This will allow the District to make arrangements for an interpreter to be present to ensure the availability of translation services during the meeting. Interpreters shall translate those portions of the meeting requested by the LEP individual, including statements, discussions, and presentations. Although the District anticipates that most requests by LEP individuals shall be for a Spanish language interpreter, the District shall provide interpreters in other languages as applicable.

Board of Education members are here to serve you. Your ideas and concerns are important. For more information on Board of Education meetings, call (209) 492-3652.

Message from Superintendent Dr. Sara Noguchi
I am honored to have been selected as your new superintendent. I look forward to learning more about the history and traditions that made our schools what they are today. In my short time here, I have learned that Modesto is an amazingly diverse and vibrant community. Alongside the community, our schools are filled with remarkable students, families, and dedicated educators and staff who have contributed to the success of Modesto City Schools.

In the next few months, I will be reaching out to our schools, families, staff and community in an effort to Look, Listen, and Learn, as much as I can, to support my understanding of how Modesto City Schools work to support our students.

During my transition period and beyond, the following core values will guide my leadership:

- Students come first in all actions and decision-making.
- All students have a right to equal access to education and opportunities.
- All people have a right to be treated with dignity and respect.
- Open, honest communication will build public trust and confidence, foster positive relationships and propel Modesto City Schools forward.

The primary focus of the first 100 days will be in building key relationships, while building trust with all stakeholders within Modesto City Schools. The knowledge and insight I gain will provide a framework of understanding that will support me as I work with the Board of Trustees to create the right conditions for all our students to be successful.

I am deeply committed to ensuring that all students have equitable access to education and opportunities. I want every student to thrive. I want our best students to soar to the highest levels of success. I want our average students to stretch and achieve exceptional levels. I want our struggling students to catch up to their peers, so they can achieve amazing things and fulfill their dreams.

I believe that working together, we can create the right conditions for all our students to learn the skills necessary to be successful in the 21st century, which in turn, will ensure our community thrives.
**School Calendar**

<table>
<thead>
<tr>
<th>Month</th>
<th>Character Trait - Perseverance</th>
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<tr>
<td>February 2019</td>
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<td>March 2019</td>
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<td>S M T W T F S</td>
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<tr>
<td></td>
<td>1 2 3 4 5 6 7 8</td>
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**Character Traits**

- Perseverance
- Civility
- Compassion
- Initiative
- Loyalty

**August 2018**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>13</td>
<td>1st Day of School</td>
</tr>
<tr>
<td>22</td>
<td>Collaboration Day/1-12 Min. Day</td>
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<tr>
<td>30</td>
<td>7-8 Back to School Night/Min. Day</td>
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<tr>
<td>31</td>
<td>7-8 Min. Day</td>
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**September 2018**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>3</td>
<td>Holiday/TK-12 Non-Attendance Day</td>
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<tr>
<td>5</td>
<td>Collaboration Day/1-12 Min. Day</td>
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<tr>
<td>6</td>
<td>TK-6 Back to School Night/Min. Day</td>
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<td>9-12 Back to School Night/Min. Day</td>
</tr>
<tr>
<td>19</td>
<td>Collaboration Day/1-12 Min. Day</td>
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**October 2018**

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<thead>
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<tr>
<td>3</td>
<td>Collaboration Day/1-12 Min. Day</td>
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<td>12</td>
<td>1st Quarter End/7-8 &amp; 9-12 Min. Day</td>
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<tr>
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<td>Staff Work Day/TK-12 Non-Attendance Day</td>
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<tr>
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**November 2018**

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<td>2</td>
<td>1st Trimester End/1-6 Min. Day</td>
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<td>7</td>
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<tr>
<td>14-20</td>
<td>1-6 Parent/Teacher Conferences/Min. Day</td>
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<td>TK-12 Min. Day</td>
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<td>Holiday/TK-12 Non-Attendance Day</td>
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<td>19-20</td>
<td>9-12 Finals/Min. Day</td>
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<tr>
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<td>9-12 Finals/2nd Quarter End/Min. Day</td>
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<td>TK-6 &amp; 7-8 Min. Day</td>
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<td>24-31</td>
<td>Winter Break</td>
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**January 2019**

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<td>9-12 Open House &amp; Parent Night/Min. Day</td>
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**February 2019**

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<tr>
<td>6</td>
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<td>Holiday/TK-12 Non-Attendance Day</td>
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**March 2019**

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<td>1-6 Min. Day</td>
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<tr>
<td>13</td>
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<td>3rd Quarter End/7-8 &amp; 9-12 Min. Day</td>
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<td>25-29</td>
<td>Spring Break</td>
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**April 2019**

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<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Collaboration Day/1-12 Min. Day</td>
</tr>
<tr>
<td>19</td>
<td>Holiday/TK-12 Non-Attendance Day</td>
</tr>
<tr>
<td>24</td>
<td>Collaboration Day/1-12 Min. Day</td>
</tr>
</tbody>
</table>

**May 2019**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>7-8 Open House/Min. Day</td>
</tr>
<tr>
<td>9</td>
<td>TK-6 Open House/Min. Day</td>
</tr>
<tr>
<td>15</td>
<td>Collaboration Day/1-12 Min. Day</td>
</tr>
<tr>
<td>27</td>
<td>Holiday/TK-12 Non-Attendance Day</td>
</tr>
<tr>
<td>28</td>
<td>1-6 &amp; 7-8 Min. Day</td>
</tr>
<tr>
<td>29-31</td>
<td>9-12 Finals/1-12 Min. Day</td>
</tr>
<tr>
<td>31</td>
<td>Last Day of School/TK-12 Min. Day</td>
</tr>
</tbody>
</table>
Student Enrollment/Admissions

1. All children between the ages of 6-18 years are subject to compulsory full-time education, unless specifically exempted. (Education Code 48200)

2. The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of children entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

3. Before enrolling any child in a district school, the Superintendent or designee shall verify the child’s age, residency, immunization, and other applicable eligibility criteria specified in law, the accompanying administrative regulation, or other applicable Board policy or administrative regulation.

4. The Superintendent or designee shall ensure that the enrollment of a homeless or foster child or a child of a military family is not delayed because of outstanding fees or fines owed to the child’s last school or for his/her inability to produce previous academic, medical, or other records normally required for enrollment.

5. In addition, no child shall be denied enrollment in a district school solely on the basis of his/her arrest, adjudication by a juvenile court, formal or informal supervision by a probation officer, detention in a juvenile facility, enrollment in a juvenile court school, or other contact with the juvenile justice system. (Education Code 48645.5)

6. The Superintendent or designee shall not inquire into or request documentation of a student’s citizenship or immigration status, and shall not deny a student enrollment in a district school on the basis of the citizenship or immigration status of the student or his/her parents/guardians. Any information obtained about a student’s or parent/guardian’s citizenship or immigration status shall not be shared without parent/guardian consent or a lawful judicial order, in accordance with laws pertaining to the confidentiality of student records.

7. A student shall not be denied enrollment based on the parent/guardian’s refusal to provide the student’s or parent/guardian’s social security number. During the enrollment process, students are parents/guardians shall be informed that disclosure of their social security number is voluntary.

8. When enrolling in any district school, including a school in their attendance area, children whose parents/guardians reside within district boundaries shall be subject to the time lines established by the Board for open enrollment. Children whose parents/guardians do not reside within the district or who are not otherwise eligible for enrollment in the district may apply for inter-district attendance in accordance with the time lines specified in applicable Board policies and administrative regulations.

New student enrollees to Modesto City Schools are required to provide the following documentation:

- Completed Registration Card
- Address Verification: Two of the following must be submitted:
  - Copy of recent utility bill (i.e. PG&E, or City of Modesto)
  - Copy of recent rental agreement
  - Copy of recent purchase agreement or escrow title paperwork stating buyer will live in the home
  (Parent/Guardian name on this address verification must be the same parent/guardian name and address that are written on the registration card.)
- Adult I.D. verification: The adult registering the student must provide proof of identification, i.e. Driver’s license, or other photo I.D.
- Immunization Verification, Board Policy 5141.31, Senate Bill 277
- Withdrawal documents/drop papers/unofficial transcripts from the most recent previous school, if the student has been attending another school
- Guardian/care giver documentation, if applicable
- Current IEP or current 504 plan, if applicable
- Evidence of student’s age (Education Code 48002, Administrative Regulation 5111)
  - Copy of birth record or a statement by local registrar or a county recorder certifying the date of birth
  - Baptism certificate duly attested
  - Passport
  - When none of the foregoing is obtainable, affidavit of the parent, guardian, or custodian of the minor
Important NEW information:

Beginning with the 2018-2019 school year, Modesto City Schools will participate in the Community Eligibility Provision (CEP), a new option available to schools in the National School Lunch and School Breakfast Programs. Starting August 13, 2018, students at the following schools will be offered a healthy breakfast and lunch at NO CHARGE:

**Elementary Schools** -
Beard, Bret Harte, Burbank, El Vista, Enslen, Everett, Fairview, Franklin, Fremont, Garrison, Kirschen, Lakewood, Marshall, Martone, Muir, Robertson Road, Rose Avenue, Shackelford, Sonoma, Tuolumne, Wilson, Orville Wright

**Junior High Schools** -
Hanshaw, La Loma, Mark Twain, Roosevelt

**High Schools** -
Davis, Downey, Elliott, Johansen, Modesto

The traditional Free or Reduced Price Meal Program will be available to students at Beyer, Enochs and Gregori high schools. Eligible students may receive free or reduced price meals.

If your student(s) attend Beyer, Enochs or Gregori, please read the following FREE OR REDUCED PRICE MEAL APPLICATION INFORMATION:

To apply for free or reduced price meals for your child(ren), please submit a confidential application. Applications may be completed online at mcsnutrition.org, or are available for pick-up in your student’s school office or cafeteria, or in the Nutrition Services office. Return the meal application as soon as possible to Nutrition Services or your school cafeteria. Only ONE application is required per household.

If your child has never been approved for free or reduced price meals in Modesto City Schools, you must provide a meal or meal money until you are notified that your application has been approved or disapproved.

If your child was attending Modesto City Schools at the end of last year and was receiving free or reduced price meals, eligibility will continue for the first 30 operating days of this school year or until eligibility is determined. However, a new application must be approved to continue eligibility for the remainder of the year.

Remember: you must complete, sign and submit an application every year if you want your child(ren) to be considered for free or reduced price meals. An incomplete application cannot be processed. YOU ONLY NEED TO SUPPLY THE LAST FOUR DIGITS OF YOUR SOCIAL SECURITY NUMBER FOR INCOME APPLICATIONS. IF YOU DO NOT HAVE ONE, MARK THE “NO SSN” BOX.

If you wish to refuse these benefits or feel you do not want to apply because you know your income is too high to qualify, put a mark in the “Check Here To Decline Benefits Box,” located on top of the application. List your students in STEP 1, and sign the application before returning it to us. This will help us reach the District’s goal of a completed application for every student. School officials will notify you of your child’s eligibility.

For more information, please contact your school cafeteria or Sarah Wagner, 1200 N. Carpenter Rd., Modesto, CA 95351 or (209) 574-8498.
Modesto City Schools’ Character Education Program is a key component of the District’s widely acclaimed Safe Schools Project. During the fall of 1998, a District/Community Task Force made up of staff, parents, religious leaders, and business representatives identified nine character traits, which reflected core community values. The Board of Education and District initiated a Character Recognition Award Program to promote the nine Character Traits and formally honor students who demonstrate outstanding character at their school or in the community. One of the nine character traits is promoted each month and students are recognized at school assemblies and during Board of Education meetings throughout the year.

**MODESTO CITY SCHOOLS CHARACTER TRAITS**

Character is a combination of human traits that defines each person. Your character determines WHO YOU ARE as an individual. The CHARACTER TRAITS you develop and possess will direct your actions, choices, and the path you will take in life. Along with your family, schools have a responsibility to help you cultivate sound and wise character traits.

Modesto City Schools believes the following traits are essential elements of the moral and ethical behavior expected of every student:

- **COURAGE**: The strength of character to live by the dictates of conscience.
- **CIVILITY**: Courteous speech and behavior in the conduct of daily life.
- **COMPASSION**: Deep awareness of the suffering of another and the wish to relieve it.
- **HONESTY**: Truthful speech and behavior.
- **INITIATIVE**: Ability to begin and complete a task without prompting or supervision by others.
- **LOYALTY**: Faithful and dependable support of people and institutions.
- **PERSEVERANCE**: Adhering to a course of action, a belief, or a purpose despite obstacles and discouragement.
- **RESPECT**: Honoring the worth and value of individuals and institutions and treating them accordingly.
- **RESPONSIBILITY**: Personal and moral accountability for one’s acts and words.

**PeaceBuilders**

In addition to the Character Education Program, Modesto City Schools implemented the PeaceBuilders program at all elementary sites with the assistance of the Stanislaus Community Foundation. PeaceBuilders is a science-based, research-validated violence prevention curriculum and professional development program. Its essence is a common language - six principles, taught, modeled and practiced. These same principles set behavioral expectations, reduce aggression, and transform the climate and culture of any environment to one which is cooperative, productive, and academically successful. For more information on PeaceBuilders, contact your school site or visit peacebuilders.com.

**PeaceBuilder Pledge**

I am a PeaceBuilder.

I pledge...

* To praise people
* To give up put downs
* To seek wise people
* To notice and speak up about hurts I have caused
* To right wrongs
* To help others

I will build peace at home, at school, and in my community each day.

**Positive Behavioral Interventions & Support**

Modesto City Schools is committed to Positive Behavioral Interventions and Support (PBIS) at each of our school sites. PBIS provides a framework for identifying school rules, teaching students the expected behavior in order to follow those rules, and rewarding students for making positive choices. Since Modesto City Schools began implementing PBIS, we have seen a substantial drop in suspension rates across the District. As our school sites continue implementing PBIS, we are confident we will continue to see similar results in the future. Should you have any questions regarding Positive Behavioral Interventions and Support, please visit the website www.pbiscaltac.org, or contact your school principal.
Bus Rules and Regulations and Student Transportation Form

Dear Parent or Guardian:

The State of California has authorized the Modesto City Schools to establish rules and regulations for students riding the school buses. The Transportation Department needs your assistance to make sure that each student rider is assured a safe ride. You can assist us by discussing these rules with your student(s) and then complete and sign the form on the bottom of this letter and return it to the bus driver.

It is important to remember that the students being transported are under the direct authority of the bus driver and it is the student’s responsibility to follow the rules to protect their privilege of riding the bus.

Rules and Regulations, for your safety:

1. Passengers shall obey bus driver’s and bus aide’s instructions at all times.
2. Passengers shall sit facing forward with their feet and legs kept out of the aisle.
3. Passengers shall remain seated, with seat belts on (if applicable) until the bus comes to a complete stop.
4. To avoid possible injury, passengers must keep heads, arms and legs inside the bus at all times.
5. Be at the bus stop 5 minutes before departure. It is the student’s and parent’s responsibility to be on time.
6. Notes are not allowed for non-qualified bus riders for any reason.
7. All pick-ups and drop-offs are at the students’ designated stop only.
8. Be courteous and respect the rights and property of others.
9. The following are not permissible on the bus:
   a. Loud talking, yelling or screaming
   b. Eating, drinking or gum chewing
   c. Glass containers, animals, insects, and reptiles.
   d. Large, bulky items. In no instance shall aisles, doors, steps or emergency exits be blocked.
10. Cell phones must be completely put away and OFF while on the bus. They are subject to being taken away.
11. Passengers shall not throw any object inside or from the bus.
12. Depending on the severity of the offense, an automatic denial of bus riding privileges may be imposed for the following:
   a. Fighting, biting, or spitting
   b. Obscene language or gestures directed at the bus driver, aide, other students or the public.
   c. Vandalism to the bus or private property.
   d. Exiting the bus through a window or emergency exit (except during an emergency)
   e. Any weapons or hazardous items brought on the school bus.
   f. Any matches, cigarettes and/or controlled substances brought on the school bus.
   g. Any time school, transportation and/or public authorities must be dispatched to a bus due to student(s) misconduct.
   h. Threatening driver/aide and other students.

If your bus privileges are suspended, you are suspended from riding all buses.

By Board Policy, home to school transportation is provided to students who reside beyond the following distances of their assigned schools:

K-6 1 Mile  7-8 2 Miles  9-12 3 Miles

For more information, please call Transportation at (209) 574-1621.

ELIGIBILITY FORM

Complete this form and return it to the bus driver within one week of receipt. The form will be kept on file in the Transportation Department. Please print clearly. Thank you.

Student Name ___________________________________________ School ______________________________

Address _________________________________________________________ Phone#______________________

Grade ___________ Bus# _______________ Bus Stop ________________________________

I read Modesto City Schools’ Bus Rules and Regulations on _________________________________ (date).

Student Signature ___________________________________________ Parent Signature ___________________
**Future Ready Initiative - 1:1 Devices for Grades 7-12**

We believe our students are preparing to enter an ever-changing world where they will need to solve problems, think critically, communicate effectively, collaborate, take initiative and be adaptable. MCS has joined a broad network of similarly focused school districts in support of an initiative known as Future Ready. We believe that the values derived from this Future Ready Initiative will benefit all students without bias. As a supporting participant in the Future Ready Initiative, MCS is committed to:

- fostering and leading a culture of digital learning within our schools,
- helping schools and families transition to high-speed connectivity,
- empowering educators through professional learning opportunities,
- accelerating progress toward universal access for all students to quality devices, and
- offering digital tools to help students and families.

MCS will provide high school and junior high school students with a computer to use in class and at home for school related work. As part of MCS’ Future Ready Initiative, students will have the opportunity to access District adopted digital content, as well as other supplemental content for all subjects. As an MCS student and a computer network user, the student hereby agrees to comply with the MCS Student Internet and Network Agreement Acceptable Use Policy (see AR 6163.4 and BP 6163.4). Both the parent and student should read the Future Ready Handbook found on www.mcs4kids.com.

The computer and its components are the sole property of MCS and are for educational purposes only. The equipment is loaned to the student and will be returned when the student drops, completes the school year, graduates or upon request of the school. The computer may not be transferred or given to any other student.

The cost to replace the device if lost or stolen is $200. The cost to replace the power adapter if lost or stolen is $35. Optional limited technology coverage (LTC) is available for purchase once per school year, through the last school day in April, for a non-refundable $20 fee per student. Only cash or debit/credit cards are accepted. Cash and debit/credit card payments are accepted at the high school’s Student Body Office or junior high school’s Administration Office. Debit/credit card payments are also accepted online at each school’s web store. The LTC covers the first breakage and the first theft with a documented police report. If the payment is made before 3 p.m., the coverage goes into effect the following school day. If the payment is made after 3 p.m., the coverage goes into effect two school days later.

While the District’s intent is to make computer access available to further the delivery of curriculum and other content areas, students may find ways to access inappropriate material. Ultimately, parents/guardians are responsible for setting and conveying the standards that their children should follow when using media and information sources. The Internet is a powerful learning tool, but it should not be used indiscriminately or without supervision. While your child is at school, District staff will make every effort to assure this resource is used appropriately. It is the parents'/guardians’ responsibility to monitor this resource at home, not unlike the manner in which they monitor the use of TV, video games, or the telephone. It is not advisable for children to engage in long hours of unsupervised time online.
Special Programs/Alternative Education Programs

Modesto City Schools offers a variety of special and alternative education programs. Some programs are available to all students; others are designed to meet the special needs of specific students.

- **After School Education and Safety (ASES)** provides a safe, secure environment for students in grades 1-8 during after school hours until 6 p.m. Students have the opportunity to receive homework assistance, as well as participate in extended learning activities, such as art, music, fitness and wellness, science, and service learning. The program is open Monday-Friday every school day, beginning immediately after school with a nutritious snack. In addition to serving students, the ASES program helps parents to become active participants in the educational development of their children. For more information, please call 574-1608.

- **Dual Language Academy (DLA)** at Bret Harte Elementary School and Hanshaw Middle School is a parent choice program for English fluent students and English Learners, and requires a specific application process. The program goal is bilingualism and biliteracy in both English and Spanish. At Bret Harte, the DLA uses a 50-50 model, with 50% instruction in English and 50% instruction in Spanish. At Hanshaw, students take two periods of instruction in Spanish. For more information, please call 574-1590.

- **English Learners Program** In addition to the DLA (see above), the District offers Structured English Immersion and English Language Mainstream programs for English Learners. The goals for our English Learner Programs are to develop English language proficiency; to ensure high academic achievement; and to promote positive self-esteem and cross-cultural understanding and appreciation. For more information, call 574-1590.

- **Fremont Open Education Plan (Alternative School Program)** This alternative school program for K-6 students maintains a high degree of parent involvement and commitment. For information on the Fremont Open Plan, contact Fremont Elementary School at 574-8122.

- **Gifted and Talented Education (GATE)** GATE serves academically gifted students from a variety of cultural, economic, and linguistic backgrounds. Lakewood, Martone and Sonoma Elementary Schools provide self-contained, full-time programs for identified children in grades 3-6 from all District elementary schools. **Honors** classes provide 7th and 8th grade students with advanced classes in core subject areas. Teachers lead students in experiencing greater depth, breadth, and complexity in their areas of study. All of the District’s comprehensive high schools provide courses that benefit gifted students. Additionally, Modesto High School offers the **International Baccalaureate (IB) Program**. These courses challenge students and prepare them to successfully compete in colleges and universities.

- **Career Technical Education (CTE)** To prepare students for fulfilling careers in the work place, Modesto City Schools offers Career Technical Education courses at each high school. CTE courses focus on developing rigorous skills training in an exciting array of programs including, but not limited to, agriculture, auto technology, construction, culinary arts, graphic communications, retail sales and marketing, computer technology, health career education, public safety and more. Courses also prepare students for work after high school through exploration of career options and expectations of business/industry. For more information regarding CTE, visit www.mcs4kids.com.

- **Academies and Pathways** Each comprehensive high school offers academies and/or pathways which combine core academics and specialized classes to teach students marketable occupational skills, abilities, attitudes and work habits. Visit each school’s website for more information.

Modesto City Schools also provides a number of alternative education programs at a variety of locations throughout the District.

- **Adult Education Program** Provides both day and evening classes for adults seeking to earn a high school diploma. Also provides non-English speakers with the opportunity to learn English language skills.

- **Continuation High School Program** Serves 16- to 18-year-old students who have experienced academic, attendance, or behavior difficulty in the comprehensive school setting and who are more successful in an alternative school setting. The curriculum reflects the District’s regular high school course of study.

- **G230 Academy** This alternative education program helps students recover credits through an online curriculum program that meets state standards. The G230 Academy is located at 1017 Reno Avenue, just a few minutes from MJC’s West Campus.

- **Independent Study Program** Enables students to gain academic credit while completing an independent educational program in the home setting. The program includes required meetings with fully-credentialed teachers. Serves elementary, junior high, and high school students. Independent study is a voluntary program and students are selected on a case-by-case basis according to District criteria.

- **Teen Parent/Pregnant Minor Program** Enables pregnant minors and teens who are parents to stay in school to complete the requirements for their high school diplomas. The program provides child care services and parenting information classes.

- **Turnaround Opportunity School (TOPS)** Serves high school students, under 16-years-old, who need the more individualized attention smaller classes provide. Located at Gregori and Johansen High Schools.

The District’s alternative programs develop and monitor educational plans for each student to promote his or her academic success.
Modesto City Schools SELPA provides a full continuum of services to meet the needs of students with disabilities. This includes but is not limited to:

- **Designated Instructional Services**
  - Language, Speech, and Hearing
  - Adapted Physical Education
  - Audiological Services
  - Orientation and Mobility Instruction
  - Occupational Therapy
  - Vision Services
  - Health and Nursing Services
  - Assistive Technology
  - Inclusion Services
  - Counseling
  - Behavior Intervention Services
  - Other needs as determined by the IEP

- **Resource Specialist Program**
- **Non-Public Schools**
- **Special Day Classes for Students with:**
  - Mild-Moderate Disabilities
  - Moderate-Severe Handicapped
  - Autism
  - Emotional Disturbance
  - Physical Handicaps
  - Hearing Impairments
- **Infants & Preschool Age**
- **Transitional Programs for students ages 18 to 22 years**

**Community Advisory Committee:** The Community Advisory Committee (CAC) unites parents, educators, agency personnel, and members of the community in a common goal of ensuring that students with exceptional needs receive a free and appropriate education. The CAC meetings offer an important opportunity for parents to communicate directly with the Modesto City Schools SELPA Administration regarding programming and support for students within our SELPA. Parent trainings are held each year on topics of interest to parents of students with disabilities. The goals of the CAC include:

- Providing input on the development, review, and implementation of the Local Plan for Special Education.
- Providing input on other policies and procedures pertaining to the education of students with disabilities.
- Sponsoring educational programs on topics such as parent advocacy, parent rights and responsibilities, the IEP process, parent/professional collaboration, assisting disabled students, transition programs, promoting the least restrictive environment, vocational/career education, post secondary programs, mental health services, community resources, and legislation affecting students with disabilities.
- Impacting legislation affecting students with disabilities.
- Promoting regular school attendance through enhancing parent awareness.
- Increasing parent involvement through parent trainings.

**Community Advisory Committee (CAC) Meetings**
2018-2019 • 5:30-7 p.m.
September 11, 2018
October 9, 2018
November 6, 2018
December 11, 2018
February 12, 2019
March 12 2019
April 9, 2019
June 4, 2019
MCS Staff Development Center
425 Locust Street
Modesto, CA 95351
Building a Strong Academic Foundation in Junior High School

A major focus of junior high school is to help students make a successful transition to high school. To accomplish this, junior high school students must satisfactorily complete a rigorous core academic curriculum. Students who need extra help will be provided opportunities to improve their skills or make up failed courses. Parents will be notified on a regular basis of their students’ progress towards meeting graduation requirements.

Graduation Requirements

To receive a diploma of graduation from junior high school, students must:

• Complete the required course of study.
• Receive a passing grade on a District U.S. Constitution test.

**Required Courses:**

<table>
<thead>
<tr>
<th>English</th>
<th>Mathematics</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Four (4) semesters</td>
<td>• Four (4) semesters</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Science</th>
<th>Social Science</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Life Science (Grade 7) - two (2) semesters</td>
<td>• World History (Grade 7) - two (2) semesters</td>
</tr>
<tr>
<td>• Physical Science (Grade 8) - two (2) semesters</td>
<td>• U.S. History (Grade 8) - two (2) semesters</td>
</tr>
</tbody>
</table>

**High School Graduation Requirements**

Students must earn a minimum of 230 units and pass required core courses:

<table>
<thead>
<tr>
<th>English</th>
<th>Health</th>
<th>Practical Arts</th>
</tr>
</thead>
<tbody>
<tr>
<td>8 semesters (40) units</td>
<td>1 semester (5 units)</td>
<td>1 semester (5 units)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Math</th>
<th>Science</th>
<th>Visual Arts/Performing Arts OR Foreign Language OR Career Technical Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 semesters (30 units) including the successful completion of Algebra or Secondary Math I</td>
<td>2 semesters of biological science (10 units)</td>
<td>2 semesters (10 units)</td>
</tr>
<tr>
<td>Note: All 9th graders must take Physical Education unless exempted by Board Policy 6142.111.</td>
<td>2 semesters of physical science (10 units) OR successful completion of 4 semesters of integrated science (20 units)</td>
<td>(One course in visual/performing arts or foreign language or American Sign Language or career technical education)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Social Science</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2 semesters U.S. History (10 units)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 semesters World History (10 units)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 semester U.S. Government (5 units)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 semester Economics (5 units)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 semester World Geography/World Religions (5 units)</td>
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<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Visual Arts/Performing Arts OR Foreign Language OR Career Technical Education</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2 semesters (10 units)</td>
</tr>
<tr>
<td></td>
<td>(One course in visual/performing arts or foreign language or American Sign Language or career technical education)</td>
</tr>
</tbody>
</table>

To be on track for graduation, students must earn the following number of units each semester:

<table>
<thead>
<tr>
<th>Year in school</th>
<th>End of 1st Semester</th>
<th>End of 2nd Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td>9th Grade</td>
<td>25 Units</td>
<td>55 Units</td>
</tr>
<tr>
<td>10th Grade</td>
<td>85 Units</td>
<td>115 Units</td>
</tr>
<tr>
<td>11th Grade</td>
<td>145 Units</td>
<td>170 Units</td>
</tr>
<tr>
<td>12th Grade</td>
<td>200 Units</td>
<td>230 Units</td>
</tr>
</tbody>
</table>

Parent Involvement is Key to Student Success! Studies show that parent involvement positively affects student achievement, and contributes to higher quality education and better performance of schools overall. There are a number of ways you can get involved: Introduce yourself to your child(ren)’s teacher(s); join a parent group at your child(ren)’s school; volunteer in the classroom; read with your student(s) every day; ask your student(s) about their day. Talk with your child(ren)’s teachers about how you can help your child(ren) be successful. For more ideas, visit our Student, Parent, & Community Support Services (SPCSS) department webpage: www.mcs4kids.com/district.
College Counseling Program: Modesto City Schools offers a comprehensive College Counseling Program at each of its eight high school campuses. The program provides the services of fully-trained College Counselors who are responsible for serving all students interested in pursuing university degrees, junior college, and vocational schools. College Counselors serve students and their parents by providing a wide array of current information on issues related to college/university entrance requirements, costs, scholarships, and much more. They have access to critical information to help students make sound and realistic choices about college/university admittance. During the school year, College Counselors host evening programs at each high school campus. During these programs, counselors discuss general issues related to college/university selection and acceptance; the application process; financial aid and scholarship opportunities; the PSAT, SAT, and ACT; timelines for completing admission forms; and other important topics. There are also question and answer periods after each program. College Counselors are available to all high school students and their parents.

Career Technical Education (CTE): CTE may be offered by the District as career and workforce preparation for high school students, preparation for advanced training, and the upgrading of existing skills. CTE provides high school students with valuable career and technical education so students can: (1) enter the workforce with skills and competencies to be successful; (2) pursue advanced training in postsecondary educational institutions; or (3) upgrade existing skills and knowledge. A CTE course may also satisfy a graduation requirement and a subject matter requirement for admission to the UC and CSU. To learn more about the District’s career technical education classes, please visit the District’s website.

Junior College Admission Requirements: Graduation from high school, passing the California High School Proficiency Examination, or reaching the minimum age of 18 years are the only requirements for junior college admission. There are no subject or grade requirements. However, the better preparation a student has in high school, the better the chances for success at junior college.

CSU/UC Admission Requirements: To learn more about college admission requirements, and for a list of District courses that have been certified by the University of California as satisfying the requirements for admission to the UC and CSU, please see below and refer to: https://doorways.ucop.edu/list. For a complete listing of courses, including information regarding whether or not the course satisfies graduation or CSU/UC admission requirements, see your school site’s Course Catalogue.

Students are encouraged to meet with school counselors to help them choose courses at their school that will meet college admission requirements or to enroll in career technical education courses, or both. Please contact your school’s counseling office.

<table>
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<tr>
<th>A-G Courses</th>
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<th>CSU/UC Requirements for Freshman Admissions</th>
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<tr>
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<td>History/Social Science</td>
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<td>B</td>
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<tr>
<td>C</td>
<td>Mathematics</td>
<td>3 years required (e.g., Algebra, Geometry and Advanced Algebra), 4 years recommended</td>
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<td>D</td>
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<td>F</td>
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<td>1 year required</td>
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</tbody>
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High School Exams, Work Permits, Driver’s Ed & Other Information

Grade 9 Physical Fitness Test: All grade 9 students must take the California State Physical Fitness Test. Students not passing five out of six criteria on the Physical Fitness Test will be required to take a Physical Education course in their sophomore year. (E.C. 60800 & E.C. 51241[b][1])

Important Information About the Preliminary SAT (PSAT): The Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) is excellent practice for college placement tests such as the SAT or ACT. Students who take the PSAT score an average of 100 points higher on the SAT.

The purpose of the PSAT is to:
1. Provide practice taking the SAT (the PSAT test measures critical reading skills, math problem-solving skills and writing skills);
2. Receive feedback on strengths and weaknesses on skills necessary for college study;
3. Compare performance on admissions tests with other students who may be applying;
4. Enter the competition for the National Merit Scholarship Corporation;
5. Help prepare for the SAT by becoming familiar with the kinds of questions and directions on the SAT; and
6. Receive information from prospective colleges.

The PSAT assesses knowledge and skills developed through years of study in a wide range of courses. Although the test is not directly related to a specific high school curriculum, it does reflect the kind of academic experience considered important for successful academic performance in college.

Eleventh grade students who take the PSAT, and do well, can compete for scholarships and recognition awards. In addition, students who identify themselves as Hispanic or Latino on the test answer sheet will automatically be considered for the National Hispanic Scholar Recognition Program.

Modesto City Schools will offer the PSAT twice in the 2018-2019 school year:
• For All 9th, 10th & 11th Grade Students: Each high school will offer the PSAT on Wednesday, October 10, 2018, for all 9th, 10th and 11th grade students. Students must sign up in their high school’s Student Body Office to be eligible to take the PSAT. Students must also submit a $16.00 test fee. Students will not be allowed to take the test if they have not paid the fee. Fee waivers are available for economically-disadvantaged eleventh grade students.
• For 10th Grade Students Only: Through LCAP funds, Modesto City Schools will pay for all interested 10th grade students to take the PSAT 10 at their high school in spring 2019. The PSAT 10 is only for 10th grade students. Students must sign up in their school’s Student Body Office to be eligible to take the PSAT. Schools will notify 10th grade students and their families of the test date.

Students or parents/guardians who have questions about the PSAT should contact the College Counselor at their child’s high school.

College Entrance Tests: College entrance tests are tests of ability and knowledge required of each college applicant necessary for successful college performance. Entrance tests are required and used for counseling and placing students in appropriate college courses. Some colleges and universities require minimum scores for admission. In addition, scholarships may be based on scores from college entrance tests. The most common tests are the SAT Reasoning Tests, SAT Subject Tests, and the ACT. It is extremely important that students observe deadlines for the submission of test scores. It is recommended that ALL college-bound eleventh grade students take the SAT and/or ACT by the end of their junior year. Contact your College Counselor with any questions about college entrance tests.

Work Permits and Driver’s Education: Modesto City Schools requires students to be ON TRACK to graduate before they can enroll in Driver’s Education or obtain a Work Permit. California law requires that students under the age of 18 take Driver’s Education before they can qualify for a driver license. Being on track means students are making satisfactory progress toward earning the number of units they will need to graduate with their classmates (see box on page 13).

Married, Pregnant and Parenting Students:
1. Modesto City Schools does not exclude or deny any student from any educational program or activity solely on the basis of pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom.
2. Pregnant students and parenting male or female students are not excluded from participation in their regular school programs or required to participate in pregnant-student programs or alternative educational programs.
3. Pregnant/parenting students who voluntarily participate in alternative programs are given educational programs, activities, and courses equal to the regular program.
4. Modesto City Schools treats pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery therefrom in the same manner and under the same policies as any other temporary disability.
GUIDELINES FOR VISITORS:

To build community awareness and appreciation of the many programs offered by public schools, Modesto City Schools encourages parents and interested community members to visit school campuses. Throughout the year, special events are held at each school to which visitors are invited.

Today, schools must take reasonable precautions to avoid interruptions and disruptions during the school day that could jeopardize the health and safety of students and staff.

Signs posted at all school entrances show regular school hours and inform visitors they must report to the school office. To help ensure school safety and security, the principal/designee needs a visible means of identifying visitors while they are on the school grounds. This identification is required for all visitors, including parents (or guardians), and can be picked up at the school office.

Visitors are: 1) Parents (or guardians) of students enrolled at the school; 2) School volunteers; 3) Public employees whose job requires they be on school grounds; 4) Elected public officials; 5) Reporters, publishers, editors or other persons connected with, or employed by, a newspaper, magazine or other publication, radio or television station; 6) Representatives of a school employee organization engaged in activities related to the representation of school employees; and 7) anyone else, except site/District staff, students of the school, delivery persons or other contracted workers who are on the school grounds at the school’s request.

Upon reporting to the school office, visitors may be required to furnish the principal/designee identification and any other information considered pertinent.

GUIDELINES FOR PARENT/GUARDIAN VISITS: School visits require staff time and commitment. Staff members are encouraged to accommodate as many requests as possible.

1. To ensure minimum interruption or disruption of the instructional program, visits to any classroom during school hours must be arranged in advance with the teacher. If the teacher or principal/designee feels a classroom visit would disrupt the instructional program, the request may be denied or rescheduled. (If a teacher/parent conference is desired, an appointment will be made with the teacher during non-instructional time.)

2. Parents (or guardians) who need to leave lunches, clothing, or other articles for their children, or who need to contact students or staff, however briefly, must first report to the school office to make their request. Usually, items will be delivered to the student by school staff to avoid interruption of the instructional program.

3. Parents (custodial or non-custodial) or guardians may not use the school setting to resolve visitation or other custodial rights. Such issues should be addressed after regular school hours.

4. No electronic listening or recording devices may be used in a classroom without the teacher’s and principal’s permission (E.C. 51512). Persons who do so will be guilty of a misdemeanor.

The principal/designee may refuse to allow a visitor the privilege of visiting the school if the principal believes the individual’s presence or acts have the potential to interrupt the school, its students, teachers and other staff members; jeopardize the health and safety of students and staff; or cause property damage. Visitors need to know that the school principal/designee has the authority to direct an individual to leave the campus.

This direction is given when the principal determines that the visitor’s presence or acts have the potential to interrupt or disrupt the school, its students, teachers or other employees; to jeopardize the health and safety of students and staff; or cause property damage. The principal’s/designee’s verbal direction to leave campus will be documented.

If the individual re-enters the campus without permission within seven days after being directed to leave the school grounds, he/she will be guilty of a misdemeanor and subject to arrest (P.C. 626.6).

If the individual refuses to leave after being asked by the principal/designee, law enforcement will be called. Specific circumstances of the case and advice from law enforcement will determine further action.

As soon as possible, school staff will document all facts regarding the situation. A full description of the incident will assist the District Attorney in determining appropriate charges - disturbing the peace, threats of violence, use of obscene language, assault, etc. (An appeals process is defined in Modesto City Schools Board Policy 1250.) Modesto City Schools wants to emphasize that the majority of school visits are beneficial to the school, students, school staff, and individual visitors. However, it is important that parents and others be aware of the District’s guidelines regarding visitors at school.

Obviously, it is in the best interest of our young people that interruptions, disruptions, or other more serious actions be avoided in order to provide a safe school environment where students can enjoy learning.

Tobacco Products are Prohibited: In the best interest of students, employees and the general public, the Board of Education prohibits the use of tobacco products at all times in District-owned or leased buildings, on District property, and in District vehicles. This includes, but is not limited to, common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles and all other enclosed facilities, as well as indoor and outdoor athletic facilities.
MESSAGE FROM THE BOARD OF EDUCATION ON MODESTO CITY SCHOOLS’ CONDUCT CODE

THE BOARD OF EDUCATION AND STUDENT BEHAVIOR

The Board of Education has the responsibility to see that an appropriate educational program is available to each student in our schools. Within the framework of California law, courses and materials are developed, teachers and administrators are selected, and rules and regulations are established to ensure a proper climate in which students may pursue their studies.

Sections of that law are cited here so that students and parents may know the basis for the rules that must be enforced by the Board. This responsibility is an obligation the Board takes seriously. School personnel have been charged by the Board to carry out these rules in a fair, firm, and friendly manner in order to safeguard each student’s right to the finest education we can provide, to hold distracting forces to a minimum, and to eliminate behavior that disrupts the learning process. This will benefit the majority of students by allowing them to go to school relatively free from unnecessary interruption.

Parents, administrators, teachers, and others responsible for the welfare of students must cooperate to interpret and enforce our behavior code and attendance policy.

This publication contains the rights and responsibilities, legal basis, and rationale for which our policies are founded. It is important that you read and discuss this Student Conduct Code with your son or daughter.

We look forward to a good school year. We ask your cooperation to ensure that our students have an environment that promotes the educational process.

MODESTO CITY SCHOOLS BOARD OF EDUCATION

RIGHTS AND RESPONSIBILITIES

Rights of Students
- To attend school unless removed under due process as specified in the Education Code.
- To attend school in a secure academic and social climate, free from discrimination, harassment and intimidation.
- To enjoy the full benefit of their teachers’ efforts, without interruption by a disruptive student.
- To have ready access to a designated counselor.
- To examine personal records upon reaching the age of 16 or completing the 10th grade.
- To be fully informed of school rules and regulations.

Responsibilities of Students
- To attend school and classes regularly and on time.
- To be prepared for class with the appropriate materials and work.
- To know and obey school rules and regulations.
- To respect the rights of school personnel, fellow students, and the public in general.
- To demonstrate pride in the appearance of school buildings and grounds.
- To resolve differences in a positive way and seek adult assistance and support with resolving differences.

Rights of Parents
- To expect that their children will spend their time at school in a safe, wholesome, stimulating atmosphere engaged in productive activity under the care and direction of a dedicated staff.
- To have assurance that school personnel will at no time preempt parental prerogative.
- To be informed of District policies and regulations and school rules.
- To review their child’s record with a certificated staff member providing assistance.

Responsibilities of Parents
- To visit school periodically to participate in conferences with teachers, counselors or administrators regarding the academic and behavioral status of their children.
- To provide supportive action by making sure that children have enough sleep, adequate nutrition and appropriate clothing before coming to school.
- To maintain consistent and adequate control over their children and to approve of reasonable control measures as applied by school personnel.
- To cooperate with the school in bringing about improvements designed to enhance the educational
program offered students.
- To provide the school with current information regarding legal address, phone, medical data, and other facts which may help the school to serve their children.
- To become familiar with District policies and school rules and regulations.

**Rights of Teachers**
- To expect and receive the attention, effort, and participation of the students attending their classes.
- To have parental and administrative backing when enforcing rules designed to provide an optimum learning climate.
- To teach with interruptions held to an absolute minimum.
- To enjoy the same level of respect and courteous treatment accorded members of the class individually and collectively.

**Responsibilities of Teachers**
- To consider the personal worth of each individual student as a single, unique, important human being.
- To attempt to equip each learner with the knowledge, skills, attitudes, and values required for successful living.
- To hold students accountable for their actions at all times.
- To assess divergent ideas, opinions, and expressions objectively and deal with them in a balanced, unbiased manner.
- To keep parents and students informed with timely or periodic reports, including all pertinent data related to the student’s school experience.
- To consistently critique their own performance with the objective of an ever growing professional stature.
- To initiate and enforce individual classroom rules consistent with school and District policies.

**Rights of Administrators**
- To initiate such control measures as needed to establish and maintain an environment in which optimum learning and teaching conditions prevail.
- To make decisions on all issues confronting schools, primarily on the basis of what is best for the students.
- To hold students accountable for their conduct and to take prompt and appropriate action toward those guilty of violations.
- To expect that all school employees recognize and fulfill their role in terms of campus control.

**Responsibilities of Administrators**
- To provide leadership that will establish, encourage, and promote good teaching and effective learning.
- To establish, publicize, and enforce school rules that facilitate effective learning and promote attitudes and habits of good citizenship among the students.
- To request assistance from the District’s support services and community agencies and resources in all cases indicating such action.
- To make a determined effort to stay attuned to expressions of student/staff/parent/community concerns and to react with sensitivity toward them.
ATTENDANCE:

Regular school attendance is important. Students must attend school regularly to achieve in the classroom. Parents who make regular school attendance a top priority help their children become dependable and responsible. The importance of being in school every school day applies to students at all grade levels. Children in the primary grades (kindergarten through third) should set a pattern of regular attendance early in their school careers. The habit will carry over through high school and beyond.

Being absent from school hurts the student. Modesto City Schools’ data shows that students who do not attend school regularly achieve at a lower level than their classmates. Poor school attendance is the most frequently identified symptom of the potential school dropout. On average, students who were on track to graduate were absent eight (8) days during the entire school year. On average, high school students who are not on track to graduate (down 1-10 units) are absent seven (7) or more days in a semester, or 16 days in a school year. On average, students who are absent one-and-a-half or more days a month ARE NOT on track to graduate with their classmates regardless of the school they attend, their grade level, the courses they take, or their ethnicity.

Absenteism hurts other students. When students who have been absent return to school, they need more individual attention from their teacher. They often deprive their classmates of the teacher’s full attention.

Absenteism hurts your child’s school. State funding to schools is linked to student attendance. The more absences, the less funding a school district receives from the state and the total educational program suffers.

Absenteism hurts our community. Students who are chronically absent are not prepared to join the work force or continue their education beyond high school. The Modesto Police Department confirms that daytime criminal activity increases when students are not in school.

Notice for High School Students:

Excessive absenteism can affect eligibility to enroll in Driver's Education. If students have five (5) or more absences without a doctor’s note, after being placed on Attendance Supervision, students will not be eligible to enroll in Driver’s Education until the next school year. Students will be allowed to enroll in Driver’s Education the second semester of the following year IF they are not placed on Attendance Supervision the previous semester. The Student Conduct Code allows a school administrator to place students on Attendance Supervision if they are absent 15 days, excused or unexcused, during the school year - six (6) period absences equal one (1) full day of absence. Students will then need a doctor’s verification for any additional absences during the same school year. Absences will be considered unexcused and may affect extra-curricular eligibility if not cleared within seven (7) school days after the student returns from the absence.

How truancy affects eligibility to enroll in Driver’s Education: On the fourth incident of truancy (being absent from school without verified approval from a parent/guardian, or from the school) students will not be allowed to enroll in Driver’s Education until one full semester is completed without another incident of truancy.

ABSENCES

ATTENDANCE EXPECTATIONS

EDUCATION IS AN OPPORTUNITY AND A RIGHT. IF STUDENTS DO NOT EXERCISE THEIR RIGHT TO ATTEND SCHOOL, THEY HAVE LIMITED THEIR OPPORTUNITY FOR THE BASIC EDUCATION NECESSARY TO BECOME MATURE, KNOWLEDGEABLE, AND PRODUCTIVE MEMBERS OF SOCIETY. ABSENTEEISM HAS A DIRECT, NEGATIVE EFFECT ON STUDENT ACHIEVEMENT, PROMOTION, GRADUATION, BEHAVIOR, AND EMPLOYMENT POTENTIAL. IT HAS BEEN WELL DEMONSTRATED THAT REGULAR ATTENDANCE IS A KEY FACTOR IN THE SUCCESS A STUDENT ACHIEVES AT SCHOOL.

ABSENCES -- ASSIGNMENT MAKE-UP ALLOWED

1. **EXCUSED ABSENCES** (C.A.C. Title 5, Sec. 420)

   Absences listed below are excused when verified in accordance with the Education Code and Board Policy:

   A. Illness.
   B. Quarantine directed by county or city health officer.
   C. Medical, dental, or optometrical services rendered:
      1. Students are encouraged to make medical appointments after school hours. If this is not possible, then students must return to school immediately after an appointment.
2. (K-6) If a student must miss school for a medical appointment, the name of the doctor and/or clinic must be listed on the verifying note. (7-12) Students will be released for and receive excused absences for appointments only on the written approval of parents or guardians. (7-12) The only exception shall be for those students whose parents or guardians have provided annual written consent to the school to release and excuse their child(ren) upon doctor verification. (See the form on page 83)

D. Attending funeral services of a member of the pupil’s immediate family as defined in E.C. 45194, so long as such absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside of California.

Students shall be permitted to make up missed school assignments.

(K-6) Responsibility for requesting missed work lies with student/parent. The teacher will determine the length of time the student has to make up work.

(7-12) Students shall be allowed two school-days for each day of absence to make up the work. The time for make-up may be extended by the teacher. Responsibility for requesting missed work lies with the student.

2. ABSENCES EXCUSED FOR PERSONAL REASONS (PRIOR APPROVAL REQUIRED) (E.C. 48205)

A. A pupil’s absence shall be allowed provided the absence is for one of the following justifiable personal reasons:
   1. An appearance in court.
   2. (7-12 only) An employment conference.
   3. A pupil/family hardship situation, as authorized by the principal.
   4. An observance of a holiday or ceremony of the pupil’s religion.
   5. Attendance at religious retreats not to exceed four (4) hours per semester.
   6. Attending a funeral service of a person who is not an immediate family Member.

B. PRIOR to an absence described in this regulation, a signed parental request must be received and approved by the principal or administrative designee.

C. Only in the case of extreme emergency will the principal approve an absence after the absence occurs.

A pupil whose absence is excused according to the above conditions shall be allowed make-up privileges. (K-6 Student/parent) (7-12 Students) shall make arrangements with the teacher to make up missed work prior to the absence. Students shall be allowed two school days for each day of absence to make up the work. The time for make-up may be extended by the teacher. Responsibility for requesting missed work lies with (K-6 student/parent) (7-12 student).

3. ABSENCES EXCUSED/RELEASE TIME FOR RELIGIOUS EXERCISES AND INSTRUCTION (PRIOR NOTIFICATION REQUIRED) (E.C. 46014)

The District will allow release time for students to participate in religious exercises or to receive moral and religious instruction.

A student’s absence will be considered excused, with full rights to make up tests and homework, if the following conditions are complied with:

A. The student has the written consent of his/her parent or guardian indicating the time the student is to be released from school. The written consent must be submitted to the school two days prior to release from school.

B. Verification of attendance at the designated exercise is provided to the school on the first day after the absence.

C. The student attends school on the day of the absence for at least the minimum day (as defined by the Education Code).
   
   Kindergarten - 180 minutes
   Grades 1-3 - 230 minutes
   Grades 4-12 - 240 minutes

D. No pupil shall be excused from school for such purpose on more than four days per school year.

A student whose absence is authorized according to the above conditions shall be allowed make-up privileges. (K-6 Student/parent) (7-12 Students) shall make arrangements with the teacher to make up missed work prior to the absence. Students shall be allowed two school days for each day of absence to make up the work. The time for make-up may be extended by the teacher. Responsibility for requesting missed work lies with (K-6 student/parent) (7-12 student).
4. **UNEXCUSED ABSENCES FOR PERSONAL REASONS MADE UP IN SATURDAY SCHOOL (NO PRIOR APPROVAL) (E.C. 37223, 48205)**

   - **(K-6)** Students who are absent for personal reasons and who did NOT receive prior approval from the school administrator may be assigned a consequence such as detention, in-school suspension, or Saturday School to make up class work missed because of the unexcused absence.

   - **(7-12)** Students who are absent for personal reasons and who did NOT receive prior approval from the school administrator may be assigned to Saturday School to make up class work missed because of the unexcused absence. Absences will be considered unexcused and may affect extra-curricular eligibility if not cleared within seven (7) school days after the student returns from the absence.

5. **HOME SUSPENSION / INTERVENTION CENTER [7-12] AND ASSIGNMENT MAKE-UP (E.C. 48913)**

   A. Suspensions are considered “excused” absences and assignment make-up shall be allowed if requested by the student or parent.

   B. The responsibility of obtaining and doing class work lies with the student/parent. The teacher may require the student to complete any assignments and tests missed during the suspension.

   C. Students shall be allowed at least TWO days for each day of suspension to make up the work. Time for make-up may be extended by the teacher.

**ABSENCES - ASSIGNMENT MAKE-UP NOT ALLOWED**

1. **TRUANCY/UNEXCUSED ABSENCES**

   Absences which cannot be verified will be considered truant/unexcused.

   Students shall NOT be allowed to make up assignments or tests which were assigned during the truancy/unexcused absence.

   It is the responsibility of the parent/guardian to provide explanation of a student’s absence either by telephone the day of the absence or by note upon the student’s return to school.

   Students who leave the campus or the classroom without proper school authorization will be considered truant.

   If the student has an absence verified at the attendance office at a later time, he/she is NOT allowed make-up privileges unless he/she presents the teacher a verified re-admit slip within ONE (1) day after the student returns to school.

   Written notification will be sent to the parents of a student who is absent from school for a total of three (3) days, 10 days, and 15 days without valid excuse. These notifications will be mailed for absences that are either unexcused or unverified.

**TRUANCY/UNEXCUSED, EXCESSIVE ABSENTEEISM, TARDIES**

(E.C. 37223)

**TRUANCY/UNEXCUSED (E.C. 48260-48263, 48900 k, 49164)**

Students may not be absent from school without approval of the school. (7-12) Absences will be considered unexcused and may affect extra-curricular eligibility if not cleared within seven (7) school days after the student returns from the absence. The following represents the procedures which will be followed when a student is absent from school without a valid excuse or is tardy without the school's approval in excess of 30 minutes.

- **First Incident**--The student and parents will be informed of the mandatory attendance laws and the District’s pertinent policy and procedures. The student will be instructed to attend all classes. Failure to do so shall be treated as “defiance of authority.” (7-12) Student will be informed that a work permit will not be issued or will be revoked if the student reaches the 4th step.

  - **(K-12)** Alternate consequences will be assigned such as detention, Saturday School,

  - **(K-6)** Partnered Classroom, **(7-12)** Intervention Center, **(7-12)** Community Service.

- **Second Incident**--The student and parents will be informed of the mandatory attendance laws and the District’s pertinent policy and procedures. The student will be instructed to attend all classes. Failure to do so shall be treated as “defiance of authority.” (7-12) Student will be informed that a work permit will not be issued or will be revoked if the student reaches the 4th step.

  - **(K-12)** Alternate consequences will be assigned such as detention, Saturday School,

  - **(K-6)** Partnered Classroom, **(7-12)** Intervention Center, **(7-12)** Community Service.

- **Third Incident**--The student and parents will be informed of the mandatory attendance laws and the District’s
Conduct Code - Attendance & Absences

pertinent policy and procedures. The student will be instructed to attend all classes. Failure to do so shall be treated as “defiance of authority.” (7-12) Student will be informed that a work permit will not be issued or will be revoked if the student reaches the 4th step. (K-12) The student is a legal truant (absent from school without a valid excuse for three (3) days or tardy in excess of 30 minutes on each of three (3) or more days). (E.C. 48260) (E.C. 48260.5) The school may recommend that the parent/guardian attend school one day with the student.

(K-12) Alternate consequences will be assigned such as detention, Saturday School, (K-6) Partnered Classroom, (7-12) Intervention Center, (7-12) Community Service.

Fourth Incident--Student will be referred to a school administrator/designee. The student is now a legal habitual truant and shall be within the jurisdiction of the juvenile court which may adjudge the pupil to be a ward of the court. (E.C. 48262) (WIC 601) The school administrator shall call and hold a parent conference. Parents and student are again informed that failure to follow the school’s directive to attend classes will be “defiance of authority” and will be grounds for referral to the School Attendance Review Board and/or (7-12) involuntary transfer to an alternative education program.

(K-12) Alternate consequences will be assigned such as detention, Saturday School, (K-6) Partnered Classroom, (7-12) Intervention Center, (7-12) Community Service.

(Fifth Incident)--Student will be referred to a school administrator. The parents and student will be informed that the next incidence of refusal to attend classes upon the direction of school authorities may result in a recommendation of the student to an alternative education program and possible referral of parent and student to the School Attendance Review Board.

(K-12) Alternate consequences will be assigned such as detention, Saturday School, (K-6) Partnered Classroom, (7-12) Intervention Center, (7-12) Community Service.

Sixth Incident--A letter shall be sent certified or by using “proof of service” method to the parents/guardians informing them that their student has had additional incidents of truancy since being declared a legal habitual truant (E.C. 48262) and has been in “persistent defiance of authority.” Parent and student may be referred to the School Attendance Review Board (SARB).

(K-12) Alternate consequences will be assigned such as detention, Saturday School, (K-6) Partnered Classroom, (7-12) Intervention Center, (7-12) Community Service.

EXCESSIVE ABSENTEEISM

Once a pupil accumulates 15 absences (excused or unexcused) during one school year:

1. A school administrator may place the student on Attendance Supervision which imposes a requirement that additional absences must be verified by a licensed medical practitioner. (C.A.C. Title 5 sec. 421 b)
2. A student may not be placed on Attendance Supervision unless the parent/guardian has been notified previously in conference or by letter of the District’s excessive absence policy after that student has been absent 10 days or more.
3. Once a student has been placed on Attendance Supervision, a school administrator/certificated designee
shall call and hold a parent conference. Parent/guardian will again be informed of the District’s excessive absence policy. If the parent/guardian cannot be contacted, the administrator/designee will hold a conference with the student and a certified letter shall be sent informing the parent/guardian that the student is placed on Attendance Supervision and the pertinent provisions of the excessive absence policy.

4. Parents of a student who is absent from school five (5) or more times without the required verification from a doctor are subject to being referred to the School Attendance Review Board. (E.C. 48320-48324)

5. (7-12) A student absent from school five (5) or more times without the required verification:
   A. WILL BE INELIGIBLE TO PARTICIPATE IN EXTRA-CURRICULAR ACTIVITIES THE REMAINDER OF THE SCHOOL YEAR AT THE REGULAR CAMPUS.
   B. WILL NOT BE ISSUED A WORK PERMIT OR THE WORK PERMIT WILL BE SUSPENDED OR REVOKED BY THE ISSUING AUTHORITY AT THE REGULAR CAMPUS. (E.C. 49164)
   C. MAY BE REFERRED TO THE SCHOOL ATTENDANCE REVIEW BOARD.
   D. MAY BE REFERRED TO AN ALTERNATIVE EDUCATION PROGRAM, SUCH AS CONTINUATION HIGH SCHOOL IF THE STUDENT IS SIXTEEN YEARS OF AGE OR OLDER. (E.C. 48432.5)

Note: Six (6) period absences equal one (1) full-day absence and will be counted toward the fifteen days.

Note: Written notification will be sent to the parents of a student who is absent from school for a total of three (3) days, 10 days, and 15 days without valid excuse. These notifications will be mailed for absences that are either unexcused or unverified.

**TARDIES**

One of the responsibilities of each student is to be in the classroom in his/her seat or work station when the bell rings or when class is to begin. Being tardy is irresponsible behavior because it is disruptive to the learning process.

**FIRST, SECOND, AND THIRD TARDY IN EACH CLASS**

Consequences to be determined by each site.

**K-6** Fourth and successive tardies (Parent contact)

Administrator will assign the student a consequence which may include detention, Partnered Classroom, or Saturday School. Parents may be referred to the Child Welfare and Attendance office or the School Attendance Review Board for excessive tardies or absences incurred by their child.

**7-12** Fourth and subsequent tardies will result in an administrative referral with the following consequences.

Administrator will assign the student a consequence which may include detention, one period of Intervention Center, Tutoring Center, or Saturday School. Parents may be referred to the Child Welfare and Attendance office or the School Attendance Review Board for excessive tardies or absences incurred by their child.

**STUDENTS OUT OF CLASS WITHOUT WRITTEN AUTHORIZATION FIVE (5) MINUTES AFTER CLASS IS TO BEGIN.**

An administrator or his/her designee(s) will assign the student a consequence which may include work detail/detention/Intervention Center/Saturday School.

**TARDY IN EXCESS OF 10 MINUTES**

If a student is tardy in excess of 10 minutes, but no more than 30 minutes, the teacher has the option of not allowing assignment make-up because of lack of class participation. If the student is tardy in excess of 30 minutes, he/she is truant according to E.C. 48260 and must obtain a re-admit slip from the attendance office indicating “truancy.”

**SATURDAY SCHOOL**

(E.C. 37223)

The Governing Board of any elementary, high school, or unified school district may maintain classes on Saturday. The Modesto City Schools’ Board of Education approves such classes when appropriate and practicable.

The classes may include MAKE-UP CLASSES FOR UNEXCUSED ABSENCES occurring during the week. Attendance at Saturday School for unexcused absences will permit the student to make up missed assignments and the absence record will be changed to reflect Saturday School attendance. Unexcused absences must be made up through Saturday School within 20 school days from original absence.

Attendance at classes conducted on Saturday shall be at the election of the pupil or, in the case of a minor pupil, the parent or guardian of the pupil. However, the Governing Board may require truants, as defined by Section 48260, to attend make-up classes conducted on one day of the weekend.
SCHOOL ATTENDANCE REVIEW BOARD (SARB)
(E.C. 48320-48324, 48292-48293)

The Education Code provides for the establishment of School Attendance Review Boards to meet the special needs of pupils with school attendance problems or school behavior problems.

The School Attendance Review Board may include a parent and representatives of (1) the school, (2) the County Probation Department, (3) County Welfare Department, and (4) a representative of the County Superintendent of Schools.

SARB has the authority to recommend that parents and students take certain measures to correct inappropriate behavior, refer the pupil to community agencies for assistance, or suggest adjustments to the school assignment.

In the event that a parent or guardian or pupil fails to respond to the directives of SARB or to services offered on behalf of the minor, SARB may:

1. Direct that the minor be referred to the County Welfare Department under Section 300 of the Welfare and Institutions Code.
2. Direct that the minor be referred to the County Probation Department under Section 601 of the Welfare and Institutions Code.
3. Request the Director, Child Welfare and Attendance, to file a complaint against the parent, guardian, or other person in charge of such minor with the District Attorney.

The parent/guardian of any pupil who fails to comply with the directives of SARB, unless excused or exempted therefrom, is guilty of an infraction and shall be punished as follows:

1. Upon conviction, by a fine of not more than one hundred dollars ($100).
2. Upon a second conviction, by a fine of not more than two hundred fifty dollars ($250).
3. Upon a third or subsequent conviction, by a fine of not more than five hundred dollars ($500).
4. In lieu of imposing the fines prescribed in numbers (1) and (2), the court may order such person to be placed in a parent education and counseling program.
STUDENTS

Dress and Grooming

The Modesto City Schools dress code sets standards that promote a positive and safe learning environment for students. Annual notice of this regulation shall be provided to students, parents and staff. Each Site Safety Committee shall regularly review these standards. Appropriate dress for school dances, graduation activities and other special events will be communicated to parents and students by the school.

The following guidelines shall apply to all regular school activities:

Standards

1. Students shall dress appropriately for educational activities in which they will participate so as not to endanger their health, safety, or welfare, or that of others, or cause a disruption to the educational process. Clothes shall be sufficient to conceal undergarments when sitting or standing, or bending. The following articles of clothing are not permitted:
   - Shorts, skirts, pants, and tops that fail to conceal undergarments, back, abdomen, and cleavage.
   - Back-less or strap-less tops
   - Low-cut tops and dresses
   - Bare-midriff tops
   - Chains of any sort, wallet or utility-type chains
   - See-through or fishnet fabrics that fail to conceal undergarments

2. All attire must fit appropriately and must not be too small or too large. Skirts shorter than mid-thigh are prohibited.

3. Shoes shall be worn at all times. Steel-toed boots and bedroom slippers are prohibited.

4. Athletic/club spirit shirts must have administrative approval and follow dress code standards before printing. Shirts that have a double meaning will be prohibited.

5. Clothing, accessories, and jewelry shall be free of writing, pictures, symbols or any other insignia which are crude, vulgar, profane, obscene, libelous, slanderous, or sexually suggestive. Clothing, accessories, or jewelry that degrade any cultural, religious or ethnic values, that advocate racial, ethnic, or religious prejudice or discrimination, or that promote sex, the use of tobacco, drugs, alcohol or violence or any unlawful acts (including gang activity) are prohibited.

6. Dark glasses shall not be worn indoors, except for valid medical reasons authorized by the administration and verified in writing by a physician.

7. Gang-related clothing or accessories, including but not limited to bandannas, or other symbols, emblems, or insignia are prohibited. Gang-related web belts with or without punched out metal buckles are prohibited. School officials shall consider student history and information obtained from community agencies and resources when making these judgments. Dangerous clothing accessories are prohibited (i.e., spiked jewelry, studded collars, studded belts).

8. School Administrators have the right to restrict the color of clothing worn by any student involved in a documented gang offense.

9. Repeated violation of the District or school dress code(s) shall be considered a violation of Education Code section 48900(k): Disruption of school activities and/or willful defiance of valid school personnel authority. Appropriate consequences shall be specified and implemented according to the K-6 and 7-12 discipline policies. Final determination of what constitutes appropriate dress shall be made by the principal/designee.

10. Head Covering
    
    K-12 Hats, caps and other head coverings are prohibited during regular school hours except as specifically authorized by a school official for such school activities as athletics and theatrical performances or other approved personal reasons such as health needs. Hooded sweatshirts when used to conceal identity are not permitted.

    - K-6: During inclement weather, K-6 students may wear protective head coverings outdoors, other than bill caps such as: sweatshirt/jacket hoods, knit caps, scarves, earmuffs, etc.
    - 7-12: During inclement weather, 7-12 students may wear school-specific knit caps outdoors.

Note: According to Education Code 35183.5, sun-protective hats may be worn for health needs. The following specifications are recommended by the American Cancer Society:
   "The hat must include a 2-3 inch all around brim to protect areas often exposed to the sun, such as the neck, ears, eyes, forehead, nose, and scalp."
Conduct Code - Dress Code Standards

**Dress Code Standards**

Inappropriate Dress at Modesto City Schools

School should be a positive and safe learning environment. Your clothes should reflect this!

Use good judgment when choosing your outfits and follow our dress standards.

These are examples of inappropriate school dress.

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Dress and Grooming

The Board of Education has determined that certain gangs (also known as criminal gangs or street gangs) are operating in and around Modesto. In light of this fact, the Board of Education has also determined that the wearing of gang-related clothing on school premises or during school-sponsored activities threatens the health and safety of the students and impairs the school environment accordingly.

Students may not wear, possess, use, distribute, or display any clothing, color, jewelry, emblem, badge, symbol, colored bandana, or sash which represents or evidences membership or affiliation with any gang or promotes gang-related activity.

Clothing or grooming which has been deemed, through collaboration between Modesto City School District and local law enforcement or other experts, to be gang-related is prohibited. The specific items of clothing prohibited are: Red or blue cloth belts with or without punched out buckles; red or blue shoe laces; any sports related apparel that is known to reference gang association (UNLV, University of Nebraska, red New York Yankees apparel, red Oakland Raiders apparel, red San Francisco Giants apparel), Mongolian haircuts (mostly shaved head with hair only at top or back of head and/or top knot), other hair styles depicting 3 braids/hair bunches with blue binders or 4 braids/hair bunches with red binders; notched eyebrows indicating 13 or 14, clothing including...
any gang symbols or initials including, but not limited to; N, S, SUR (Sureño), Norte (Norteño), Sureño, Norteño, any reference to South Side, West Side, East Side, or North Side, area codes (209, 510, 415, etc.); hair nets, bandanas, doo-rags, or shower caps; gang-associated jackets and clothing; t-shirts with creased sleeves, or creased down the center; and split pant cuffs. Hats and other sun-protective clothing may be worn by students outdoors during inclement weather. However, specific clothing or hats determined to be gang-related or otherwise inappropriate under Board Policy and this regulation are prohibited.

Each school site may provide parents with a site-specific hat policy which may be more restrictive than the items listed within this regulation, and prohibited headgear will be specified. These restrictions are subject to periodic review. Upon consultation with local law enforcement agencies, or other experts, additional rules which restrict gang-associated dress may be instituted by the school principal with notification to students and parents. The school principal may institute additional rules which restrict gang-associated dress without prior notice provided compelling circumstances require such action to be taken and notification is subsequently sent to students and parents within a reasonable time period.

Gang Activities
The Board of Education believes that the presence of gangs and gang activities has caused and continues to cause a substantial disruption of, or material interference with, school and school activities.

A “gang” means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in, or have engaged in, a pattern of criminal gang activity.

The “pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of a criminal act, provided two or more criminal acts were committed on separate dates or by two or more persons who are members of, or belong to, the same gang.

Students may be suspended, expelled, or excluded for any violation of the rules listed below. By this policy, the Board of Education acts to prohibit the existence of gangs and gang activities as follows:

No student on or about school property or at any school activity:
1. Shall wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other thing that is evidence of membership in or affiliation with any gang.
2. Shall commit any act or omission or use any speech, either verbal or non-verbal (gestures, handshakes, etc.) showing membership or affiliation in a gang.
3. Shall use any speech or commit any act or omission in furtherance of the interests of any gang or gang activity, including, but not limited to:
   a. Soliciting others for membership in any gangs;
   b. Requesting any person to pay for “protection” or otherwise intimidating or threatening any person;
   c. Committing any illegal act or violation of school district policies;
   d. Inciting another student to act with physical violence upon any other person.

BEHAVIOR EXPECTATIONS AND CONSEQUENCES
Consequences are determined by the number of violations occurring in one school year with the exception of offenses 4, 5, 7, 20, and 24 for K-6 students; and 4, 5, 7, 21, and 25 for 7-12 students. Prior offenses may warrant consequences starting at Step 2.

A school may have additional rules unique to its site as long as they do not conflict with the Student Conduct Code (E.C. 35291.5).

EXCEPTIONS: The number of offenses and the consequences relating to extra-curricular activities eligibility for substance abuse violations carry over from year to year in grades 7-8 and 9-12, but not from junior high to high school.

DURING SUSPENSION:
1. Student shall not report to school during the period of suspension unless coming to the office on official business by prior arrangement with a school administrator. Student is expected to be under the supervision of a parent during school hours when serving suspension days at home. (7 a.m.-4:30 p.m.) P.C. 653b, P.C. 627.2
2. Student is not to attend any school event at any school campus during home suspension.
3. The responsibility of obtaining and doing class work lies with the student. The teacher may require the student to complete any assignments and tests missed during the suspension.
IMPORTANT NOTICE

1. (E.C. 48900) No pupil shall be suspended or expelled for any of the acts enumerated unless the act is related to school activity or school attendance. A pupil may be suspended or expelled for acts which are enumerated in this section and related to school activity or attendance which occur at any time, including, but not limited to, any of the following:
   a. While on school grounds.
   b. While going to or coming from school.
   c. During the lunch period whether on or off the campus*.
   d. During, or while going to, or coming from, a school sponsored activity.
*All K-12 campuses are closed campuses. This means that students may not leave campus between periods or during lunch.
2. Students accumulating 20 days of home suspension only are subject to involuntary transfer to an alternative program.
3. Disciplinary action will be taken if a student’s behavior is disruptive to the instructional process or causes a danger to persons or property even though the offense is not defined in this Student Conduct Code.
4. (E.C. 48904 sub-section a 4) Parental liability for willful misconduct of a minor that results in injury or death to a pupil or school employee or who willfully cuts, defaces, or otherwise injures in any way any property, real or personal, belonging to a school district or personal property of any school employee shall be liable for all damages so caused by the minor. The liability of the parent or guardian shall not exceed the state established limit. The parent or guardian shall also be liable for the amount of any reward not exceeding the state established limit.
5. Students and parents have a right to appeal disciplinary action taken against a student. A meeting must be requested with the principal.
6. DEBTS OWED FOR LOSS OR DAMAGE TO SCHOOL DISTRICT PROPERTY: In grades K-6, parents/guardians will be notified of debts incurred by their students. Any 6th grade student who owes for outstanding school debts will be ineligible to participate in extra-curricular activities, grades 7-12, until the debt is paid or until the student completes a program of voluntary work as provided in Education Code 48904 in lieu of payment. However, attendance, substance abuse, behavior, and classroom citizenship eligibility consequences shall not carry over from elementary school to junior high school. For grades 7-12, see page 51.
7. Search and Seizure: The Board authorizes school officials to conduct searches when there are reasonable grounds or suspicion that the search will uncover evidence that the student is violating the law or the rules of the District or the school. The Board urges that discretion, good judgment, and common sense be exercised in all cases of search and seizure (BP 5145.12). Vehicles are subject to search on school property. By entering school property, the person driving any vehicle is deemed to consent to a complete search of the vehicle--all its compartment and contents--by school officials or law enforcement personnel for any reason whatsoever. This notice applies to all vehicles of any type and is in force 24 hours a day. California Vehicle Code Section 21113 (A)

7-12 CLOSED CAMPUSES

On July 19, 1993 the Board of Education approved the closure of all 7-12 campuses beginning with the 1993-94 school year. This action was taken in order to maximize the District’s efforts to provide a safe and orderly environment for students.

Students may not leave campus between periods or during lunch.

There will be no parent approved or school sanctioned exceptions to this closed campus policy.

NOTE: STUDENTS WHO LEAVE CAMPUS SHALL BE CLASSIFIED TRUANT AND SUBJECT TO DISCIPLINARY ACTION (PAGES 21-22) AND LOSS OF ELIGIBILITY FOR EXTRA-CURRICULAR ACTIVITIES (PAGES 47-53).
WITH THE EXCEPTION OF SERIOUS VIOLATIONS OF THE STUDENT CONDUCT CODE, CORRECTIVE MEASURES WILL NORMALLY BEGIN AT A MINIMAL LEVEL AND THEN PROCEED TO MORE SERIOUS LEVELS. THESE PROCEDURES MAY INCLUDE BUT ARE NOT LIMITED TO: COUNSELING, PARENT CONFERENCE, BEHAVIOR PLAN, CLASSROOM INTERVENTIONS, COMMUNITY SERVICE, RESTITUTION, CONFLICT RESOLUTION, PARENT SUPERVISION IN SCHOOL, DETENTION, LOSS OF SCHOOL PRIVILEGES, CLASS SUSPENSION, BEHAVIOR CONTRACT, SATURDAY SCHOOL, PARTNERED CLASSROOM, HOME SUSPENSION, ALTERNATIVE EDUCATION TRANSFER, EXPULSION RECOMMENDATION.

LAW ENFORCEMENT AGENCIES MAY BE NOTIFIED AT THE DISCRETION OF THE ADMINISTRATION.

IF THE NATURE OF THE OFFENSE MAKES AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION RECOMMENDATION APPROPRIATE, THE STUDENT WILL BE SUSPENDED FIVE DAYS FOR THE INFRACTION.

STUDENT MAY BE SUSPENDED ON THE FIRST OFFENSE IF IT IS DETERMINED THAT THE PUPIL’S PRESENCE CAUSES A DANGER TO PERSONS. (E.C. 48900.5)

GANG RELATED OFFENSES - A STUDENT MAY BE SUSPENDED FOR FIVE DAYS ON THE FIRST OFFENSE AND RECOMMENDED FOR AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION.

OFFENSES 1-3, 7-8, AND 25-28 ONLY – IF THE SERIOUSNESS OF THE ACT LEADS TO A DETERMINATION THAT THE PRESENCE OF THE STUDENT CAUSES A DANGER TO PERSONS, THE STUDENT MAY BE RECOMMENDED FOR AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION ON THE FIRST OR SUCCEEDING OFFENSES.

1. **CAUSING, ATTEMPTING, OR THREATENING TO CAUSE PHYSICAL INJURY OR WILLFULLY USING FORCE OR VIOLENCE UPON ANOTHER PERSON**, except in self-defense. (E.C. 48900, sub-sections (a) (1), (a) (2), r, and s) An individual must do everything possible to avoid a conflict. Acts of aggression will not be considered self-defense.

   Note: An incident will be considered a mutual fight when two students engage in a physical altercation, regardless of who initiated the conflict. A student who allows him/herself to be provoked into fighting will be considered as guilty as the one who starts the fight. It is the responsibility of the administrator to conduct an investigation to determine if one of the parties was acting in self-defense.

   1st Offense: 1-day suspension.
   2nd Offense: 3-day suspension and possible recommendation for alternative education program or expulsion.
   3rd Offense: 5-day suspension and recommendation for alternative education program or expulsion.

   Note: Any act committed against school staff would warrant consequences starting at Step 2.

   Note: If a student caused serious physical injury (as defined in Penal Code Section 243) to another person, except in self-defense, the principal must recommend expulsion or report in writing to the superintendent who will advise the governing board that expulsion is inappropriate due to the nature of the particular circumstances which shall be indicated in the report of the incident. (E.C. 48915).

2. **POSSESSING ANY OBJECTS** of a dangerous nature (unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal) ON CAMPUS if the principal deems expulsion inappropriate. (E.C. 48900 sub-section b)

   Note: Toy guns (imitation) are considered objects of a dangerous nature. Look-a-like (imitation) toy guns refers to a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (E.C. 48900
Possession of any toy weapon that appears to be real to a reasonable person or that is used in a threatening manner may result in alternative placement or recommendation for expulsion. (E.C. 48900, sub-section m) Also, see page 35, number 2.

Note: Laser pointers are considered objects of a dangerous nature.

1st Offense: Warning to student and/or other alternative means of correction.
2nd Offense: 1-day suspension.
3rd Offense: 3-day suspension and possible recommendation for alternative education program.

3. **POSSESSING, USING, OR BEING UNDER THE INFLUENCE OF** an alcoholic beverage or intoxicant of any kind. Possessing not more than one ounce of marijuana. Using or being under the influence of marijuana or any controlled substance (as defined in Section 11053 of the Health and Safety Code). (E.C. 48915 and E.C. 48900, sub-section c)

1st Offense: 5-day suspension and notification of appropriate law enforcement agency. May be assigned to a substance abuse counseling program.
2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

Note: Does not include the possession of over-the-counter medication used by the student, or medication prescribed for the student by a physician (AB 2537).

4. **CAUSING OR ATTEMPTING TO CAUSE DAMAGE TO PROPERTY** - cutting, defacing, or otherwise injuring any school district property, or the malicious injury or destruction of any other person’s real or personal property. (Penal Code Sec. 594) (E.C. 48900, sub-section f)

Note: If a prior offense was committed during the previous two school years, damage valued in excess of $25.00 will warrant consequences starting at Step 2.
1st Offense: Behavioral interventions and/or other alternative means of correction.
2nd Offense: 3-day suspension.
3rd Offense: 5-day suspension and recommendation for expulsion.

Note: Parent/guardian will be held responsible for damage to school district property up to the State established limit. When the minor and parent are unable to pay for the damages, the school district shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage up to the State established limit. (E.C. 48904).

5. **STEALING OR ATTEMPTING TO STEAL SCHOOL PROPERTY OR PRIVATE PROPERTY** (E.C. 48900 sub-section g)

Note: If a prior offense was committed during the previous two school years, stolen items of value greater than $25.00 will warrant consequences starting at Step 2.
1st Offense: Behavioral interventions and/or other alternative means of correction.
2nd Offense: 3-day suspension and possible recommendation for alternative education program.
3rd Offense: 5-day suspension and recommendation for expulsion.

6. **POSSESSING OR USING TOBACCO** (or any products containing tobacco or nicotine products). (E.C. 48900, sub-section h)

Tobacco and nicotine products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (E.C. 48011, sub-section h)

1st Offense: Behavioral interventions and/or other alternative means of correction.
2nd Offense: 2-day suspension.
3rd Offense: 3-day suspension and possible recommendation for alternative education program.

Note: No school shall permit the smoking or use of tobacco, or any product containing tobacco, or nicotine products, by pupils of the school while pupils are on campus, or while attending school-sponsored activities or while under the supervision and control of school district employees. (E.C. 48901) Students’ possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited. Confiscated materials will be returned to parents upon request. Confiscated materials will not be returned to students.
7. **COMMITTING AN OBSCENE ACT OR ENGAGING IN HABITUAL PROFANITY OR VULGARITY** either verbally or in writing. (E.C. 48900, sub-section i)

Note: A student may be suspended on the first offense for 5 days if such behavior causes a danger to persons (E.C. 48900.5).

1st Offense: Warning to student and/or alternative means of correction.
2nd Offense: 1-day suspension.
3rd Offense: 3-day suspension and possible recommendation for alternative education program.

Note: If a prior offense was committed during the previous two school years, any act committed against school staff would warrant consequences starting at Step 2.

8. **UNLAWFULLY POSSESSING OR UNLAWFULLY OFFERING, ARRANGING, OR NEGOTIATING TO SELL ANY DRUG PARAPHERNALIA**, as defined in Section 11014.5 of the Health and Safety Code. (E.C. 48900, sub-section j)

1st Offense: 5-day suspension and notification of appropriate law enforcement agency. May be assigned to a substance abuse counseling program.
2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

9. **ACTIVATION OF FALSE ALARMS OR TAMPERING WITH EMERGENCY EQUIPMENT, FIRE- Setting or Attempted Fire-Setting.** (Penal Code Sec. 447 and 455, 148.4) (E.C. 48900, sub-section k)

Grades K-3: Behavioral interventions and/or other alternative means of correction.
Grades 4-6: 1st Offense: 5-day suspension.
2nd Offense: 5-day suspension.

Note: Fire-setting of any nature may lead to recommendation for alternative education program on the first offense. Fire-setting is never considered to be a prank. The burning of trash cans can lead to immediate and serious consequences.

10. **CHEATING** (E.C. 48900, sub-section k)

Grades K-3: Behavioral interventions and/or other alternative means of correction.
Grades 4-6: 1st Offense: Warning to student and/or alternative means of correction.
2nd Offense: 1-day suspension.
3rd Offense: 3-day suspension.

11. **WILLFUL DEFIANCE OR DISOBEDIENCE:** A willful act, verbal or non-verbal, that demonstrates deliberate resistance or refusal to obey a reasonable request or directive issued by a school district employee. Student’s action does not create a safety risk. (E.C. 48900, sub-section k)

Depending on the circumstances, the frequency and severity of the offense, behavioral interventions and alternatives to suspension may be used as determined by the site administrator. Suspension (including in-school suspension) may be imposed only after other means of correction have failed to bring about proper conduct unless the student’s presence poses a danger to other persons.

Examples: Including but not limited to: Chewing gum/eating/drinking in class, willfully defying staff in non-safety related incident, student walking from staff and/or refusing to talk to staff about an incident in non-safety situation, non-habitual use of profanity or vulgarity, verbal insults/put-downs/name calling (non-discriminatory), horseplay, etc.

12. **INTERFERING WITH THE PEACEFUL CONDUCT OF THE CAMPUS OR CLASSROOM:** Any willful act of a minor but annoying nature, verbal or non-verbal, that disrupts the educational process, distracts from the educational environment, or interrupts any administrative, disciplinary, or other activity sponsored or approved by the district. (E.C. 48900, sub-section k)

Depending on the circumstances, the frequency and severity of the offense, behavioral interventions and alternatives to suspension may be used as determined by the site administrator. Suspension (including in-school suspension) may be imposed only after other means of correction have failed to bring about proper conduct unless the student’s presence poses a danger to other persons.

Examples: Including but not limited to: Minor altercation not resulting in actual fight (i.e. pushing/shoving), etc.
13. **WILLFUL DEFIANCE CAUSING A MAJOR CAMPUS OR CLASS DISRUPTION**: Any willful major act of insubordination, verbal or non-verbal, that causes a major campus disruption and significantly distracts from or interrupts the educational environment, or any administrative, disciplinary, or other activity sponsored or approved by the district. Student’s behavior creates a clear threat to the safety of self or others. (Penal Code Sec. 148.1) (E.C. 48900, sub-section k)

  Grades K-3: Behavioral interventions and/or other alternative means of correction.
  Grades 4-6: 1st Offense: 3-day suspension. (If it is determined that the action created a danger to other persons.)
  2nd Offense: 5-day suspension. Recommendation for alternative education program. Mandatory removal from campus.

Examples: Including but not limited to: Activating a fire alarm, physical altercation, instigating a fight, etc.

14. **FAILING TO IDENTIFY ONES SELF** or giving false information to school personnel. (E.C. 48900, sub-section k)

  Grades K-3: Behavioral interventions and/or other alternative means of correction.
  Grades 4-6: 1st Offense: Warning to student and/or alternative means of correction.
  2nd Offense: 2-day suspension.
  3rd Offense: 4-day suspension and possible recommendation for alternative education program.

15. **FORGING, FALSIFYING, ALTERING, OR USING FORGED SCHOOL CORRESPONDENCE, PASSES, OR RE-ADMIT SLIPS** (E.C. 48900, sub-section k)

  Grades K-3: Behavioral interventions and/or other alternative means of correction.
  Grades 4-6: 1st Offense: Warning to student and/or other alternative means of correction.
  2nd Offense: 1-day suspension.
  3rd Offense: 3 day suspension and possible recommendation for alternative education program.

16. **BEHAVIOR ON BUS**

   1st Offense: Warning to student and/or alternative means of correction.
   2nd Offense: Not allowed to ride the bus for 3 days.
   3rd Offense: Not allowed to ride the bus for 5 days.
   4th Offense: Not allowed to ride the bus for 10 days.
   5th Offense: Not allowed to ride the bus for 20 days or the remainder of the current semester/trimester, whichever is greater.
   6th Offense: Not allowed to ride the bus for the remainder of the school year.

   Note: Depending on the seriousness of the act, the student may lose bus privileges for the remainder of the school year on the first or succeeding offenses.

   Note: Depending on the circumstances, alternatives to suspension from the bus may be used as determined by the site administrator.

17. **LOITERING ON OR ABOUT ANY CAMPUS** without apparent lawful purpose. (E.C. 48900, sub-section k) (Penal Code 653b and 627.2)

  Grades K-3: Behavioral interventions and/or other alternative means of correction.
  Grades 4-6: 1st Offense: Warning to student and/or alternative means of correction.
  2nd Offense: 1-day suspension.
  3rd Offense: 3-day suspension and possible recommendation for alternative education program.

   Note: A student may be subject to arrest according to Penal Code 653b if he/she loiters at or near any school or public place at or near where students attend or normally congregate, or re-enters or comes upon such school or place after being asked to leave by a school official. According to PC 653b, punishment for loitering includes a fine not to exceed $1,000 and/or imprisonment in the county jail not to exceed six months.

18. **BEING IN A PARKING LOT OR OUT OF BOUNDS** without proper authorization. (E.C. 48900, sub-section k)

  Grades K-3: Behavioral interventions and/or other alternative means of correction.
  Grades 4-6: 1st Offense: Warning to student and/or alternative means of correction.
  2nd Offense: 1-day suspension.
  3rd Offense: 3-day suspension.
19. **POSSESSING OR USE OF ANY ELECTRONIC SIGNALING OR COMMUNICATION DEVICE**

Students may possess electronic signaling or communication devices that operate through the transmission or receipt of radio waves on campus during the school day, while attending school sponsored activities, or while under the supervision and control of school district employees. Electronic signaling or communication devices shall be turned off and not be visible during class time, unless used for instructional purposes. (BP 5138) (No pupil shall be prohibited from using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student’s health and use of which is limited to health-related purposes or during a school-wide emergency affecting the school or community.) (E.C. 48901.5)

1st Offense: Warning to student and/or alternative means of correction. Parent notification.
2nd Offense: Detention, Saturday School, or other alternatives to home suspension.
3rd Offense: Partnered Classroom.

Note: All subsequent violations are subject to additional referrals to in-school suspension.

Note: Unauthorized object may be confiscated by school authorities. The principal/designee will decide whether to return the object to the student or the parent/guardian.

Note: Use of electronic signaling or communication devices to bully, harass or cheat may result in more severe consequences even if such misconduct occurred off-campus and during non-school hours. (E.C. 48900 r)

20. **USE OF SLURS**

either verbally or in writing based on race, religion, ethnic background or national origin, language, gender, sexual orientation, economic status, physical or developmental disabilities, or other special needs. (E.C. 48900, sub-section k) (BP 5145.4)

Note: A student may be suspended on the first offense for 5 days if such behavior causes a danger to persons. (E.C. 48900.5)

Grades K-3: Behavioral interventions and/or other alternative means of correction.
Grades 4-6: 1st Offense: Warning to student and/or alternative means of correction.
           2nd Offense: 3-day suspension.
           3rd Offense: 5-day suspension and possible recommendation for alternative education program.

Note: If a prior offense was committed during the previous two school years, any act committed against school staff would warrant consequences starting at Step 2.

21. **TAMPERING WITH PROPERTY OF THE SCHOOL DISTRICT** or belongings of any other person. (E.C. 48900, sub-section k)

Grades K-3: Behavioral interventions and/or other alternative means of correction.
Grades 4-6: 1st Offense: Warning to student and/or alternative means of correction.
           2nd Offense: 1-day suspension
           3rd Offense: 3-day suspension and possible recommendation for alternative education program.

22. **VIOLATING THE USE OF TECHNOLOGY, NETWORK, AND ELECTRONIC INFORMATION POLICY** (E.C. 48900, sub-section k and t) (BP 6163.4)

Grades K-3: Behavioral interventions and/or other alternative means of correction.
Grades 4-6: 1st Offense: Warning to student and/or loss of network and computer use.
           2nd Offense: 1-day suspension and loss of network and computer use.
           3rd Offense: 3-day suspension and possible recommendation for alternative education program.

23. **POSSESSING OF ANY OBJECT NOT OF A DANGEROUS NATURE** (i.e. items a school administrator identifies as disruptive.) (E.C. 48900, sub-section k) (Unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.)

Note: Unauthorized object may be confiscated by school authorities. The principal/designee will decide whether to return the object to the student or the parent/guardian.

1st Offense: Warning to student and/or alternative means of correction.
2nd Offense: Detention, Saturday School, or other alternatives to home suspension.
3rd Offense: Partnered Classroom.

Note: All subsequent violations are subject to additional referrals to in-school suspension.

24. **KNOWINGLY RECEIVING STOLEN SCHOOL PROPERTY OR PRIVATE PROPERTY** (E.C. 48900 sub-section l)

Note: If a prior offense was committed during the previous two school years, stolen items of value greater than $25.00 will warrant consequences starting at Step 2.
1st Offense: Behavioral interventions and/or other alternative means of correction.
2nd Offense: 3-day suspension.
3rd Offense: 5-day suspension and recommendation for expulsion.

25. **HARASSED, THREATENED, OR INTIMIDATED A PUPIL WHO IS A COMPLAINING WITNESS OR WITNESS IN A SCHOOL DISCIPLINARY PROCEEDING** for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (E.C. 48900, sub-section o, r)

1st Offense: 5-day suspension and possible recommendation for expulsion.
2nd Offense: 5-day suspension, recommendation for expulsion.

26. **ENGAGING IN, OR HAVING ANY PART IN HAZING** or committing any act that injures, degrades, or disgraces any other person attending school. Causing, attempting to cause, threatening to cause, or participating in an act of hate violence. (E.C. Sec. 32050-52) (E.C. Sec. 33032.5) (E.C. 48900, sub-section a and/or k and q) (E.C. 48900.3)

“Hazing” includes any method of initiation or pre-initiation into a student organization or student body or any pastime or amusement engaged in with respect to these organizations which causes, or is likely to cause bodily danger, physical harm, or personal degradation or disgrace. (E.C. 32050)

1st Offense: 1-day suspension.
2nd Offense: 3-day suspension.
3rd Offense: 5-day suspension and recommendation for expulsion.

27. **ENGAGING IN AN ACT OF BULLYING,** including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. (E.C. 48900, sub-section r)

1st Offense: Warning to student and/or alternative means of correction.
2nd Offense: 3-day suspension.
3rd Offense: 5-day suspension and possible recommendation for alternative education program or expulsion.

Note: Any act committed against school staff would warrant consequences starting at step 2.

**Bullying** means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or a group of pupils as defined in E.C. 48900.2, 48900.3, or 48900.4, directed towards one or more pupils that has been or can be reasonably predicted to have the effect of one or more of the following:

A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

An “electronic act” is defined as transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web Site by means of an electronic device, including but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager. Students may be subject to discipline even if such misconduct occurred off-campus and during non-school hours.

28. **THREATENING, INTIMIDATING, MENACING OR HARASSING (INCLUDING SEXUAL HARASSMENT) ANY OTHER PERSON** (E.C. 48900 sub-section a, r, and/or k) (E.C. 48900.2) (E.C. 48900.4) Possible removal from campus or separation of student. (See pages 57-60)

1st Offense: Warning to student and/or other alternative means of correction.
2nd Offense: 3-day suspension.
3rd Offense: 5-day suspension and recommendation for alternative education program or expulsion.

Note: In the event an allegation of sexual harassment is not resolved informally to the satisfaction of a complainant, the complainant may use the District complaint process for formal resolution of such complaints. (AR 5145.7)
29. **ANY DRESS, GROOMING, OR APPEARANCE** which disrupts, or tends to disrupt the educational process, or affect the health or safety of individuals shall be prohibited. (E.C. 48900, sub-section k) (E.C. 35161, 35183, 35291.5, 35294.1; C.A.C. Title 5, Section 302; and BP 5135, 5135.1, and 5137.) Refer to AR 5135, pages 25-27.

Note: Any attire/paraphernalia/symbol that signifies gang affiliation will not be allowed on campus. Any attire/paraphernalia/symbol that displays a logo or other message promoting alcohol or controlled substances, promoting violence, illegal activity, or relating to gangs may not be worn on campus.

Note: In addition to this Conduct Code, schools may have additional rules approved by School Safety Committees.

1st Offense: Warning to student. Notification of parent. Student may be sent home to dress properly, if necessary.
2nd Offense: Detention, Saturday School, or other alternatives to home suspension.
3rd Offense: Partnered Classroom.

Note: All subsequent violations are subject to additional referrals to in-school suspension.

K-6 LEVEL II OFFENSES
SUSPENSION REQUIRED
POSSIBLE RECOMMENDATION FOR EXPULSION

1. ** CAUSED SERIOUS PHYSICAL INJURY** to another person, except in self-defense. (E.C. 48915 sub-section (a) (1) and 48900, sub-section a) An individual must do everything possible to avoid a conflict. Acts of aggression will not be considered self-defense.

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

Note: “Serious bodily injury” means a serious impairment of physical condition including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement. (P.C. 243 (f) (4))

Note: An incident will be considered a mutual fight when two students engage in a physical altercation, regardless of who initiated the conflict. A student who allows him/herself to be provoked into fighting will be considered as guilty as the one who starts the fight. It is the responsibility of the administrator to conduct an investigation to determine if one of the parties was acting in self-defense.

2. **POSSESSED, SOLD, OR OTHERWISE FURNISHED ANY FIREARM, KNIFE, EXPLOSIVE, OR OTHER DANGEROUS OBJECT** of no reasonable use to the pupil on school grounds or at a school related activity off school grounds unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (E.C. 48915 sub-section (a) (2) and 48900, sub-section b)

Note: A knife includes, but is not limited to, a dirk, dagger, ice pick, razor any folding blade knife, any locking blade knife, fixed blades longer than 3 ½”, or objects with a fixed, sharpened blade designed to cut or stab.

Note: Furnishing, or possessing an imitation controlled substance (look-a-likes) with the intent to distribute will result in a recommendation for expulsion. Imitation controlled substances are considered “dangerous objects.” This offense is also in violation of Health and Safety Code 11680.

Note: A look-a-like (imitation) toy guns refers to a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (E.C. 48900 sub-section m)

Note: Possession of tear gas/tear gas weapon/pepper spray is considered a dangerous object. (Penal Code Sec. 12401, 12402) (E.C. 49330)
Conduct Code - K-6 Offenses

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

3. **UNLAWFUL POSSESSION ANY CONTROLLED SUBSTANCE** as listed in Chapter 2 (commencing with Section 11053) of the Health and Safety Code, except for the first offense of possession of not more than one ounce of marijuana, other than concentrated cannabis. (E.C. 48915 sub-section (a) (3) and E.C. 48900, sub-section c, 48900 sub-section p)

   1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
   2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
   3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

   Note: Does not include the possession of over-the-counter medication used by the student, or medication prescribed for the student by a physician (AB 2537).

4. **COMMITTED OR ATTEMPTED TO COMMIT ROBBERY OR EXTORTION**
   (E.C. 48915 sub-section (a) (4) and 48900 sub-section e)

   1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
   2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

5. **COMMITTED ASSAULT OR BATTERY ON SCHOOL PERSONNEL** (Penal Code Sec. 240, 242)
   (E.C. 48915 sub-section (a) (5) and E.C. 48900, sub-section a, E.C. 44014)

   1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
   2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

6. **FURNISHED OR SOLD ANY CONTROLLED SUBSTANCE** listed in Chapter 2 (as defined in Section 11053 of the Health and Safety Code), an alcoholic beverage, or an intoxicant of any kind. (E.C. 48915 and E.C. 48900, sub-section c, 48900 sub- section p)

   1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
   2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

7. **OFFERED, ARRANGED, OR NEGOTIATED TO SELL ANY CONTROLLED SUBSTANCE** defined in Section 11053 of the Health and Safety Code, alcoholic beverage, or intoxicant and then sold, delivered, or furnished look-a-likes or in lieu substances. (E.C. 48900, sub-section d)

   1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
   2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

8. **COMMITTED A TERRORISTIC THREAT** including, but not limited to, a bomb threat. (E.C. 48900.7)

   This includes any threatening statement, written or oral, which threatens death, great bodily injury or property damage in excess of $1000, even if there is no intent of actually carrying it out.

   1st offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
   2nd offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

   Note: The elements of a Terroristic Threat include the intent that the statement be taken as a serious threat, the gravity and immediacy of the threat is unequivocal, unconditional, immediate and specific, and causes sustained fear in the person/people threatened.
K-6 LEVEL III OFFENSES
RECOMMENDATION FOR EXPULSION MANDATED BY LAW
E.C. 48915 (c)

“Expulsion” means removal of a pupil from the supervision and control of school personnel.

These are serious offenses and notification of appropriate law enforcement agency is required.

1. **POSSESSING, SELLING, OR OTHERWISE FURNISHING A FIREARM**, unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (E.C. 48915, sub-section (c) (1))

   1st Offense:  5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

2. **BRANDISHING A KNIFE AT ANOTHER PERSON** (E.C. 48915 sub-section (c) (2))

   1st Offense:  5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

   Note: Brandishing means to display or wield in a threatening manner.

3. **UNLAWFULLY SELLING A CONTROLLED SUBSTANCE** listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code. (E.C. 48915 sub-section (c) (3))

   1st Offense:  5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

4. **COMMENED OR ATTEMPTED TO COMMIT A SEXUAL ASSAULT** as defined in Sections 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (E.C 48915 sub-section (c) (4) and E.C. 48900, sub-section n)

   1st Offense:  5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

5. **POSSESSION OF AN EXPLOSIVE** (E.C. 48915 sub-section (c) (5))

   1st Offense:  5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.
CAUSES FOR HOME SUSPENSION OR OTHER ALTERNATIVE CONSEQUENCES

(See pages 47-53 regarding extra-curricular activities eligibility)

With the exception of serious violations of the student conduct code, corrective measures will normally begin at a minimal level and then proceed to more serious levels. These procedures may include but are not limited to: counseling, parent conference, behavior plan, classroom interventions, community service, restitution, conflict resolution, parent supervision in school, detention, loss of school privileges, class suspension, behavior contract, Saturday School, intervention center (IC), home suspension, alternative education transfer, expulsion recommendation.

Law enforcement agencies may be notified at the discretion of the administration. If the nature of the offense makes an alternative education placement or expulsion recommendation appropriate, the student will be suspended five days for the infraction.

Students may be suspended on the first offense if it is determined that the pupil's presence causes a danger to persons. (E.C. 48900.5)

Gang related offenses - a student may be suspended for five days on the first offense and recommended for an alternative education placement or expulsion.

Offenses 1-3, 7-8, and 26-29 only – if the seriousness of the act leads to a determination that the presence of the student causes a danger to persons, the student may be recommended for an alternative education placement or expulsion on the first or succeeding offenses.

1. Causing, attempting, or threatening to cause physical injury or willfully using force or violence upon another person, except in self-defense. (E.C. 48900, sub-sections (a) (1), (a) (2), r, and s) An individual must do everything possible to avoid a conflict. Acts of aggression will not be considered self-defense.

Note: An incident will be considered a mutual fight when two students engage in a physical altercation, regardless of who initiated the conflict. A student who allows him/herself to be provoked into fighting will be considered as guilty as the one who starts the fight. It is the responsibility of the administrator to conduct an investigation to determine if one of the parties was acting in self-defense.

1st Offense: 3-day suspension.
2nd Offense: 5-day suspension and possible recommendation for alternative education program or expulsion.
3rd Offense: 5-day suspension and recommendation for alternative education program or expulsion.

Note: Any act committed against school staff shall warrant consequences starting at Step 2.

Note: If a student caused serious physical injury (as defined in Penal Code Section 243) to another person, except in self-defense, the principal must recommend expulsion or report in writing to the superintendent who will advise the governing board that expulsion is inappropriate due to the nature of the particular circumstances which shall be indicated in the report of the incident. (E.C. 48915).
2. **POSSESSING ANY OBJECTS** of a dangerous nature (unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal) ON CAMPUS if the principal deems expulsion inappropriate. (E.C. 48900 sub-section b)

   Note: Toy guns (imitation) are considered objects of a dangerous nature. Look-a-like (imitation) toy guns refers to a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (E.C. 48900 sub-section m). Possession of any toy weapon that appears to be real to a reasonable person or that is used in a threatening manner may result in alternative placement or recommendation for expulsion. (E.C. 48900, sub-section m) Also, see page 45, number 2.

   Note: Laser pointers are considered objects of a dangerous nature.

   1st Offense: Warning to student. Notification of parent and/or other alternative means of correction.
   2nd Offense: 3-day suspension.
   3rd Offense: 5-day suspension and possible recommendation for alternative education program.

3. **POSSESSING, USING, OR BEING UNDER THE INFLUENCE OF** an alcoholic beverage or intoxicant of any kind. Possessing not more than one ounce of marijuana. Using or being under the influence of marijuana or any controlled substance (as defined in Section 11053 of the Health and Safety Code). (E.C. 48915 and E.C. 48900, sub-section c)

   1st Offense: 5-day suspension and notification of appropriate law enforcement agency. May be assigned to a substance abuse counseling program.

   Note: The suspension will be reduced to three days if the student completes a district-approved intervention program.

   Note: Does not include possession of over-the-counter medication used by the student, or medication prescribed for the student by a physician (AB 2537). 

   Note: Students appearing at school functions and having consumed or having in their possession alcoholic beverages or drugs may be handled by police action. (Penal Code Sec. 647) (Health and Safety Code Sec. 11550)

4. **CAUSING OR ATTEMPTING TO CAUSE DAMAGE TO PROPERTY** - cutting, defacing, or otherwise injuring any school district property, or the malicious injury or destruction of any other person's real or personal property. (Penal Code Sec. 594) (E.C. 48900, sub-section f)

   Note: If a prior offense was committed during the previous three school years, damage valued in excess of $25.00 will warrant consequences starting at Step 2. Offenses will not carry over from junior high to high school.

   1st Offense: Behavioral interventions and/or other alternative means of correction.
   2nd Offense: 3-day suspension and possible recommendation for alternative education program.
   3rd Offense: 5-day suspension and recommendation for expulsion.

   Note: Parent/guardian will be held responsible for damage to school district property up to the State established limit. When the minor and parent are unable to pay for the damages, the school district shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage up to the State established limit. (E.C. 48904)

5. **STEALING OR ATTEMPTING TO STEAL SCHOOL PROPERTY OR PRIVATE PROPERTY** (E.C. 48900 sub-section g)

   Note: If a prior offense was committed during the previous three school years, stolen items of value greater than $25.00 will warrant consequences starting at Step 2. Offenses will not carry over from junior high to high school.
6. **POSSESSING OR USING TOBACCO** (or any products containing tobacco or nicotine products) in grades 7-12. (E.C. 48900, sub-section h)

   Tobacco and nicotine products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (E.C. 48900, sub-section h)

   1st Offense: Behavioral interventions and/or other alternative means of correction.
   2nd Offense: 2-day suspension.
   3rd Offense: 3-day suspension.

   Note: No school shall permit the smoking or use of tobacco, or any product containing tobacco, or nicotine products, by pupils of the school while pupils are on campus, or while attending school-sponsored activities or while under the supervision and control of school district employees. (E.C. 48901)

   Students’ possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited. Confiscated materials will be returned to parents upon request. Confiscated materials will not be returned to students.

7. **COMMITTING AN OBSCENE ACT OR ENGAGING IN HABITUAL PROFANITY OR VULGARITY** either verbally or in writing. (E.C. 48900, sub-section i)

   Note: A student may be suspended on the first offense for 5 days if such behavior causes a danger to persons (E.C. 48900.5).

   1st Offense: Warning to student and/or alternative means of correction.
   2nd Offense: 3-day suspension.
   3rd Offense: 5-day suspension and possible recommendation for alternative education program.

   Note: If a prior offense was committed during the previous three school years, any act committed against school staff will warrant consequences starting at Step 2. Offenses will not carry over from junior high to high school.

8. **UNLAWFULLY POSSESSING OR UNLAWFULLY OFFERING, ARRANGING, OR NEGOTIATING TO SELL ANY DRUG PARAPHERNALIA,** as defined in Section 11014.5 of the Health and Safety Code. (E.C. 48900, sub-section j)

   1st Offense: 5-day suspension and notification of appropriate law enforcement agency. May be assigned to a substance abuse counseling program.

   Note: The suspension will be reduced to three days if the student completes a district-approved intervention program.

   Ineligibility for extra-curricular activities would then be reduced from eighteen school weeks to nine school weeks.

   2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

   3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

9. **ACTIVATION OF FALSE ALARMS OR TAMPERING WITH EMERGENCY EQUIPMENT, FIRE-SETTING OR ATTEMPTED FIRE-SETTING.** (Penal Code Sec. 447 and 455, 148.4) (E.C. 48900, sub-section k)

   1st Offense: 5-day suspension.
   2nd Offense: 5-day suspension.

   Note: Fire-setting of any nature may lead to recommendation for alternative education program or expulsion on the first offense. Fire-setting is never considered to be a prank. The burning of trash cans can lead to immediate and serious consequences.

10. **CHEATING** (E.C. 48900, sub-section k)

    1st Offense: Warning to student. “F” on assignment/test.
    2nd Offense: 2-day suspension. “F” on assignment/test.
    3rd Offense: 4-day suspension. “F” on assignment/test.
11. **WILLFUL DEFIANCE OR DISOBEEDIENCE:** A willful act, verbal or non-verbal, that demonstrates deliberate resistance or refusal to obey a reasonable request or directive issued by a school district employee. (E.C. 48900, sub-section k)

   Depending on the circumstances, the frequency and severity of the offense, behavioral interventions and alternatives to suspension may be used as determined by the site administrator. Suspension (including Intervention Center) may be imposed only after other means of correction have failed to bring about proper conduct unless the student’s presence poses a danger to other persons.

   Examples: Including but not limited to: Eating/drinking in class, willfully defying staff in non-safety related incident, non-habitual use of profanity or vulgarity, verbal insults/put-downs/name calling (non-discriminatory), horseplay, etc.

12. **INTERFERING WITH THE PEACEFUL CONDUCT OF THE CAMPUS OR CLASSROOM:** Any willful act of a minor but annoying nature, verbal or non-verbal, that disrupts the educational process, distracts from the educational environment, or interrupts any administrative, disciplinary, or other activity sponsored or approved by the district. (E.C. 48900, sub-sections k, r)

   Depending on the circumstances, the frequency and severity of the offense, behavioral interventions and alternatives to suspension may be used as determined by the site administrator. Suspension (including Intervention Center) may be imposed only after other means of correction have failed to bring about proper conduct unless the student’s presence poses a danger to other persons.

   Examples: Including but not limited to: Minor altercation not resulting in actual fight (i.e. pushing/shoving), etc.

13. **WILLFUL DEFIANCE CAUSING A MAJOR CAMPUS OR CLASS DISRUPTION:** Any willful major act of insubordination, verbal or non-verbal, that causes a major campus disruption, creates a danger to other persons, and severely distracts from or interrupts the educational environment, or any administrative, disciplinary, or other activity sponsored or approved by the District. (Penal code Sec. 148.1) (E.C. 48900, sub section k)

   1st Offense: 5-day suspension. (If it is determined that the action created a danger to other persons.)
   2nd Offense: 5-day suspension. Recommendation for alternative education program. Mandatory removal from campus.

   Examples: Including but not limited to: Activating a fire alarm, physical altercation, instigating a fight, etc.

14. **FAILING TO IDENTIFY ONESELF** or giving false information to school personnel. (E.C. 48900, sub-section k)

   1st Offense: Warning to student and/or alternative means of correction.
   2nd Offense: 2-day suspension.
   3rd Offense: 4-day suspension and possible recommendation for alternative education program.

15. **FORGING, FALSIFYING, ALTERING, OR USING FORGED SCHOOL CORRESPONDENCE, PASSES, OR RE-ADMIT SLIPS** (E.C. 48900, sub-section k)

   1st Offense: Warning to student and/or other alternative means of correction.
   2nd Offense: 2-day suspension.
   3rd Offense: 4-day suspension and possible recommendation for alternative education program.

16. **GAMBLING AND WAGERING** or habitually being present where gambling and wagering are taking place. (E.C. 48900, sub-section k)

   1st Offense: Warning to student and/or alternative means of correction.
   2nd Offense: 2-day suspension.
   3rd Offense: 4-day suspension and possible recommendation for alternative education program.

17. **BEHAVIOR ON BUS**

   1st Offense: Warning to student and/or alternative means of correction.
   2nd Offense: Not allowed to ride the bus for 3 days.
   3rd Offense: Not allowed to ride the bus for 5 days.
   4th Offense: Not allowed to ride the bus for 10 days.
   5th Offense: Not allowed to ride the bus for 20 days or the remainder of the current semester/trimester, whichever is greater.
   6th Offense: Not allowed to ride the bus for the remainder of the school year.
Conduct Code - 7-12 Offenses

Note: Depending on the seriousness of the act, the student may lose bus privileges for the remainder of the school year on the first or succeeding offenses.
Note: Depending on the circumstances, alternatives to suspension from the bus may be used as determined by the site administrator.

18. **LOITERING ON OR ABOUT ANY CAMPUS** without apparent lawful purpose. (E.C. 48900, subsection k) (Penal Code 653b and 627.2)

Note: A student may be subject to arrest according to Penal Code 653b if he/she loiters at or near any school or public place at or near where students attend or normally congregate, or re-enters or comes upon such school or place after being asked to leave by a school official. According to PC 653b, punishment for loitering includes a fine not to exceed $1,000 and/or imprisonment in the county jail not to exceed six months.

1st Offense: Warning to student and/or alternative means of correction.
2nd Offense: 2-day suspension.
3rd Offense: 4-day suspension and possible recommendation for alternative education program.

19. **BEING IN A PARKING LOT OR OUT OF BOUNDS** without proper authorization. (E.C. 48900, subsection k)

1st Offense: Warning to student and/or alternative means of correction.
2nd Offense: 1-day suspension.
3rd Offense: 3-day suspension.

20. **POSSESSING OR USE OF ANY ELECTRONIC SIGNALING OR COMMUNICATION DEVICE:**

Students may possess electronic signaling or communication devices that operate through the transmission or receipt of radio waves on campus during the school day, while attending school-sponsored activities, or while under the supervision and control of a school district employee. Electronic signaling or communication devices shall be turned off and not be visible during class time, unless used for instructional purposes. (BP 5138) (No pupil shall be prohibited from using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and use of which is limited to health-related purposes or during a school-wide emergency affecting the school or community.) (E.C. 48901.5)

1st Offense: Warning to student and/or alternative means of correction. Parent notification.
2nd Offense: Detention, Saturday School, or other alternatives to home suspension.
3rd Offense: 1-day Intervention Center.

Note: All subsequent violations are subject to additional referrals to Intervention Center.

Note: Unauthorized object may be confiscated by school authorities. The principal/designee will decide whether to return the object to the student or the parent/guardian.

Note: Use of electronic signaling or communication devices to bully, harass or cheat may result in more severe consequences even if such misconduct occurred off-campus and during non-school hours. (E.C. 48900 r)

21. **USE OF SLURS** either verbally or in writing based on race, religion, ethnic background or national origin, language, gender, sexual orientation, economic status, physical or developmental disabilities, or other special needs. (E.C. 48900, sub-section k) (BP 5145.4)

Note: A student may be suspended on the first offense for 5 days if such behavior causes a danger to persons. (E.C. 48900.5)

1st Offense: Warning to student and/or alternative means of correction.
2nd Offense: 3-day suspension.
3rd Offense: 5-day suspension and possible recommendation for alternative education program.

Note: If a prior offense was committed during the previous three school years, any act committed against school staff would warrant consequences starting at Step 2. Offenses will not carry over from junior high to high school.

22. **TAMPERING WITH PROPERTY OF THE SCHOOL DISTRICT** or belongings of any other person. (E.C. 48900, sub-section k)

1st Offense: Warning to student and/or alternative means of correction.
2nd Offense: 2-day suspension.
3rd Offense: 4-day suspension and possible recommendation for alternative education program.
23. **VIOLATING THE USE OF TECHNOLOGY, NETWORK, AND ELECTRONIC INFORMATION POLICY** (E.C. 48900, sub-sections k and t) (BP 6163.4)
   1st Offense: Warning to student and loss of network and computer use.
   2nd Offense: 1-day suspension and loss of network and computer use.
   3rd Offense: 3-day suspension and possible recommendation for alternative education program.

24. **POSSSESSION OF ANY OBJECT NOT OF A DANGEROUS NATURE** (i.e. items a school administrator identifies as disruptive.) (E.C. 48900, sub-section k) (Unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.)
   Note: Unauthorized object may be confiscated by school authorities. The principal/designee will decide whether to return the object to the student or the parent/guardian.
   1st Offense: Warning to student and/or alternative means of correction.
   2nd Offense: Detention, Saturday School, or other alternatives to home suspension.
   3rd Offense: 1-day Intervention Center.
   Note: All subsequent violations are subject to additional referrals to Intervention Center.
   Note: Modesto City Schools is not responsible for the loss or damage of personal property, because of vandalism or theft. Students are responsible for all of their personal belongings.

25. **KNOWLINGLY RECEIVING STOLEN SCHOOL PROPERTY OR PRIVATE PROPERTY** (E.C. 48900 sub-section l)
   Note: If a prior offense was committed during the previous three school years, stolen items of value greater than $25.00 will warrant consequences starting at Step 2. Offenses will not carry over from junior high to high school.
   1st Offense: Behavioral interventions and/or other alternative means of correction.
   2nd Offense: 4-day suspension and recommendation for alternative education program.
   3rd Offense: 5-day suspension and recommendation for expulsion.

26. **HARASSED, THREATENED, OR INTIMIDATED A PUPIL WHO IS A COMPLAINING WITNESS OR WITNESS IN A SCHOOL DISCIPLINARY PROCEEDING** for the purpose of preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both. (E.C. 48900, sub-sections o, r)
   1st Offense: 5-day suspension and possible recommendation for expulsion.
   2nd Offense: 5-day suspension, recommendation for alternative education program or expulsion.
   Mandatory removal from campus.

27. **ENGAGING IN, OR HAVING ANY PART IN HAZING** or committing any act that injures, degrades, or disgraces any other person attending school. Causing, attempting to cause, threatening to cause, or participating in an act of hate violence. (E.C. Sec. 32050-52) (E.C. Sec. 33032.5) (E.C. 48900, sub-sections a and/or k and q) (E.C. 48900.3)
   “Hazing” includes any method of initiation or pre-initiation into a student organization or student body or any pastime or amusement engaged in with respect to these organizations which causes, or is likely to cause bodily danger, physical harm, or personal degradation or disgrace. (E.C. 32050)
   1st Offense: 2-day suspension.
   2nd Offense: 4-day suspension and recommendation for alternative education program.
   3rd Offense: 5-day suspension and recommendation for expulsion.

28. **ENGAGING IN AN ACT OF BULLYING**, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. (E.C. 48900, sub-section r)
   1st Offense: Warning to student and/or alternative means of correction.
   2nd Offense: 3-day suspension.
   3rd Offense: 5-day suspension and possible recommendation for alternative education program or expulsion.
   Note: Any act committed against school staff would warrant consequences starting at step 2.
   Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or a group of pupils as defined in E.C. 48900.2, 48900.3, or 48900.4, directed towards one or more pupils that has been or can be reasonably predicted to have the effect of one or more of the following:
Conduct Code - 7-12 Offenses

A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

An “electronic act” is defined as transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web Site by means of an electronic device, including but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager. Students may be subject to discipline even if such misconduct occurred off-campus and during non-school hours.

29. THREATENING, INTIMIDATING, MENACING OR HARASSING (INCLUDING SEXUAL HARASSMENT) ANY OTHER PERSON (E.C. 48900 sub-sections a, r and/or k) (E.C. 48900.2) (E.C. 48900.4) Possible removal from campus or separation of student. (See pages 57-60)

1st Offense: Warning to student and/or other alternative means of correction.
2nd Offense: 3-day suspension.
3rd Offense: 5-day suspension and recommendation for alternative education program or expulsion.

Note: In the event an allegation of sexual harassment is not resolved informally to the satisfaction of a complainant, the complainant may use the District complaint process for formal resolution of such complaints. (AR 5145.7)

30. ANY DRESS, GROOMING, OR APPEARANCE which disrupts, or tends to disrupt the educational process, or affect the health or safety of individuals shall be prohibited. (E.C. 48900, sub-section k) (E.C. 35161, 35183, 35291.5, 35294.1; C.A.C. Title 5, Section 302; and BP 5135, 5135.1, and 5137.) Refer to AR 5135 on pages 25-27.

Note: Any attire/paraphernalia/symbol that signifies gang affiliation will not be allowed on campus.
Any attire/paraphernalia/symbol that displays a logo or other message promoting alcohol or controlled substances, promoting violence, illegal activity, or relating to gangs may not be worn on campus.
Note: In addition to this Conduct Code, schools may have additional rules approved by School Safety Committees.

1st Offense: Warning to student. Notification of parent. Student may be sent home to dress properly, if necessary.
2nd Offense: Detention, Saturday School, or other alternatives to home suspension.
3rd Offense: 1-day Intervention Center.

Note: All subsequent violations are subject to additional referrals to in-school suspension.

7-12 LEVEL II OFFENSES

SUSPENSION REQUIRED
POSSIBLE RECOMMENDATION FOR EXPULSION
(See pages 47-53 regarding extra-curricular activities eligibility)

1. CAUSED SERIOUS PHYSICAL INJURY to another person, except in self-defense. (E.C. 48915 sub-section (a) (1) and 48900, sub-section a). An individual must do everything possible to avoid a conflict. Acts of aggression will not be considered self-defense.

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

Note: “Serious bodily injury” means a serious impairment of physical condition including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement. (P.C. 243 (f) (4)

Note: An incident will be considered a mutual fight when two students engage in a physical altercation, regardless of who initiated the conflict. A student who allows him/herself to be provoked into fighting will be considered as guilty as the one who starts the fight. It is the responsibility of the administrator to conduct an investigation to determine if one of the parties was acting in self-defense.
2. **POSSESSED, SOLD, OR OTHERWISE FURNISHED ANY FIREARM, KNIFE, EXPLOSIVE, OR OTHER DANGEROUS OBJECT** of no reasonable use to the pupil on school grounds or at a school related activity off school grounds unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (E.C. 48915 sub-section (a) (2) and 48900, sub-section b)

Note: A knife includes, but is not limited to, a dirk, dagger, ice pick, razor any folding blade knife, any locking blade knife, fixed blades longer than 3 ½", or objects with a fixed, sharpened blade designed to cut or stab. (E.C. 48915 sub-section g)

Note: Furnishing or possessing an imitation controlled substance (look-a-likes) with the intent to distribute will result in a recommendation for expulsion. Imitation controlled substances are considered “dangerous objects.” This offense is also in violation of Health and Safety Code 11680.

Note: Look-a-like (imitation) toy guns refers to a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (E.C. 48900 sub-section m).

Note: Possession of tear gas/tear gas weapon/pepper spray is considered a dangerous object. (Penal Code Sec. 12401, 12402) (E.C. 49330)

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

3. **UNLAWFUL POSSESSION ANY CONTROLLED SUBSTANCE** as listed in Chapter 2 (commencing with Section 11053) of the Health and Safety Code, except for the first offense of possession of not more than one ounce of marijuana, other than concentrated cannabis. (E.C. 48915 sub-section (a) (3) and E.C. 48900, sub-sections c, p)

1st Offense: 5-day suspension, suspension reductions (see page 39, number 3) - and notification of appropriate law enforcement agency.

Note: The suspension will be reduced to three days if the student completes a district-approved intervention program.

2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

Note: Does not include possession of over-the-counter medication used by the student, or medication prescribed for the student by a physician (AB 2537).

4. **COMMITTED OR ATTEMPTED TO COMMIT ROBBERY OR EXTORTION** (E.C. 48915 sub-section (a) (4) and 48900 sub-section e)

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

5. **COMMITTED ASSAULT OR BATTERY ON SCHOOL PERSONNEL** (Penal Code Sec. 240, 242) (E.C. 48915 sub-section (a) (5) and E.C. 48900, sub-section a, E.C. 44014)

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

6. **FURNISHED OR SOLD ANY CONTROLLED SUBSTANCE** listed in Chapter 2 (as defined in Section 11053 of the Health and Safety Code), an alcoholic beverage, or an intoxicant of any kind. (E.C. 48915 and E.C. 48900, sub-sections c, p)

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.
7. **OFFERED, ARRANGED, OR NEGOTIATED TO SELL ANY CONTROLLED SUBSTANCE** defined in Section 11053 of the Health and Safety Code, alcoholic beverage, or intoxicant and then sold, delivered, or furnished look-a-likes or in lieu substances. (E.C. 48900, sub-section d)

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

8. **COMMITTED A TERRORISTIC THREAT** including, but not limited to, a bomb threat. (E.C. 48900.7)

   This includes any threatening statement, written or oral, which threatens death, great bodily injury or property damage in excess of $1,000, even if there is no intent of actually carrying it out.

   1st offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

   2nd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

   Note: The elements of a Terroristic Threat include the intent that the statement be taken as a serious threat, the gravity and immediacy of the threat is unequivocal, unconditional, immediate and specific, and causes sustained fear in the person/people threatened.

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**7-12 LEVEL III OFFENSES**

**RECOMMENDATION FOR EXPULSION MANDATED BY LAW**

E.C. 48915(c)

“Expulsion” means removal of a pupil from the supervision and control of school personnel. These are serious offenses and notification of appropriate law enforcement agency is required.

(See pages 47-53 regarding extra-curricular activities eligibility)

1. **POSSESSING, SELLING, OR OTHERWISE FURNISHING A FIREARM**, unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal. (E.C. 48915, subdivision (c) (1))

   1st Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

2. **BRANDISHING A KNIFE AT ANOTHER PERSON** (E.C. 48915 sub-section (c) (2))

   1st Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

   Note: Brandishing means to display or wield in a threatening manner.

3. **UNLAWFULLY SELLING A CONTROLLED SUBSTANCE** listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code. (E.C. 48915 sub-section (c) (3))

   1st Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

4. **COMMITTED OR ATTEMPTED TO COMMIT A SEXUAL ASSAULT** as defined in Sections 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code. (E.C 48915 sub-section (c) (4) and E.C. 48900, sub-section n)

   1st Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

5. **POSSESSION OF AN EXPLOSIVE** (E.C. 48915 sub-section (c) (5))

   1st Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.
CLA S S R O O M C I T I Z E N S H I P E X C P T A T I O N S A N D C O N S E Q U E N C E S

O V E R V I E W
It is one of the school’s duties to assist parents in helping students develop responsible attitudes and behavior. This means preparing students for adult citizenship as well as preparing them for jobs and higher education. For this reason it is as important for the school to teach and evaluate citizenship as it is to teach and evaluate academic work.

T H E C I T I Z E N S H I P M A R K
Students will receive a quarterly citizenship mark from each of their classroom teachers. The mark will be based solely on the citizenship displayed in each teacher’s classroom. Students will receive a mark of “outstanding,” “satisfactory,” or “unsatisfactory” based on the “Citizenship Guidelines.”

The citizenship mark for each class will be shown on the student’s report card. Citizenship marks will not be shown on the student’s transcript or other permanent records.

C I T I Z E N S H I P G U I D E L I N E S F O R S T U D E N T S A N D P A R E N T S
The following criteria shall be used in determining a student’s citizenship mark in his/her class:
1. Attends class daily. Three or more unexcused absences will result in an unsatisfactory citizenship mark.
2. Comes to class on time. Five or more unexcused tardies in a quarter will result in an unsatisfactory citizenship mark.
3. Comes to class with necessary materials.
4. Turns in assignments/homework/projects on time.
5. Does his/her own work when independent work is required; does not cheat.
6. Exercises reasonable care of school property.
7. Shows respect for others.
8. Does not disrupt class; exercises good conduct.

Teachers are required, based on the above “Citizenship Guidelines,” to establish written classroom rules regarding students’ expected classroom behavior. These written expectations, “Citizenship Mark Guidelines,” will be provided to students at the beginning of the year or when new students transfer into the class.

Teachers are also required to discuss these standards with their students and explain their expectations at the beginning of each semester.

If a student’s citizenship mark is unsatisfactory at the time progress reports are issued, the fact WILL be noted on the progress report. However, if a student’s citizenship becomes unsatisfactory after that point, teachers may issue such a mark without a progress report.

A P P E A L O F C I T I Z E N S H I P M A R K
Students and parents have the right to appeal citizenship marks which they feel are in error or unjustified.
1. The parent/guardian and/or student shall first contact the teacher to gain clarification as to the reason the unsatisfactory citizenship mark was given.
2. If the parent/guardian and teacher do not resolve the concern and the parent/guardian still feels the citizenship mark is in error, then the parent/guardian may appeal the citizenship mark to a site committee made up of one administrator and at least two teachers. A meeting with the committee must be requested within two weeks after the citizenship marks are released to students. (The committee will meet and make a decision within one week of the parent appeal request.)
3. The parent/guardian may appeal the decision of the committee to the school principal.
4. The parent/guardian may appeal the decision of the principal to the Superintendent’s designee, the Director of Educational Services 7-12.
5. The parent/guardian may request in writing that the Board of Education hear the appeal of the decision of the Director of Educational Services 7-12.
6. A student who has lost privileges remains in the status pending resolution of the appeal.

Note: Because students who receive two or more unsatisfactory citizenship marks are ineligible to participate in extra-curricular activities, it is extremely important that any appeal to the next level be made IMMEDIATELY (within two days) following a decision at a lower level.

It is the goal of the District to work with parents to assist students in becoming self-directed and responsible for their own behavior.

When students do not meet the clearly defined and communicated expectations outlined in this Student Conduct Code, the student will not be allowed to participate in extra-curricular activities. Extra-curricular activities include activities that are not associated with a class and activities in which students do not receive a grade.
Co-curricular activities are related to a class in which the student earns an academic grade. Extra-curricular activities are limited to:

1. After school recreation (7-8)
2. Student clubs (9-12)
3. Special field trips not a part of regular classroom work (7-12)*
4. School dances (7-8)
5. School assemblies (7-8)
6. Extra-curricular public performances of music, dance, drama, and speech (the loss of these privileges shall not apply to class activities to publicize and/or promote school activities and feeder schools which are conducted during the school day) (7-12)

* NOTE: THE PRINCIPAL/DESIGNEE MAY MAKE EXCEPTIONS REGARDING ACADEMIC AND ATTENDANCE INELIGIBILITY ONLY, FOR SPECIAL FIELD TRIPS NOT A PART OF REGULAR CLASSROOM WORK (7-12). HOWEVER, SUCH FIELD TRIPS MUST BE DIRECTLY RELATED TO THE EDUCATIONAL PROGRAM.

** NOTE: An Extra-Curricular/Co-Curricular Activity Ineligibility Criteria Chart is included at the end of this section. The chart specifies the activity and the criteria the District shall use for determining ineligibility for participating in said activity.

EXTRA-CURRICULAR ACTIVITY ELIGIBILITY

1. ACADEMIC

In order for a pupil to participate in the extra-curricular activities listed above, as well as athletics (9-12); spirit leaders/cheerleaders (9-12); student government (7-12), the pupil shall achieve a grade point average of 2.0 with no more than one “F.”

Grades 7-8

The eligibility grading periods shall be the first quarter, first semester, third quarter and second semester.

The grading periods shall be considered consecutive and uninterrupted. Therefore, the second semester grade of the 7th grade shall be the basis for determining the first quarter eligibility for the 8th grade year.

Three weeks after grades are released to students, any junior high student has five (5) school days to petition the principal/designee to be placed on academic probation and regain privileges. A student must maintain a “C” grade and satisfactory citizenship in each class to remain on probation.

Grades 9-12

Academic, attendance, substance abuse, behavior, and classroom citizenship eligibility consequences shall not carry over from junior high to high school. Ineligibility due to Modesto City Schools textbook or library book debts shall carry over from junior high to high school and will be effective beginning 2nd quarter.

The eligibility grading periods shall be the first quarter, first semester, third quarter and second semester.

The grading periods shall be considered consecutive and uninterrupted. Therefore, the second semester grade of the previous year shall be the basis for determining the first quarter eligibility for the following year. EXCEPTION: Initial high school eligibility will be waived for all incoming ninth grade students not meeting the district academic eligibility criteria. This shall be a one-time waiver for the first quarter of the fall semester only.

7-12 Summer School Grades--Effect on Eligibility

Summer school grades shall be included to determine eligibility.

In calculating eligibility, a summer school grade will replace the grade of a “like” course taken previously. Grades/units earned in summer school classes which do not replace grades earned previously in “like” courses will be averaged with grades from the previous grading period.

Summer school grades shall not impair a student’s academic eligibility achieved in the previous grading period.

Athletic Probation

MCS Athletic Probationary Policy

Student-athletes who are academically ineligible are allowed one appeal during grades 9 and 10, and one time during grades 11 and 12, if they meet the MCS requirements for an appeal.
Academic Appeal Requirements

1. Student-athletes with a 1.8 GPA or above and/or have no more than 2 “Fs” are eligible to appeal.
   Student-athletes below a 1.8 GPA are not allowed to appeal. Student-athletes with more than two “Fs”
   are not allowed to appeal.
2. A student-athlete is not allowed to appeal if he/she was ineligible the prior grading period. Example: A
   student-athlete who is ineligible for his/her first quarter grades is not eligible to appeal the next grading
   period (first semester grades).
3. A student-athlete is not allowed to appeal to participate on a team that limits the number of students that
   may participate, unless there is an available spot.
4. A student-athlete that is not eligible due to disciplinary consequences, may not be considered for an
   academic appeal.
5. A student-athlete who is currently ineligible will remain so until the next grading period when grades are
   officially posted. The Student-Athlete must meet school eligibility requirements at that time to be eligible
   for athletic participation.
6. Athletes who meet the Academic Appeal Requirements will be placed on team probation. The athlete will
   be allowed to stay with the team and participate in practices only. Students on probation may not travel
   with the team to games and may not dress with the team, nor sit on the bench or stand on the sideline
   with the team.
7. At the end of the quarter, those athletes who have regained their eligibility may fully participate with the
   team on the official district eligibility date.
8. Teams competing with athletes ineligible for any reason shall forfeit all contests in which the ineligible
   athlete(s) participated.

2. ATTENDANCE

Truancy
Absences will be considered unexcused and may affect extra-curricular eligibility if not cleared within seven (7)
school days after the student returns from the absence.
A student may not participate in extra-curricular activities as listed on page 48 for nine (9) weeks if the student
reaches Step 4 of the truancy policy (described on page 22).
If the student reaches Step 5, the student is ineligible to participate for nine (9) additional weeks from the date
the student reached Step 5 of the truancy policy (described on page 22).
If a student reaches Step 6 of the truancy policy (described on page 22), the student is ineligible to participate in
extra-curricular activities as listed on page 48 for the remainder of the school year at the regular campus unless
the student returns to the regular campus after successfully completing an alternative education program.
A student reaching Step 6 of the truancy policy is also ineligible for 8th grade/senior trips; 8th grade graduation
dance/high school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit leaders/cheerleaders (9-
12); student government (7-12).

Excessive Absenteeism
Students who are absent 15 days in one school year may be placed on Attendance Supervision which imposes the
requirement that future absences be verified by a licensed medical practitioner.
If a student on Attendance Supervision accumulates five (5) unexcused absences (absences without medical
verification), the student will be ineligible to participate in extra-curricular activities as listed on page 48 the
remainder of the school year at the regular campus unless the student returns to the regular campus after
successfully completing an alternative education program.

3. SUBSTANCE ABUSE

A. A student who is suspended for:
   1. Possession of not more than one ounce of marijuana, or possession, use, or being under the
      influence of an alcoholic beverage, or intoxicant; or
   2. For possession of drug paraphernalia is ineligible to participate in extra-curricular
      activities according to the following guidelines:
      1st Offense: Student is ineligible to participate in all extra-curricular activities listed on page
      48 as well as 8th grade/senior trips; 8th grade graduation dance, winter formal, high
      school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit
      leaders/cheerleaders (9-12); student government (7-12) for 18 school weeks from the
      time of the suspension, unless the student completes a District-
approved intervention program. Completion of the program will reduce the period of ineligibility to nine (9) school weeks.

2nd Offense: Student is ineligible for the length of the expulsion. If the student receives a suspended expulsion, the student is ineligible to participate in all extra-curricular activities listed on page 48 as well as 8th grade/senior trips; 8th grade graduation dance, winter formal, high school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit leaders/cheerleaders (9-12); student government (7-12) for 18 school weeks from the time of the first day of suspension unless the student completes a District-approved intervention program. Completion of the program will reduce the period of ineligibility to nine (9) school weeks.

B. A student who possesses a controlled substance (except for the first offense of possession of not more than one ounce of marijuana other than concentrated cannabis) or who sells, furnishes, or unlawfully offers, arranges, or negotiates to sell an alcoholic beverage, controlled substance, drug-paraphernalia, or an in-lieu substance (look-a-like purported to be a controlled substance) is ineligible to participate in extra-curricular activities according to the following guidelines:

1st Offense: Student is ineligible for the length of the expulsion. If the student receives a suspended expulsion, the student is ineligible to participate in all extra-curricular activities listed on page 48 as well as 8th grade/senior trips; 8th grade graduation dance, winter formal, high school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit leaders/cheerleaders (9-12); student government (7-12) for 18 school weeks from the date of suspension unless the student completes a District-approved intervention program. Completion of the program will reduce the period of the ineligibility to nine (9) school weeks.

4. **BEHAVIOR**

Students who are home suspended for four (4) days and/or home suspended twice within a quarter are to be declared “ineligible” and may not participate in extra-curricular activities as listed on page 48 as well as 8th grade/senior trips; 8th grade graduation dance, winter formal, high school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit leaders/cheerleaders (9-12); student government (7-12) for nine (9) school weeks commencing from the time of the suspension.

If an additional suspension occurs during the nine (9) school week period, the period of ineligibility is to be extended for nine (9) school weeks effective the date of the subsequent suspension, but will not extend beyond the current school year.

Students who are on involuntary transfer to alternative education will be ineligible to participate in extra-curricular activities as listed on page 48, including the winter formal and senior prom, athletics (9-12), spirit leaders/cheerleaders (9-12), student government (7-12) for the remainder of the school year at the regular campus unless the student returns to the regular campus after successfully completing an alternative education program.

5. **CLASSROOM CITIZENSHIP** (Consequences for citizenship marks do not carry from junior high to high school.)

Students who receive two or more “unsatisfactory” citizenship marks from teachers may not participate in extra-curricular activities as listed on page 48 until the next regular reporting period (the following quarter). For grades 7-8, if a student received two or more “unsatisfactory” citizenship marks, the student may petition the principal to be placed on behavioral probation three (3) weeks after grades are released to students if the student has improved citizenship marks. Once the student is placed on behavioral probation, the student will be eligible to take part in extra-curricular activities as listed on page 48 if the student maintains a “C” grade and satisfactory citizenship in each of the student’s classes. The reporting periods shall be considered consecutive and uninterrupted. Therefore, the fourth quarter citizenship marks of the previous year shall be the basis for determining first quarter eligibility for the following year. The effective date to determine eligibility shall be the day report cards are released to student.

Students who receive two or more unsatisfactory marks in the third quarter shall also be ineligible for 8th grade/senior trips; 8th grade graduation dance/high school prom; and 8th grade/senior graduation ceremonies.

Note: If the high school prom occurs before third quarter marks become final, the second quarter citizenship marks determine eligibility.

**8th GRADE STUDENTS/THIRD QUARTER CITIZENSHIP MARKS**

An 8th grade student who receives two unsatisfactory citizenship marks the third quarter may regain the privilege of participating in the 8th grade trip, 8th grade graduation dance, and 8th grade graduation ceremony if teacher verification of improved citizenship is substantiated by the school administration.
6. DEBTS OWED FOR LOSS OR DAMAGE TO SCHOOL DISTRICT PROPERTY

Students with outstanding Modesto City School debts (K-12) will not be allowed to participate in extra-curricular activities as listed on page 48 as well as 8th grade/senior trips; 8th grade graduation dance/high school prom; 8th grade/senior graduation ceremonies; athletics (9-12), spirit leaders/cheerleaders (9-12); student government (7-12) until the debt is paid or until the student establishes a program of voluntary work as provided by the Education Code 48904 in lieu of payment.

Notification to the parent/guardian regarding the debt will be made in writing. The effective date to determine eligibility shall be three (3) days after the issuance of the notification letter.

Loss of privileges includes participation in the graduation ceremony (grades 7-12) if the parent/guardian is notified of the debt at least three (3) days prior to the ceremony.

Note: Attendance, substance abuse, behavior, and classroom citizenship eligibility consequences shall not carry over from junior high to high school.

However, any student who owes for outstanding school debts will remain ineligible to participate in extra-curricular activities, grades 7-12, athletics (9-12), spirit leaders/cheerleaders (9-12), student government (7-12), until the debt is paid or until the student establishes a program of voluntary work as provided in Education Code 48904 in lieu of payment. EXCEPTION: Initial high school eligibility will be waived for all incoming ninth grade students not meeting the district academic eligibility criteria. This shall be a one-time waiver for the first quarter of the fall semester only.

ALL 7-12 STUDENTS

The District reserves the right to exclude a student from the graduation ceremony or other activities for a flagrant infraction to the Student Conduct Code irrespective of the student’s citizenship status.

HIGH SCHOOL GRADUATION CEREMONIES

The following Board Policy excerpts apply to all high schools, including alternative education:

1. Participation in Graduation Ceremonies
   a. Students enrolled at a comprehensive high school may participate in graduation ceremonies at the comprehensive high school upon completion of all graduation requirements by the end of the senior year. This provision applies to mid-year graduates.
   b. Students who complete graduation requirements after their class has already graduated may participate in the alternative education graduation ceremony, but not in a ceremony at the comprehensive high school.
   c. Students who have passed the course of study requirements in a full-time independent study program through the Elliott Alternative Education Center may participate in the alternative education graduation ceremony. Students who complete the course of study requirements in a full-time independent study program through a comprehensive site may participate in that comprehensive site’s graduation ceremony.
   d. Special Education students enrolled in the Special Education curriculum strands A or B who receive “Certificates of Completion” may participate in the graduation ceremonies.
   e. Students who have passed the California High School Proficiency Examination (CHSPE) and/or the General Education Development Test (GED) may not participate in graduation ceremonies unless they have met all District graduation requirements.

2. The principal and staff will inform senior class students of the graduation standards and ceremony requirements prior to the second semester or when new senior students enroll at the school.

3. Appropriate graduation ceremonies will be provided to honor graduating seniors at each District senior high school. As part of the ceremonies, each graduating senior will be recognized by having his or her name read and each will receive a District diploma of graduation/certificate of completion or cover (with the diploma/certificate of completion provided after the ceremony).

4. In order to participate in the graduation ceremonies, each participant and his/her parent or guardian must sign a contract which must be on file at the school agreeing to abide by the specified code of dress and behavior for the ceremony. Adult students enrolled in alternative education are excluded from this provision.

5. Before being admitted to the ceremonies, each participant will be visually checked for appropriate dress and inappropriate items. A visual check may include a school official requesting the student to open his or her graduation gown.

6. The school principal/designee shall remove or cause to be removed from the ceremonies and/or premises students or others who are in violation of an appropriate law or in violation of a rule relating to graduation exercises. Graduating seniors so removed may pick up their diplomas at a later date.
<table>
<thead>
<tr>
<th>CO-CURRICULAR ACTIVITIES</th>
<th>EXTRA-CURRICULAR ACTIVITIES</th>
<th>WINTER FORMAL</th>
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</thead>
<tbody>
<tr>
<td>LEADERSHIP/ATHLETICS/CHEER</td>
<td>(Recreation 7-8, Clubs 9-12, Field Trips 9-12, Dances 7-8, Assemblies 7-8)</td>
<td></td>
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<tr>
<td>GPA Below 2.0</td>
<td>GPA Below 2.0</td>
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<td>More than one “F”</td>
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<td>More than one “U” Citizenship</td>
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<tr>
<td>Substance Abuse 18 weeks/9 weeks with diversion</td>
<td>Substance Abuse 18 weeks/9 weeks with diversion</td>
<td>Substance Abuse 18 weeks/9 weeks with diversion</td>
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<tr>
<td>Outstanding Debt</td>
<td>Outstanding Debt</td>
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<tr>
<td>Home Suspension 4 or more days (9 weeks)</td>
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<tr>
<td>Home Suspension twice in a quarter (9 weeks)</td>
<td>Home Suspension twice in a quarter (9 weeks)</td>
<td>Home Suspension twice in a quarter (9 weeks)</td>
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<tr>
<td>Involuntary Transfer to Alternative Education</td>
<td>Involuntary Transfer to Alternative Education</td>
<td>Involuntary Transfer to Alternative Education</td>
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<tr>
<td>Step 4 Truancy (9 weeks)</td>
<td>Step 4 Truancy (9 weeks)</td>
<td>Step 4 Truancy (9 weeks)</td>
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<tr>
<td>Step 5 Truancy (additional 9 weeks)</td>
<td>Step 5 Truancy (additional 9 weeks)</td>
<td>Step 5 Truancy (additional 9 weeks)</td>
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<tr>
<td>Step 6 Truancy</td>
<td>Step 6 Truancy</td>
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<tr>
<td>Attendance Supervision w/ 5 unexcused absences</td>
<td>Attendance Supervision w/ 5 unexcused absences</td>
<td>Attendance Supervision w/ 5 unexcused absences</td>
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<tr>
<td>PROM/ 8th GRADE DANCE</td>
<td>SENIOR TRIP/ 8th GRADE TRIP</td>
<td>GRADUATION CEREMONY</td>
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<tr>
<td>8th Grade may regain the privilege with teacher approval (3rd Quarter)</td>
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<tr>
<td>Step 6 Truancy</td>
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</tbody>
</table>

The District reserves the right to exclude a student from the graduation ceremony or other activities for a flagrant infraction to the Student Conduct Code irrespective of the student’s citizenship status.
RIGHT OF APPEAL AND DUE PROCESS

SUSPENSION

1. Suspension by the principal/designee, or the superintendent, shall be preceded by an informal conference which is conducted by the principal or his/her designee between the pupil, and, whenever practicable, the teacher, supervisor, or school employee who referred the pupil to the principal. At the conference the pupil shall be informed of the reason for the disciplinary action and the evidence against him or her and shall be given the opportunity to present his/her defense. (E.C. 48911, sub-section b)

2. A principal/designee, or the superintendent, may suspend a pupil without affording the pupil an opportunity for a conference only if the principal or his/her designee determines that an “emergency situation” exists. If a pupil is suspended without a conference prior to a suspension, both the parent and pupil shall be notified of the pupil’s right to such a conference and the pupil’s right to return to school for such purpose. The conference shall be held within two (2) school days, unless the pupil waives his right or is physically unable to attend for any reason including, but not limited to, incarceration or hospitalization. The conference shall then be held as soon as the pupil is physically able to return to school for the conference. (E.C. 48911, sub-section c)

3. At the time of suspension, a school employee shall make a reasonable effort to contact the parent or guardian of the pupil in person or by telephone. (E.C. 48911, sub-section d)

4. Whenever a pupil is suspended from school, the parent or guardian shall be notified in writing of the suspension. (E.C. 48911, sub-section d)

5. The parent or guardian of any pupil shall respond without delay to any request from school officials to attend a conference regarding his/her child’s behavior. (E.C. 48911, sub-section f)

6. The pupil or pupil’s parent or guardian has the right to appeal the suspension to the building principal whose decision will be final. A meeting must be requested within five (5) school days following the first day of suspension.

7. Students remain on suspension through the appeal process. If the suspension is overturned by the principal, all information related to the suspension will be deleted from the pupil’s record.

EXPULSION

1. In a case where expulsion is being processed by the Governing Board, the superintendent/designee may extend the suspension until such time as the Governing Board has rendered a decision, provided that the superintendent/designee has determined that the presence of the pupil at the school or in an alternative school placement would cause a danger to persons or property or a threat of disrupting the instructional process. (E.C. 48911, sub-section g)

2. The pupil and the pupil’s parent or guardian shall be entitled to a hearing to determine whether the pupil should be expelled. An expulsion hearing shall be held within 30 school days of the date the principal or superintendent determines that the pupil committed any of the acts enumerated in Section 48900 unless the pupil requests in writing that the hearing be postponed. The pupil shall be entitled to at least one postponement for a period of not more than 30 calendar days of an expulsion hearing. In the event that compliance by the Governing Board with the above time requirements is impracticable, the expulsion hearing may be delayed, for good cause, up to five (5) additional days. Reasons for the extension shall be a part of the record at the time of the hearing. (E.C. 48918, sub-section a)

3. Written notice of the hearing shall be forwarded to the pupil at least 10 calendar days prior to the date of the hearing. (E.C. 48918, sub-section b)

4. An Administrative Panel shall conduct a hearing to consider the expulsion of a pupil in a session closed to the public unless the pupil or the pupil’s parent or guardian requests, in writing at least five (5) days prior to the date of the hearing, that the hearing be a public meeting. (E.C. 48918, sub-sections c, d)

5. Within three (3) school days following the hearing, the Administrative Panel shall determine whether to recommend expulsion of the pupil to the Governing Board. (E.C. 48918, sub-section e)

6. The expulsion order and the causes therefore shall be recorded in the pupil’s mandatory interim record and shall be forwarded to any school in which the pupil subsequently enrolls upon receipt of a request from the admitting school for the pupil’s school records. (E.C. 48918, sub-section j)

7. A decision of the Governing Board whether to expel a pupil shall be made within 10 school days following the conclusion of the hearing, unless the pupil requests in writing that the decision be postponed. If the hearing is held by an Administrative Panel, or if the district Governing Board does not meet on a weekly
basis, the Governing Board shall make its decision about a pupil’s expulsion within 40 school days after the date of the pupil’s removal from his/her school of attendance for the incident for which the recommendation for expulsion is made by the principal or the superintendent, unless the pupil requests in writing that the decision be postponed.

8. Written notice of any decision of the Governing Board to expel or to suspend the enforcement of the expulsion order during a period of probation shall be sent by mail, using “proof of service” method to the student or parent or guardian. The notice shall include notification of the right to appeal the expulsion to the County Board of Education. (E.C. 48918, sub-section 1)

9. Students who have been expelled shall not participate in extra-curricular activities, including the 8th grade/senior trips, 8th grade graduation dance, winter formal, high school prom, and the graduation ceremony (grades 8 & 12) for the length of the expulsion. Students who are on a suspended expulsion shall not participate in extra-curricular activities for the length of time defined on pages 47-53 of this publication.

10. Students who are on a suspended expulsion to another site will be ineligible to participate in extra-curricular activities at the original site including the 8th grade/senior trips, 8th grade graduation dance, high school prom, winter formal, and the graduation ceremony (grades 8 & 12).

11. At the time an expulsion of a pupil is ordered for an act other than those described in subdivision (c) of Section 48915, the Governing Board shall set a date, not later than the last day of the semester following the semester in which the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the District. The Director, Child Welfare and Attendance/Designee will determine if the conditions for readmittance in the expulsion order have been met.

12. For a pupil who has been expelled pursuant to subdivision (c) of Section 48915, the Governing Board shall set a date of one year from the date the expulsion occurred, when the pupil shall be reviewed for readmission to a school maintained by the District, except that the Governing Board may set an earlier date for readmission on a case-by-case basis. The Director, Child Welfare and Attendance/Designee will determine if the conditions for readmittance in the expulsion order have been met. Subdivision (c) of Section 48915 offenses include:

- Possessing, selling, or otherwise furnishing a firearm.
- Brandishing a knife at another person.
- Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.
- Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.
- Possession of explosives (except snappers, poppers, firecrackers, and fireworks).

INVOLUNTARY TRANSFER TO OPPORTUNITY SCHOOL

California Department of Education Guidelines

Opportunity Education schools, classes, and programs are established to provide additional support for students who are habitually truant from instruction, irregular in attendance, insubordinate, disorderly while in attendance, or failing academically.

A decision to transfer a pupil involuntarily shall be based on findings that the pupil (a) committed an act enumerated in E.C. 48900, or (b) has been habitually truant or irregular in attendance from instruction upon which he or she is lawfully required to attend.

The student and the student’s parent or guardian will be notified in writing of the intended assignment to the Opportunity School program. The parent or guardian has the right to request a meeting with the school officials. The purpose of this meeting will be to discuss the specific reason(s) for the transfer being recommended. Following the third-party review of the referral document, a final decision for the transfer will be made. The student and parent or guardian has the right to appeal the third-party decision to the Director, Child Welfare and Attendance.

At the request of the student’s parent or guardian, the involuntary transfer shall be reviewed at the end of each semester/trimester of attendance at the alternative education site. Students who are on involuntary transfer to alternative education will be ineligible to participate in extra-curricular activities listed on page 48, including winter formal and senior prom, for the remainder of the school year at the regular campus unless the student returns to the regular campus after successfully completing an alternative education program.

INVOLUNTARY TRANSFER TO CONTINUATION SCHOOL (E.C. 48432.5)

A decision to transfer the pupil involuntarily shall be based on finding that the pupil (a) committed an act enumerated in E.C. 48900, or (b) has been habitually truant or irregular in attendance from instruction upon which he or she is lawfully required to attend.

Involuntary transfer to a continuation school shall be imposed only when other means fail to bring about pupil
improvement; provided that a pupil may be involuntarily transferred the first time he or she commits an act enumerated in Section 48900 if the principal determines that the pupil’s presence causes a danger to persons or property, or threatens to disrupt the instructional process.

A written notice must be provided to the student and the student’s parent or guardian informing them of the opportunity to request a meeting with a designee of the district superintendent.

None of the persons involved in the final decision to make an involuntary transfer of a pupil to a continuation school shall be a member of the staff of the school in which the pupil is enrolled at the time that the decision is made.

Students who are on involuntary transfer to alternative education will be ineligible to participate in extra-curricular activities as listed on page 48, including the winter formal and senior prom, for the remainder of the school year at the regular campus unless the student returns to the regular campus after successfully completing an alternative education program.

At the request of the student’s parent or guardian, the involuntary transfer shall be reviewed following the second semester of attendance at the alternative education site.

**SUSPENSION FROM CLASS**

A teacher may suspend any pupil from the teacher’s class for any violation of E.C. 48900, for the day of the suspension and the day following.

The teacher shall send the pupil to the principal/designee for appropriate action. If that action requires the continued presence of the pupil at the school site, the pupil shall be under appropriate supervision.

As soon as possible, the teacher shall ask the parent/guardian of the pupil to attend a parent/teacher conference regarding the suspension. If an in-person conference cannot be arranged, a telephone conference may be substituted. A school administrator shall attend the conference if the teacher or parent/guardian so request.

The pupil shall not be returned to the class during the period of suspension without the concurrence of the teacher and the principal. A pupil suspended from a class shall not be placed in another regular class during the period of suspension.

**DETENTION OF STUDENTS AFTER SCHOOL**

Students may be detained after school for up to 15 minutes without prior notice to the parents.

Detention from 16 to 30 minutes requires a reasonable effort to give prior notice to the parent. Detention longer than 30 minutes requires prior notice to the parent. Prior notice includes telephone calls.

Regardless of the length of detention, prior notice to parents must occur in cases where detention will cause a student to miss the school bus.
MODESTO CITY SCHOOLS
Board Policy

STUDENTS

Student Sexual Harassment

Introduction
It is the Board of Education’s intent to maintain an academic and work environment which protects the
dignity and promotes the mutual respect of all employees and pupils. The Board of Education prohibits sexual
harassment of any student by any employee, student, or other person in or from the district.

The Board of Education expects students or staff to immediately report incidents of sexual harassment to a site
administrator or to another district administrator.

Each site administrator has the responsibility of maintaining an educational and work environment free of
sexual harassment. This responsibility includes discussing this policy with his/her students and employees and
assuring them that they need not endure sexually insulting, degrading, or exploitative treatment or any other
form of sexual harassment, including harassment because of sexual orientation.

Each sexual harassment complaint shall be promptly investigated in a way designed to respect the privacy of all
parties concerned.

Pupils who file sexual harassment complaints shall not be retaliated against for making such a complaint.

Definition of Sexual Harassment
“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal, visual or
physical conduct of a sexual nature, made by someone from or in the work or educational setting under any of
the following conditions:
1. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual’s
   employment, academic status, or progress.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of academic decisions
   affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic
   performance, or of creating an intimidating, hostile or offensive educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting
   the individual regarding benefits and services, honors, programs or activities available at or through the
   educational institution.

Examples of Sexual Harassment
Sexual harassment may occur as a pattern of degrading sexual speech or action ranging from verbal or physical
annoyances or distractions to deliberate intimidation and frank threats or sexual demands. Such conduct may
constitute sexual harassment, regardless of an individual’s actual or perceived sexual orientation. Forms of
sexual harassment include, but are not limited to the following:
1. Verbal Harassment--Derogatory comments, jokes, or slurs; graphic verbal abuse of a sexual nature;
   comments about an individual’s body/dress, sexual preferences or sexual conduct; sexually degrading
   words used to demean, label, or describe an individual; or spreading sexual rumors.
2. Physical Harassment--Unnecessary or offensive touching, or impeding or blocking movement.
3. Visual Harassment--Derogatory or offensive posters, cards, cartoons, graffiti, drawings, or gestures;
   suggestive or obscene letters, notes or invitations; the display in the educational environment of sexually
   suggestive objects or pictures.
4. Sexual Favors--Unwelcome sexual advances, requests for sexual favors, unwelcome sexual flirtations or
   propositions.

Retaliation
The District prohibits retaliatory behavior against any complainant as a result of a negative response to sexual
advances or the making of an informal or formal complaint alleging sexual harassment.

Complaint Procedures
Any student who feels that he/she is being sexually harassed should immediately contact a school site or district
administrator or other staff member. Staff members and teachers who receive complaints of sexual harassment
from students should refer such complaints to the site or other district administrator (AR 5145.7).

If the site or district administrator is notified that an allegation of sexual harassment was not addressed to the complainant’s satisfaction, that administrator should provide the student and/or the student’s parent/guardian with a copy of the District’s sexual harassment policy and complaint procedures.

The District prohibits retaliatory behavior against any complainant or any participant in the complaint process.

**Consequences for Sexual Harassment**

Any student who engages in sexual harassment is subject to disciplinary action according to Board Policy 5131, Student Conduct Code K-6 and Board Policy 5132, Student Conduct Code 7-12 and in accordance with the Education Code. Employees are subject to disciplinary action according to Board policies 4119.11(certificated), 4219.13(classified), and 4319.13 (management, supervisory and confidential) and in accordance with the Education Code.

**Notifications**

According to state law and Federal Title IX requirements, a copy of the District’s student sexual harassment policies should:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 39 C.F.R. Section 106.9).
2. Be displayed in a prominent location near the administrative office or other area where notices regarding the institution’s rules, regulations, procedures, and standards of conduct are posted (E.C. 212.6).
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session, and to any newly enrolled student who transfers into the district after the beginning of a semester (E.C. 212.6).
4. Appear in any school or district publication that sets forth the school or district’s comprehensive rules, regulations, procedures and standards of conduct (E.C. 212.6).

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of sexual harassment.

(cf. 1312.1 - Complaints Concerning School Personnel)
(cf. 1312.3 - Uniform Complaint Procedures)
(cf. 4119.11 - Sexual Harassment--Certificated Personnel)
(cf. 4219.13/4319.13 - Prohibition of Sexual Harassment--Classified/Management, Supervisory and Confidential Personnel)
(cf. 5131 - Student Conduct Code K-6)
(cf. 5132 - Student Conduct Code 7-12)
(cf. 5145.3 - Nondiscrimination in Education Programs and Activities)

Legal Reference:

**CIVIL CODE**

1714.1 Liability of parents/guardians for willful misconduct of minor

**EDUCATION CODE**

200-240 Prohibition of discrimination on the basis of sex, especially:

212.5 Sexual harassment

212.6 Sexual harassment policy

230 Particular practices prohibited

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

**UNITED STATES CODE, TITLE 42**

2000d & 2000e et seq. Title VI & Title VII, Civil Rights Act of 1964 as amended

2000h - 2 et seq. Title IX, 1972 Education Act Amendments

**Franklin v. Gwinnet County Schools** (1992) 112 S. Ct. 1028

ADOPTED: July 19, 1993

REVISED: April 25, 1994

April 21, 1997
STUDENTS
Student Sexual Harassment
Federal and State law prohibits the sexual harassment of a student. In timely investigating and redressing complaints of sexual harassment pursuant to the complaint procedure, action shall be taken in a manner designed to maintain the confidentiality of the parties involved. It is the intent of this procedure to provide prompt recourse, fairness and equity to both the individual alleging sexual harassment and the individual accused of engaging in such conduct.

Accordingly, the Board of Education will not tolerate sexual harassment and will make efforts to maintain schools free from sexual harassment. The Governing Board is committed to ensuring that students are not adversely affected for having brought forward a sexual harassment complaint. All participants in these procedures shall be protected from retaliatory acts by the District, its employees and students. If retaliation or reprisal does occur, disciplinary action may be imposed. Nothing in this procedure shall affect the right of the complainant to pursue the matter with any State or Federal enforcement agency. Sexual harassment complaints may be filed concurrently with an external agency to meet State and Federal agency deadlines without jeopardizing an individual’s rights to pursue a complaint under this procedure.

PURPOSE OF COMPLAINT PROCEDURE
The purpose of the complaint procedures is to ensure that no student shall be subjected to sexual harassment under any program, activity or service offered by the District.

DEFINITION OF TERMS
Title IX Coordinators--The Associate Superintendent, Educational Services is the Title IX Coordinator for student-to-student sexual harassment and is designated by the District to receive and process complaints under this procedure. The Associate Superintendent can be reached at Modesto City Schools District Office, 426 Locust Street, Modesto, CA 95351; (209) 492-1454.
The Deputy Superintendent, Human Resources is the Title IX Coordinator for any student sexual harassment complaints involving employees of the District. The Deputy Superintendent can be reached at Modesto City Schools District Office, 426 Locust Street, Modesto, CA 95351; (209) 492-3122.
Complainant--A student and/or the student’s parent/guardian who believes the student has been sexually harassed.
Respondent--The individual who allegedly sexually harassed the complainant.
Days--As used in this procedure, “days” means working days. Timelines in these complaint procedures may be extended by mutual agreement, or by the direction of the Title IX Coordinator.

INFORMAL COMPLAINT PROCEDURES
1. Any student, or the student’s parent/guardian, who believes that an employee or another student has sexually harassed him/her should immediately contact a school site administrator or other District administrator. The complainant should notify the administrator no later than thirty (30) days from the last incident which is the subject matter of the complaint.
2. The site or District administrator will conduct an independent investigation into the allegations of sexual harassment in a manner designed to respect the privacy of all parties concerned. If the allegations of sexual harassment involve an employee, the site or District administrator will contact the Deputy Superintendent, Human Resources upon receipt of the complaint.
3. If, as a result of the investigation, a determination is made that a student or an employee has sexually harassed another student, appropriate action will be implemented. Any employee or student who is found to have sexually harassed a student will be disciplined according to the nature and severity of the offense.
4. The complainant should notify the site or District administrator if he/she is not satisfied with the informal resolution of the complaint. The administrator should then give the complainant a copy of the District’s sexual harassment policy and complaint procedures.
5. An informal resolution may occur at any time.
6. The informal complaint should be resolved by the site or District administrator within thirty (30) days of the date that the administrator received the complaint.

FORMAL COMPLAINT PROCEDURES
Step One
1. If the complainant is not satisfied with the informal resolution of the complaint by the site or District administrator receiving the informal complaint, the complainant may choose to file a formal complaint. The
following procedures must be followed in filing a formal complaint:

a. A written complaint must be presented within **sixty (60) days** of the date of the last incident which is the subject matter of the complaint. The complainant shall present a written complaint to the supervisor of the administrator to whom the informal complaint was first presented. The administrator receiving the informal complaint should also inform the complainant as to which supervisor may receive the formal complaint.

   The complaint should contain the following information:
   (1) the complainant’s name, address, and home telephone number;
   (2) the name of the student or employee who committed the alleged violation;
   (3) a description of the alleged sexual harassment;
   (4) a specific description of the time, place, nature, participants in, and witnesses to the alleged sexual harassment; and
   (5) other pertinent information which may assist in investigating and resolving the complaint.

b. If the complaining party so desires, he/she may request the assistance of the site or District administrator to whom he/she informally complained, in preparing and presenting a written complaint.

c. Once the formal written complaint is filed, the supervisor of the site or District administrator will conduct an independent investigation into the charges made in the written complaint. The party to whom the complaint is presented must render a written determination within **twenty (20) working days** of receipt of the complaint.

**Step Two**

2. If the complaint is not resolved in Step 1 to the complainant’s satisfaction, the complainant may appeal that resolution pursuant to the following procedures:

   a. The student may submit his/her written complaint to the Associate Superintendent, Educational Services (if the allegation is a student-to-student complaint) or the Deputy Superintendent, Human Resources (for any student sexual harassment complaints involving employees of the District) within **ten (10) working days** of receipt of the decision of the supervisor of the site or District administrator handling the informal complaint.

   b. The appropriate Deputy or Associate Superintendent, the complaining party, and the supervisor of the administrator receiving the informal complaint who has provided a written response to the complainant will meet to discuss the complaint.

   c. The party to whom the complaint was presented in Step 2 (Deputy or Associate Superintendent) shall provide a written decision within **ten (10) working days** of this meeting. Copies of the decision shall be provided to all parties present at the meeting.

**APPEAL TO THE GOVERNING BOARD**

1. If the complainant is not satisfied with the decision of the Deputy or Associate Superintendent, he/she has **fifteen (15) working days** in which to file a written appeal with the District’s Governing Board. The Superintendent/designee shall provide the Governing Board with the information concerning the complaint, investigation and resolution at previous levels.

2. Consistent with Board of Education agenda deadlines, at the next regular meeting of the Board of Education, the Governing Board shall consider the complainant’s appeal and shall issue a final decision. Where authorized by law, the Governing Board shall meet in Closed Session to address the appeal.

**FURTHER APPEAL OPTIONS**

1. If the complainant is not satisfied with the decision of the Governing Board, he/she has the right to file a sexual harassment complaint with an appropriate State or Federal enforcement agency (i.e. State Department of Education, U. S. Department of Education, Office for Civil Rights).

2. Complainants are reminded that they continue to have the ability to pursue local civil remedies to address matters giving rise to the complaint. Such local remedies include, but are not limited to, pursuing mediation informally or formally, alternative dispute resolution, or initiating legal action in court seeking equitable relief and/or damages. A complainant also has the right to be represented by legal counsel at his or her own expense. Counsel may be identified by consulting the local telephone directory, courts or California Bar Association to identify attorneys or non-profit legal assistance agencies which can provide assistance.

NOTE: Authority cited: Education Code 232 and 33031; Government Code 11138; 5 CCS 4650

Legal References: Government Code 11135, 11136, 11138, and 34 CFR 76.780 and 106.8

REVIEWED: March 28, 1994; April 25, 1994; January 21, 1997; December 8, 2014; February 29, 2016
PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES

State law requires that parents or guardians be notified of their rights and responsibilities in certain matters pertaining to their children’s education.

1. **Absence for Religious Exercises and Instruction:** Pupils may be excused, with written permission from a parent or guardian, in order to participate in religious exercises or receive moral and religious instruction away from school property. Every pupil so excused must attend at least the minimum school day. No pupil shall be excused from school for such purpose on more than four days per school month. (Ed. Code, § 46014)

2. **Comprehensive Sexual Health Education and HIV/AIDS Prevention Education:** A parent or guardian has the right to excuse their child from comprehensive sexual health education and HIV prevention education. A parent or guardian who wishes to exercise this right must state their request in writing. (Ed. Code, § 51938) A parent or guardian may inspect the written and audio visual educational materials used in comprehensive sexual health education and HIV/AIDS prevention education. Parents have a right to request that the District provide them with a copy of the California Healthy Youth Act (Education Code section 51930 et. seq.). Parents or guardians shall be notified in writing if the District plans to administer an anonymous, voluntary and confidential test, questionnaire or survey containing age-appropriate questions about the pupils’ attitudes concerning or practices related to sex in grades 7 to 12 and given the opportunity to review the test, questionnaire or survey. A Parent or guardian has the right to excuse their child from the test, questionnaire, or survey by stating their request in writing. (Ed. Code, § 51938)

Every child’s parent will be notified prior to the commencement of any comprehensive sexual health education and HIV/AIDS prevention education instruction as to the date of such instruction and whether the instruction will be taught by District personnel or by outside consultants. If outside consultants are used, the name of the organization of each guest speaker will be identified.

3. **Excuse from Instruction in Health:** Upon written request of a parent, a pupil may be excused from any part of instruction in health which conflicts with the parent(s)’ religious training or beliefs (including personal moral convictions). (Ed. Code, § 51240)

4. **Administration of Medication:** Medication prescribed by a physician for a child may be administered during the school day by a registered nurse or other designated school personnel, or self-administered by the child if the medication is prescription auto-injectable epinephrine or prescription inhaled asthma medication, but only if the parent consents in writing and provides detailed written instructions from a physician, or a physician assistant as specified by law. Forms for administering medication may be obtained from the school secretary. (Ed. Code, §§ 49423, 49423.1, 49423.5, 49480)

5. **Students on Medication:** Parents are to notify the principal if their child is on a continuing medication regimen. This notification shall include the name of the medication being taken, the dosage, and the name of the supervising physician. With parental consent, the principal or school nurse may confer with the physician regarding possible effects of the drug, including symptoms of adverse side effects, omission or overdose and counsel with school personnel as deemed appropriate. (Ed. Code, § 49480)

6. **Immunizations:** The District shall exclude from school any pupil who has not been immunized properly, unless the pupil is exempted from the immunization requirement pursuant to Health and Safety Code section 120370. The immunization exemption based on personal beliefs has been eliminated. (Health & Safety Code, § 120325) A student who, prior to January 1, 2016, submitted a letter or affidavit on file at the District, stating beliefs opposed to immunization, is permitted to enroll in that institution until the student enrolls in the next grade span. Grade span means: 1) birth to preschool; 2) kindergarten and grades 1 through 6, inclusive, including transitional kindergarten; and 3) grades 7 through 12, inclusive. On or after July 1, 2016, the District shall exclude from school for the first time or deny admittance or deny advancement to any student to the 7th grade unless the student has been immunized for his or her age as required by law. (Health & Safety Code, § 120335) A student may still be exempted from the immunization requirement based on medical condition or circumstances. A parent or guardian must file with the District a statement from a licensed physician saying that the immunization is not considered safe and is not recommended based upon the nature or duration of the medical condition or circumstances, including, but not limited to, the family medical history. (Health & Safety Code, § 120370) A parent or guardian may consent in writing for a physician, surgeon, or health care practitioner acting under the direction of a supervising physician and surgeon to administer an immunizing agent to a pupil at school. (Ed. Code, §§ 48216, 48980(a), 49403, Health & Safety Code, §§ 120325, 120335)

7. **Physical Exams and Testing:** The District is required to conduct certain physical examinations and vision, hearing and scoliosis testing of students unless the parent has a current written objection on file. However, the child may be sent home if he or she is believed to be suffering from a recognized contagious or infectious disease. (Ed. Code, §§ 49451, 49452, 49452.5 and 49455; Health & Safety Code, § 124085)

8. **Confidential Medical Services:** For students in grades 7 through 12, the District may release a student for the purpose of obtaining confidential medical services without obtaining the consent of the student’s parent or guardian. (Ed. Code, § 46010.1)

9. **Medical Coverage for Injuries:** Medical and hospital services for pupils injured at school or school-
Parent Notice of Rights and Responsibilities

sponsored events, or while being transported, may be insured at parent’s expense. No pupil shall be compelled to accept such services without his or her consent or, if the pupil is a minor, without the consent of a parent or guardian. (Ed. Code, § 49472)

10. Medical and Hospital Services Not Provided: The District does not provide medical and hospital services for students injured while participating in athletic activities. However, all members of school athletic teams must have accidental injury insurance that covers medical and hospital expenses. (Ed. Code, §§ 32221.5, 49471)

11. Services for Students with Exceptional Needs or a Disability: State and federal law require that a free and appropriate public education (FAPE) in the least restrictive environment be offered to qualified pupils with disabilities ages 3 through 21 years. Students classified as individuals with exceptional needs for whom a special education placement is unavailable or inappropriate may receive services in a private nonsectarian school. Please contact the local director of special education for specific information. (Ed. Code, § 56040 et seq.) In addition, services are available for students who have a disability which interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. §104.32) The District 504 Coordinator is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone: 1560 Cummins Drive, Suite C, Modesto, CA 95358 - (209) 574-1623.

12. No Academic Penalty for Excused Absence: No pupil may have his or her grade reduced or lose academic credit for any absence or absences which are excused for the reasons specified below when missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time. (Ed. Code, §§ 48205, 48980(j))

A pupil shall be excused from school when the absence is:

(1) Due to the pupil’s illness.
(2) Due to quarantine under the direction of a county or city health officer.
(3) For the purpose of having medical, dental, optometrical, or chiropractic services rendered.
(4) For the purpose of attending the funeral services of a member of the pupil’s immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
(5) For the purpose of jury duty in the manner provided for by law.
(6) Due to the illness or medical appointment during school hours of a child of whom the pupil is the custodial parent.
(7) For justifiable personal reasons, including but not limited to, an appearance in court, attendance at a funeral service, observance of a holiday or ceremony of the pupil’s religion, attendance at religious retreats, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil’s absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
(8) For the purpose of serving as a member of a precinct board for an election pursuant to section 12302 of the Elections Code.
(9) For the purpose of spending time with a member of the pupil’s immediate family, who is an active duty member of the uniformed services, as defined in Section 49701, and has been called to duty for, is on leave from, or has immediately returned from, deployment to a combat zone or combat support position. Absences granted pursuant to this paragraph shall be granted for a period of time to be determined at the discretion of the superintendent of the school district.
(10) For the purpose of attending the pupil’s naturalization ceremony to become a United States citizen.

A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.

For purposes of this section, attendance at religious retreats shall not exceed four hours per semester. Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.

“Immediate family,” as used in this section refers to mother, father, grandmother, grandfather, or a grandchild of the pupil or of the spouse of the pupil, and the spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister of the pupil, or any relative living in the immediate household of the pupil. (Ed. Code, § 48205)

13. Equal Opportunity: Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) The District’s physical education program provides a developmentally appropriate sequence of instruction aligned with the state’s model content standards and framework. This program provides students with equal opportunities for instruction and participation regardless of gender in accordance with law.

Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be
14. Complaints (Special Education): Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. Parents may submit a description of the manner in which the parent believes special education programs for handicapped do not comply with state or federal law or regulations to the SELPA Director at (209) 574-1623 or 1560 Cummins Drive, Modesto, CA 95358.

15. Release of Student Information: The District does not release information or records concerning a child to noneducational organizations or individuals without parent consent except by court order, receipt of a lawfully issued subpoena, or when otherwise allowed by law. The following categories of directory information may be released to various persons, agencies or institutions unless the parent or guardian notifies the District in writing not to release such information: Name, address, telephone, date of birth, email address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, diplomas and awards received, and most recent previous educational institution attended. (Ed. Code, §§ 49060 et seq., 49073, 20 U.S.C. § 1232g, 34 C.F.R. § 99.7) In accordance with state and federal law, the District may also make available photographs, videos, and class rosters. Directory information will not be released regarding a pupil identified as a homeless child or youth unless a parent, or pupil accorded parental rights, has provided written consent that directory information may be released. (Ed. Code, § 49073(c), 20 U.S.C. § 1232g, 42 U.S.C. § 11434a(2))

16. Information Obtained from Social Media: A school district that considers a program to gather or maintain in its records any information obtained through social media of any enrolled student shall notify students and their parents or guardians about the proposed program and provide an opportunity for public comment at a regularly scheduled public meeting of the Governing board of the school district. The notification shall include, but is not limited to, an explanation of the process by which a student or a student’s parent or guardian may access the student’s records to examine the information gathered or maintained, and an explanation of the process by which a student or a student’s parent or guardian may request the removal of information or make corrections to information gathered or maintained. (Ed. Code, § 49073(6)

17. Inspection of Student Records: State law requires that the District notify parents of the following rights which pertain to student records. (Ed. Code, §§ 49063, 49069, 34 C.F.R. § 99.7)

a. A parent or guardian has the right to inspect and review student records relating directly to his or her child during school hours or obtain a copy of such records within five (5) business days of his/her request.

b. Any parent who wishes to review the types of student records and information contained therein may do so by contacting the principal at his/her child’s school. The principal of each school is ultimately responsible for maintenance of student records.

c. A parent with legal custody has a right to challenge information contained in his/her child’s records. Any determination to expunge a student’s record is made after a review of said record(s) by site administrators and certificated staff. Following an inspection and review of student records, the parent may challenge the content of the student’s record. The right to challenge becomes the sole right of the student when the student becomes 18 years of age.

A parent may file a written request with the Superintendent of the District to remove any information recorded in the written records concerning the child which is alleged to be:

1. Inaccurate.
2. An unsubstantiated personal conclusion or inference.
3. A conclusion or inference outside of the observer’s area of competence.
4. Not based on the personal observation of a named person with the time and place of the observation noted.
5. Misleading.
6. In violation of the privacy or other rights of the pupil.

Within 30 days, the Superintendent or designee shall meet with the parent/guardian and the certificated employee who recorded the information, if any, and if the person is still employed with the District, and sustain or deny the allegations. If the allegations are sustained, the Superintendent shall order the correction, removal or destruction of the information. If the Superintendent denies the allegations, the parent may appeal the decision to the Governing Board within 30 days. The Board shall determine whether or not to sustain or deny the allegations. If the Board sustains the allegations, it shall order the Superintendent to immediately correct, remove or destroy the information from the written records of the student. (Ed. Code, § 49070)

If the final decision of the Board is unfavorable to the parents, or if the parent accepts an unfavorable decision by the District Superintendent, the parent shall have the right to submit a written statement of objections to the information. This statement shall become a part of the student’s school record until such time as the information objected to is removed.

Both the Superintendent and the Board have the option of appointing a hearing panel in accordance with Education Code sections 49070-49071 to assist in the decision making. The decision as to whether a hearing panel is to be used shall be made at the discretion of the Superintendent or the Board and not of the challenging party.
18. **Family Educational Rights and Privacy Act:** In addition, parents have certain rights regarding student information and records which are guaranteed under federal law. Notification of these rights is on page 73.

19. **Student Discipline:** District and School rules pertaining to student discipline are available to parents or guardians of district students in the school office. (Ed. Code, § 35291) Students may be subject to discipline for off-campus misconduct if the misconduct is related to school activity or attendance and causes or is reasonably likely to cause a substantial disruption to school activity. For example, a student using technology such as a home computer, cellular phone, or other electronic device may be disciplined for bullying, engaging in unlawful harassment, or making threats against students, staff, or district property even if such misconduct occurred off-campus and during non-school hours. (Ed. Code, §48900(r))

20. **Dissection of Animals:** If a student has a moral objection to dissecting (or otherwise harming or destroying) animals, or any part of an animal, the pupil must notify the teacher regarding such objection, and the objection must be substantiated with a note from the pupil’s parent or guardian. If the pupil chooses to refrain from participating in such a project or test, and if the teacher believes that an adequate alternative education project or test is possible, then the teacher may work with the pupil to develop and agree upon an alternate education project or test for the purpose of providing the pupil an alternate avenue for obtaining the knowledge, information or experience required by the course of study. (Ed. Code, §§ 32255-32255.6)

21. **Temporary Disability:** A temporary disability which makes it impossible or inadvisable for a student to attend class may entitle the student to receive individualized instruction. It is the responsibility of the pupil’s parent or guardian to notify the school district in which the pupil is deemed to reside of the pupil’s need for individualized instruction. A student with a temporary disability who is in a hospital or other residential health facility, other than a state hospital, which is located outside the student’s school district of residence shall be deemed to comply with the residency requirements of the school district in which the hospital is located. (Ed. Code, §§ 48206.3, 48207, 48208, 48980(b))

22. **Student Residency:** A student may be enrolled in the District if (1) the student’s parent, legal guardian or other person having control and charge of the student resides in the District (Ed. Code, §48200); (2) the District has approved interdistrict attendance (Ed. Code, § 46600); (3) the student is placed in a regularly established children’s institution, licensed foster home, or family home; (4) the student is a foster child who remains in his or her school of origin pursuant to Education Code Section 48853.5(f) and (g); (5) the student is emancipated and lives within the District; (6) the student lives in the home of an adult who has submitted a caregiver affidavit; (7) the student resides in a state hospital within the District; or (8) the student’s parent or legal guardian resides outside of the boundaries of the school district but is employed and lives with the student at the place of his/her employment within the school district boundaries for a minimum of three days during the school week. (Ed. Code, § 48204). The law allows, but does not require, a district to accept a student for enrollment where at least one parent or legal guardian of the student is physically employed within the district’s boundaries for a minimum of 10 hours during the school week. (Ed. Code, §48204). A student also complies with the residency requirements for school attendance in a school district if he or she is a student whose parent is transferred or pending transfer to a military installation within the state while on active duty pursuant to an official military order. However, the parent must provide proof of residence in the school district within ten days after the published arrival date provided on official documentation. (Ed. Code, § 48204.3) A student also complies with the residency requirement if the student’s parent/guardians were residents of the state but departed California against their will if the student provides official documentation evidencing the departure of her/his parent/guardians against their will; that the student moved outside of California as a result of her/his
23. **Attendance Options:** All districts must inform parents at the beginning of the school year how to enroll in a school within the district that is different than the one assigned. Students who attend schools other than those assigned by the district are referred to as “transfer students” throughout this notification. There is one process for choosing a school within the district which the parent lives (intradistrict transfer), and three separate processes for selecting schools in other districts (interdistrict transfer). (Ed. Code, § 48980(h)) There is also a process under the Open Enrollment Act for students enrolled in “low-achieving schools,” as identified annually by the State Superintendent of Public Instruction. Open enrollment information begins on page 75. (Ed. Code, § 48350 et seq.) A copy of the District’s Policy of, and application for, Interdistrict and Intradistrict Transfers begins on page 78. Parents interested in interdistrict or intradistrict transfers should contact the Director, Child Welfare & Attendance at (209) 574-1595. The general requirements and limitations of each process are described as follows:

a. **Choosing a School Within the District in Which Parent Lives:** Education Code section 35160.5(b) requires the school board of each district to establish a policy that allows parents to choose the schools their children will attend, regardless of where the parent lives in the district. The law limits choice within a school district as follows:

- Students who live in the attendance area of a school must be given priority to attend that school over students who do not live in the school’s attendance area.
- In cases in which there are more requests to attend a school than there are openings, the selection process must be “random and unbiased,” which generally means students must be selected through a lottery process rather than on a first-come, first-served basis. A district cannot use a student’s academic or athletic performance as a reason to accept or reject a transfer.
- Each district must decide the number of openings at each school which can be filled by transfer students. Each district also has the authority to keep appropriate racial and ethnic balances among its schools, meaning that a district can deny a transfer request if it would upset this balance or would leave the district out of compliance with a court-ordered or voluntary desegregation program.
- A district is not required to provide transportation assistance to a student that transfers to another school in the district under these provisions.
- If a transfer is denied, a parent does not have an automatic right to appeal the decision. A district may, however, voluntarily decide to put in place a process for parents to appeal a decision.

b. **Choosing a School Outside the District in Which Parent Lives:** Parents have two different options for choosing a school outside the district in which they live. The two options are:

i. **Interdistrict Transfers** (Ed. Code, §§ 46600–46610): The law allows two or more districts to enter into an agreement for the transfer of one or more students for a period of up to five years. New agreements may be entered into for additional periods of up to five years each. The agreement must specify the terms and conditions under which transfers are permitted. The law on inter-district transfers also provides for the following:

- Once a pupil is enrolled in a school pursuant to an inter-district transfer agreement, the pupil must be allowed to continue to attend the school in which he or she is enrolled without reapplying, unless revocation of the inter-district transfer is a term and condition of the agreement between the districts; however, a district must not rescind existing transfer permits for pupils entering grade 11 or 12 in the subsequent school year.
- Upon request, a pupil determined to be the victim of an act of bullying by a pupil of the district of residence must be given priority for inter-district attendance under any existing inter-district attendance agreement or additional consideration for the creation of an inter-district attendance agreement. (Ed. Code, §§ 46600(b), 48900(r))
- If either district denies a transfer request, a parent may appeal that decision to the county board of education. There are specified timelines in the law for filing an appeal and for the county board of education to make a decision.
- A school district of residence shall not prohibit the transfer of a student who is a child of an active military duty parent to a school district of proposed enrollment if the school district of proposed enrollment approves the transfer application. (Ed. Code, § 46600(d))

ii. **“Allen Bill” Transfers** (Ed. Code, § 48204(b)): The law allows, but does not require, each school district to adopt a policy whereby the student may be considered a resident of the school district in which his/her parents (or legal guardian(s)) physically work for a minimum of 10 hours during the school week if that is different from the school district in which the student resides. This code section does not require that a school district accept a student requesting a transfer on this basis, but a student may not be rejected on the basis of race/ethnicity, sex, parental income, academic achievement, or any other “arbitrary” consideration. Other provisions of Education Code section 48204(b) include:

- Either the district in which the parent (or legal guardian) lives or the district in which the parent (or legal guardian) physically works may prohibit the student’s transfer if it is determined that there
would be a negative impact on the district’s desegregation plan.

- The district in which the parent (or legal guardian) physically works may reject a transfer if it determines that the cost of educating the student would be more than the amount of state funds the district would receive for educating the student.
- There are set limits (based on total enrollment) on the net numbers of students that may transfer out of a district under this law, unless the district approves a greater number of transfers.
- There is no required appeal process for a transfer that is denied. However, the district that declines to admit a student is encouraged to provide in writing to the parent the specific reasons for denying the transfer.

c. Districts of Choice (Ed. Code, §§ 48300-48317): The law allows, but does not require, each school district to become a “district of choice”—that is, a district that accepts transfer students from outside the district under the terms of the referenced Education Code sections. The school board of a district that decides to become a “district of choice” must determine the number of students it is willing to accept in this category each year and make sure that the students are selected through an “unbiased process,” which prohibits student enrollment and district communications about enrollment based upon actual or perceived academic or athletic performance, physical condition, proficiency in English, any other personal characteristic as specified in Education Code section 200, and family income (except for purposes of determining attendance priority for students eligible for free or reduced-price meals). If the number of transfer applications exceeds the number of students the school board elects to accept, transfer approval must be determined by a random public drawing held at a regular board meeting. Other provisions of the “district of choice” option include:
  - A school district of residence may deny a transfer if it will negatively affect the racial and ethnic balance of the district, or a court-ordered or voluntary desegregation plan. The district a student would be leaving may also limit the total number of students transferring out of the district each year to a specified percentage of its total enrollment, depending on the size of the district.
  - A school district of residence shall not prohibit the transfer of a student who is a child of an active military duty parent or adopt policies to block or discourage students from applying for transfer to a school district of choice.
  - No student who currently attends a school or lives within the attendance area of a school can be forced out of that school to make room for a student transferring under these provisions.
  - A school district of choice must give priority for attendance in the following order: 1) to siblings of students already attending school in the district; 2) to students eligible for free or reduced-price meals; and 3) to children of military personnel.
  - A school district of choice must post application information on its Internet Website, including any applicable form, transfer timeline, and explanation of the selection process.
  - A parent may request transportation assistance within the boundaries of the “district of choice.” The district is required to provide transportation only to the extent it already does so.

d. Applying to Attend a School under the Open Enrollment Act: The Open Enrollment Act allows the parent of a pupil enrolled in a “low-achieving school” to submit an application for the pupil to transfer to another public school served by the school district of residence or another school district. (Ed. Code, § 48350 et seq.) The parent must submit an application requesting a transfer to the school district in which the parent does not reside, but in which the parent intends to enroll the pupil. With some exceptions, the application must be submitted prior to January 1 of the school year before the school year for which the pupil is requesting a transfer. Both of the school districts from which and to which the parent has applied to transfer may prohibit or limit pupil transfers if the transfer would negatively impact a court-ordered or voluntary desegregation plan or the racial/ethnic balance of the district. Additionally, the school district in which the parent does not reside, but in which the parent intends to enroll the pupil may adopt specific, written standards for acceptance and rejection of applications pursuant to the Open Enrollment Act. (Ed. Code, § 48356)

24. Sexual Harassment Policy: Each student will receive a written copy of the district policy on sexual harassment. The purpose of this policy is to provide notification of the prohibition against sexual harassment as a form of sexual discrimination and to provide notification of available remedies. A copy of the District’s policy on sexual harassment begins on page 57. (Ed. Code, §§ 231.5, 48980(g))

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

  a. Maximize the opportunity for students to develop the positive values of self-reliance, initiative, kindness, spontaneity, resourcefulness, courage, creativity, responsibility, and joy.
  b. Recognize that the best learning takes place when the student learns because of the student’s desire to learn.
  c. Maintain a learning situation maximizing student self-motivation and encouraging the student in his or her own time to follow his or her own interests. These interests may be conceived by the student totally and independently or may result in whole or in part from a presentation by the student’s teachers.
of choices of learning projects.

d. Maximize the opportunity for teachers, parents and students to cooperatively develop the learning process and its subject matter. This opportunity shall be a continuous permanent process.

e. Maximize the opportunity for the students, teachers, and parents to continuously react to the changing world, including but not limited to the community in which the school is located.

In the event any parent, pupil, or teacher is interested in further information concerning alternative schools, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for parent information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district. (Ed. Code, § 58501)

26. Nutrition Program: The State Department of Education has established a statewide program to provide nutritious meals and milk at school for pupils, and to provide free meals to the neediest children. In some instances, nominal cash payments may be required. Information on page 7. (Ed. Code, § 49510 et seq.)

27. Leaving School Grounds: All 7-12 sites are closed campuses. Students may not leave campus between periods or during lunch.

28. U.S. Department of Education Programs: The following applies only to programs directly funded by the U.S. Department of Education: All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation shall be available for inspection by the parents or guardians of the children.

No student shall be required, as part of any applicable U.S. Department of Education funded program, to submit to a survey, analysis, or evaluation that reveals information concerning:

   a. political affiliations or beliefs of the student or student's parents;
   b. mental and psychological problems of the student or his/her family;
   c. sex behavior or attitudes;
   d. illegal, anti-social, self-incriminating or demeaning behavior;
   e. critical appraisals of other individuals with whom respondents have close family relationships;
   f. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
   g. religious practices, affiliations, or beliefs of the student or student's parent; or
   h. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program)

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent. (20 U.S.C. § 1232h)

29. Fingerprint Programs: With the written consent of the parent or guardian, kindergarten or newly enrolled students may be fingerprinted. The fingerprint document may not be retained by the District but must be delivered to the parent or guardian. A fee shall be charged to the parent or guardian to reimburse the District for its actual cost. (Ed. Code, §§ 32390, 48980(f)) [NOTE: Modesto City Schools does NOT have a fingerprint program for students.]

30. Uniform Complaint Procedures:

Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying: State and federal law prohibit discrimination in education programs and activities. The District is primarily responsible for compliance with federal and state laws and regulations. (Cal. Code Regs., tit. 5, § 4620.)

Under state law, all pupils have the right to attend classes on school campuses that are safe, secure, and peaceful. (Ed. Code, § 32261.) State law requires school districts to afford all pupils equal rights and opportunities in education, regardless of their actual or perceived characteristics, such as disability (mental and physical), gender (includes gender identity, gender expression, and gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth), nationality (includes citizenship, country of origin and national origin), immigration status, race or ethnicity (includes ancestry, color, ethnic group identification and ethnic background), religion (includes all aspects of religious belief, observance and practice, including agnosticism and atheism), sexual orientation (heterosexuality, homosexuality or bisexuality), or association with a person or group with one or more of these actual or perceived characteristics. (Ed. Code, §§ 210-214, 220 et seq., 234 et seq., 66260–66264, Cal. Code Regs., tit. 5, § 4900 et seq., 20 U.S.C. § 1681 et seq., 29 U.S.C. § 794, 42 U.S.C. § 2000d et seq., 42 U.S.C. § 12101 et seq., 34 C.F.R. § 106.9) The District prohibits discrimination, harassment, intimidation, bullying, and retaliation in all acts related to school activity or attendance. In addition to being the subject of a complaint, a pupil engaging in an act of bullying as defined by Education Code section 48900(r) may be suspended from school or recommended for expulsion. The District’s Uniform Complaint Procedure may be used in cases where individuals or a group have suffered discrimination, harassment, intimidation, or bullying. (Cal. Code Regs., tit. 5, §§ 4610, 4630, 4650, Ed. Code, § 234 et seq., 48900(r).)

a. Any individual, public agency or organization has the right to file a written complaint alleging that he/she has personally suffered unlawful discrimination or that an individual or specific class of individuals has been subjected to unlawful discrimination. (Cal. Code Regs., tit. 5, § 4630(b)(1))
Complaints Other Than Discrimination, Harassment, Intimidation, and Bullying: The District has a written complaint procedure which may be used in cases where any individual, public agency or organization alleges violations of state or federal law, other than those relating to discrimination, harassment, intimidation, and bullying.

a. Written complaints may be made regarding:
   (1) Adult Education
   (2) Consolidated Categorical Aid Programs
   (3) No Child Left Behind Programs, including improving academic achievement, compensatory education, limited English proficiency and Migrant Education
   (4) Career Technical Education
   (5) Child Care and Development
   (6) Child Nutrition
   (7) Special Education
   (8) “Williams Complaints”
   (9) Pupil Fees
   (10) Local Control Funding Formula (LCFF) and Local Control and Accountability Plan (LCAP)
   (11) Student Parent Lactation Accommodations
   (12) Course Assignments
   (13) Physical Education Instructional Minutes
   (14) Foster Youth, Homeless Youth, and former Juvenile Court School Student Services
   (15) Regional Occupational Centers and Programs
   (16) Continued Education Options for Former Juvenile Court School Students

Any individual, public agency or organization has the right to file a written complaint alleging that the District has violated a federal or state law or regulation governing any program listed in items 1-16 above. (Cal. Code Regs., tit. 5, § 4630(b)(1))

Copies of the District’s complaint procedures are available free of charge. (Cal. Code Regs., tit. 5, § 4622)

Complaints must usually be filed with the superintendent or designee of the District under the timelines established by District policy. (Cal. Code Regs., tit. 5, § 4630(b))

Within 60 days from the date of receipt of the complaint, the District’s responsible officer or his/her designee shall conduct and complete an investigation of the complaint in accordance with local procedures adopted pursuant to 5 CCR § 4621 and prepare a written decision. The time period may be extended by mutual written agreement of the parties.

b. Williams Complaints: Complaints, including anonymous complaints, may be made and addressed on a shortened time line for the following areas: (Ed. Code, § 35186)
   (1) Insufficient textbooks and instructional materials;
   (2) Emergency or urgent school facilities conditions that pose a threat to the health and safety of pupils; or
   (3) Teacher vacancy or misassignment.

A complaint of noncompliance with Education Code section 35186 may be filed with the school principal or designee under the Uniform Complaint Procedures. A complainant not satisfied with the resolution of a Williams Complaint has the right to bring the complaint to the district governing board at a regularly scheduled hearing. In the case of a complaint regarding emergency or urgent school facilities conditions, a complainant has the right of appeal to the State Superintendent of Public Instruction.

c. Pupil Fees Complaints: A complaint of noncompliance with Education Code section 49010 et seq. may be filed with the school principal under the Uniform Complaint Procedures. A complaint shall be filed not later than one calendar year from the date the alleged violation occurred. A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance.

Responsible Official: The District officials responsible for processing complaints are listed in the following table and are available at the following address: 426 Locust Street, Modesto.
### Programs

<table>
<thead>
<tr>
<th>Programs</th>
<th>Designee</th>
</tr>
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<tbody>
<tr>
<td>Nutrition Services</td>
<td>Associate Superintendent, Business Services</td>
</tr>
<tr>
<td>State and Federal Programs</td>
<td>Associate Superintendent, Educational Services</td>
</tr>
<tr>
<td>Migrant Education</td>
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<tr>
<td>Special Education</td>
<td>Assistant Superintendent, SELPA</td>
</tr>
<tr>
<td>Child Development Programs</td>
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</tr>
<tr>
<td>K-6 Education Programs &amp; Activities</td>
<td>Director, Educational Services, Pre-K-6</td>
</tr>
<tr>
<td>School-to-Career Education</td>
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<tr>
<td>Adult Education</td>
<td></td>
</tr>
<tr>
<td>7-12 Education Programs &amp; Activities</td>
<td>Director, Educational Services, 7-12</td>
</tr>
</tbody>
</table>

**NOTE:** All complaints involving employees will also be reviewed by the Associate Superintendent, Human Resources.

### Complaints Made Directly to the State Superintendent:

Complaints may be filed directly with the State Superintendent of Public Instruction in the following cases:

1. Complaints alleging that the District failed to comply with the complaint procedures described herein, including failure or refusal to cooperate with the investigation.
2. Complaints regarding Child Development and Child Nutrition programs not administered by the District.
3. Complaints requesting anonymity, but only where complainant also provides clear and convincing evidence that complainant would be in danger of retaliation if filing complaint at District level.
4. Complaints alleging that the District failed or refused to implement a final decision regarding a complaint originally filed with the District.
5. Complaints alleging that the District took no action within sixty (60) days regarding a complaint originally filed with the District.
6. Complaints alleging immediate and irreparable harm as a result of applying a district-wide policy in conflict with state or federal law and that complaining at the local level would be futile.
7. Complaints relating to Special Education, but only if:
   a. District unlawfully refuses to provide a free appropriate public education to handicapped students; or
   b. District refuses to comply with due process procedures or fails to implement due process hearing order; or
   c. Children may be in immediate physical danger, or their health, safety or welfare is threatened; or
   d. A handicapped pupil is not receiving the services specified in his/her Individual Educational Program (IEP); or
   e. The complaint involves a violation of federal law.
8. The District refuses to respond to the State Superintendent’s request for information regarding a complaint originally filed with the District.

(Cal. Code Regs., tit. 5, §§ 4630, 4650)

### Appeals:

**a.** Except for Williams Complaints, a complainant may appeal the District’s decision to the California Department of Education. (Ed. Code, § 262.3(a), Cal. Code Regs., tit. 5, § 4632)

1. Appeals must be filed within fifteen (15) days of receiving the District decision.
2. Appeals must be in writing.
3. Appeals must specify the reason(s) for appealing the District decision, including whether the facts are incorrect and/or the law has been misapplied.
4. Appeals must include a copy of the original complaint and a copy of the District decision.
5. Pupil fee complaints appealed to the California Department of Education will receive a written appeal decision within 60 days of the department’s receipt of the appeal.
6. If the school/District finds merit in a complaint, or the California Department of Education finds merit in an appeal, the school/District must provide a remedy to all affected pupils, parents, and guardians. For pupil fee complaints, this includes reasonable efforts by the school to ensure full reimbursement to all affected pupils, parents, and guardians, subject to procedures established through regulations adopted by the state board.

**b.** If a complaint is denied, in full or in part, by the Department of Education, the complainant may request reconsideration by the State Superintendent of Public Instruction. (Cal. Code Regs., tit. 5, § 4665)

1. Reconsideration must be requested within thirty-five (35) days of receiving the Department of Education report.
2. The original decision denying the complaint will remain in effect and enforceable unless and until the State Superintendent of Public Instruction modifies that decision.

### Civil Law Remedies:

In addition to the above-described complaint procedure, or upon completion of that procedure, complainants may
have civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws. These
civil law remedies can include, but are not limited to, injunctions and restraining orders. These civil law remedies
are granted by a court of law and may be used, in part, to prevent the District from acting in an unlawful manner.
Delay in pursuing civil law remedies before a court of law may result in loss of rights to those remedies. Any
questions regarding civil law remedies should be directed to an attorney. (Ed. Code, § 262.3(b), Cal. Code Regs.,
tit. 5, § 4622)
31. Pupil-Free Staff Development Day and Minimum Day Schedule: A copy of the District’s non-
attendance day and minimum day schedules is on page 5. A pupil’s parent or guardian will be notified during
the school year of any additional minimum days and pupil-free staff development days no later than one month
before the actual date. (Ed. Code, § 48980(c))
32. Review of Curriculum: A prospectus of curriculum, including titles, descriptions, and instructional aims
of every course offered by each public school, is available at the school site for parent review upon request. Copies
are available upon request for a reasonable fee not to exceed the actual copying cost. (Ed. Code, §§ 49063, 49091.14)
33. Transitional Kindergarten: A school district or charter school may admit a child, who will have his/her
fifth birthday after December 2, to a transitional kindergarten at the beginning of or at any time during the school
year with parental/guardian approval if:
(a) the governing board or body determines that the admittance is in the best interests of the child, and
(b) the parent/guardian is given information on the advantages and disadvantages and any other
explanatory information on the effects of early admittance. (Ed. Code, § 48000)
34. Child Find System: Policies and Procedures: Any parent suspecting that a child has exceptional needs
may request an assessment for eligibility for special education services through the Director of Student Services
and/or Special Education, or his/her designee. Policy and procedures shall include written notification to all
parents of their rights pursuant to Education Code section 56300 et seq. (Ed. Code, § 56301, 34 C.F.R. § 104.32(b))
35. School Accountability Report: Parents/guardians may request a hard copy of the School Accountability
Report Card which is issued annually for each school of the District. (Ed. Code, § 35256)
36. Asbestos Management Plan: An updated management plan for asbestos-containing material in school
buildings is available at the District Office. (40 C.F.R. § 763.93)
37. Assistance to Cover Costs of Advanced Placement Examination Fees: The District may help pay
for all or part of the costs of one or more advanced placement examinations that are charged to economically
disadvantaged students. (Ed. Code, §§ 48980(k) and 52242)
38. Every Student Succeeds Act (ESSA): The California Department of Education’s transition from the
requirements of the No Child Left Behind Act to the new Every Student Succeeds Act (ESSA) should be completed
before the 2018-2019 school year and the ESSA should be in full effect. Both of these laws modify the Elementary
and Secondary Education Act of 1965 (ESEA). As updates are provided by the California Department of Education,
the following parent notice requirements may change and new notice requirements may be added.
• Information Regarding Professional Qualifications of Teachers, Paraprofessionals, and
Aides: Upon request, parents have a right to information regarding the professional qualifications of their
student’s classroom teachers, paraprofessionals, and aides. This includes whether the teacher meets the
state qualifications and licensing criteria for the grades and subjects he/she teaches, whether the teacher is
working under an emergency permit or other provisional status because of special circumstances, the teacher
is teaching in the field of discipline of the certification of the teach, and whether any instructional aides or
paraprofessionals provide services to the parents’ child and, if so, their qualifications. (Section 1112(e)(1)(A) of
the ESEA, as amended by ESSA)
• Information Regarding Individual Student Reports on Statewide Assessments: Upon request,
parents have a right to information on the level of achievement of their student on every State academic
assessment administered to the student. (20 U.S.C. § 6311(a)(2)(B)(x) of the ESEA, as amended by ESSA)
• Limited English Proficient Students: The Act requires notice be given to parents of limited English
proficient students regarding limited English proficiency programs, not later than 30 days after the beginning
of the school year (or, for students identified later in the school year, within two weeks). Notice includes: the
reasons for the identification of the student as limited English proficient; the need for placement in a language
instruction educational program; the student’s level of English proficiency and how such level was assessed;
the status of the student’s academic achievement; the methods of instruction used in the available programs;
how the recommended program will meet the student’s needs; the exit requirements for the program; how the
program meets the objectives of the student’s IEP, if applicable, and; parent options for removing a student from
a program and/or declining initial enrollment. (Section 1112(e)(3)(A) of the ESEA, as amended by ESSA)
The information provided above is available upon request from each child’s school or the district office. Additional
notices that may be required shall be sent separately. (20 U.S.C. §§ 6301 et seq.)
39. Language Acquisition Program: If a school district implements a language acquisition program pursuant
to Education Code section 310, it must do the following: 1) comply with the kindergarten and grades 1-3, inclusive,
class size requirements specified in Education Code section 42238.02 and (2) provide the parent or legal guardian
of a minor pupil annually, or upon the pupil’s enrollment, with information on the types of language programs
available to pupils enrolled in the school district, including, but not limited to, a description of each program.
40. Military Recruiter Information: Education Code section 49073.5 requires that school districts disclose
Parent Notice of Rights and Responsibilities

the names, addresses and telephone numbers of high school students to military recruiters upon request, unless parents request that this information not be released without prior written consent. Parents have the option of making such a request. If parents do not wish this information to be provided to military recruiters, they must fill out the form on page 81 and return it to their child’s school.

41. Children In Homeless/Foster Care Situations and Former Juvenile Court School Students: Each local district shall designate a staff person as a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (Ed. Code, § 48852.5, 42 U.S.C. § 11432(g)(1)(J)(ii))

A district serving a homeless child must allow the child to continue his/her education in the school of origin through the duration of homelessness at the point of any change or any subsequent change in residence once a child becomes a homeless child. If the child’s status changes before the end of the academic year so that he/she is not homeless, the district must allow a child in high school to continue his/her education in the school of origin through graduation. For a child in grades K through 8, the district must allow the formerly homeless child to continue his/her education in the school of origin until the end of the academic school year. A homeless child transitioning between school grade levels must be allowed to continue in the school district of origin in the same attendance area. If a homeless child is transitioning to a middle or high school where the school designated for matriculation is in another school district, the homeless child must be allowed to continue to the school designated for matriculation in that school district.

The new school is required to enroll the child immediately regardless of any outstanding fees, fines, textbooks or other items or moneys due to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including medical records, proof of immunization history, and proof of residency. (Ed. Code, § 48852.7)

Each local district shall also designate a staff person as the educational liaison for foster children. The educational liaison shall disseminate a standardized notice to foster children that has been developed by the State Department of Education and includes complaint process information. (Ed. Code, § 48853.5)

The district serving the foster child shall allow the foster child to continue his/her education in the school of origin under specified circumstances. If it is determined that it is in the best interests of the foster child to transfer to a school other than the school of origin, the foster child shall immediately be enrolled in the new school, regardless of any outstanding fees, fines, textbooks, or other items or moneys owed to the school last attended or if the child is unable to produce clothing or records normally required for enrollment, including immunization history. The last school attended must provide all records to the new school within two business days of receiving the request. (Ed. Code, §§ 48853, 48853.5)

The district receiving a transfer request or notification of a student in foster care shall, within two business days, transfer the student out of school and deliver the educational information and records to the next educational placement. Grades and credits will be calculated as of the day the student left school and no lowering of grades will occur as a result of the student’s absence due to the decision to change placement or for a verified court appearance or related court activity. (Ed. Code, § 49069.5)

The district shall exempt from local graduation requirements a student who is in foster care, a homeless child or youth, a child of a military family, or a former juvenile court school student and who transfers between schools under certain circumstances. (Ed. Code, §51225.1)

A district shall accept coursework done by a student who is in foster care, a homeless child or youth, a child of a military family, or a former juvenile court school student while attending another school. The district is prohibited from requiring those students to retake courses or partial courses they have satisfactorily completed elsewhere. (Ed. Code, § 51225.2)

A complaint of noncompliance alleging violations of these sections, except for Education Code section 48852.7, may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

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

a. The student’s right to a diploma;

b. How taking coursework and meeting other educational requirements will affect the student’s ability to gain admission to a post-secondary educational institution;

c. Information about transfer opportunities available through the California Community Colleges; and

d. The option to defer or decline the diploma and take additional coursework. (Ed. Code, §§ 48645.3(a), 48645.7)

43. Sex Equity In Career Planning: Parents shall be notified in advance of career counseling and course selection commencing with course selection in Grade 7, to promote sex equity and allow parents to participate in counseling sessions and decisions. (Ed. Code, § 221.5(d))

44. Pesticide Products: All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The list on page 74 provides the name of each pesticide product, the active ingredient(s) and the Internet address for further information. Parents or guardians may request prior notice of individual pesticide applications at the school. If a parent wishes to be notified every time a pesticide is going
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to be applied, he or she must complete the attached form and return it to his or her child’s school. A copy of the integrated pest management plan for the school site or District may be provided on the school website or viewed at the school office. (Ed. Code, §§ 48980.3, 17611.5, 17612)

45. Student Parent Lactation Accommodations: The District is required to provide reasonable accommodations to a lactating student on a school campus to address breast-feeding needs. (Ed. Code, §222)

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

46. PE Instructional Minutes: The adopted course of study for grades 1 through 6 and instruction in grades 1 through 8 in an elementary school must include physical education for not less than 200 minutes each ten school days, exclusive of recesses and the lunch period. (Ed. Code, §§ 51210, 51223)

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

47. Course Assignments: A school district is prohibited from assigning a student enrolled in any of grades 9 through 12 to any course period without educational content for more than one week in any semester, except under specified conditions. Under no circumstances can a district assign a student enrolled in any of grades 9 through 12 to a course period without educational content because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.1)

A school district is prohibited from assigning a student enrolled in grades 9 through 12 to a course that the student has previously completed and received a grade determined by the district to be sufficient to satisfy the requirements and prerequisites for admission to the California public post-secondary schools and the minimum high school graduation requirements, except under specified conditions. Under no circumstances can a district assign a student enrolled in any of grades 9 through 12 to a course that the student has previously completed and received a sufficient grade, as specified, because there are not sufficient curricular course offerings for the student to take during the relevant period of the designated school day. (Ed. Code, § 51228.2)

These sections do not apply to students in alternative schools, community day schools, continuation high schools or an opportunity school. A district may continue to authorize dual enrollment in community college, to run evening high school programs, to offer independent study, work experience education, and other specified courses.

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 51228.3)

48. Regional Occupational Centers and Programs/County Offices of Education Programs/Adult Education Programs: A regional occupational center or program, county office of education program, or adult education program must meet specified requirements for certification by the Superintendent of Public Instruction in order to provide an employment training program for adults or to authorize an education program beyond secondary education that leads to a degree or certificate. (Ed. Code, § 52334.7)

A complaint alleging that a local agency violated federal or state laws or regulations governing adult education programs under Education Code section 52301 or regional occupational centers and programs may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. A complaint alleging that a county office of education violated federal or state laws or regulations governing the county office’s participation in any student financial assistance program authorized by Title IV may also be filed under the Uniform Complaint Procedures and Title 5 of the California Code of Regulations.

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

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

(1) All supplies, materials, and equipment needed to participate in educational activities must be provided to pupils free of charge.

(2) A fee waiver policy shall not make a pupil fee permissible.

(3) School districts and schools shall not establish a two-tier educational system by requiring a minimal educational standard and also offering a second, higher educational standard that pupils may only obtain through payment of a fee or purchase of additional supplies that the school district or school does not provide.

(4) A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil’s parents or guardians, and a school district or school shall not remove course credit or privileges related to educational activities, or otherwise discriminate against a pupil, because the pupil or the pupil’s parents or guardians did not or will not provide money or donations of goods or services to the school district or school.

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

A complaint of noncompliance may be filed under the District’s Uniform Complaint Procedures and Title 5 of the California Code of Regulations. (Ed. Code, § 49013)
Parent Notice of Rights and Responsibilities

Notification of Rights Under FERPA for Elementary and Secondary Schools
The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within 45 days of the day the School receives a request for access.

   Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2. The right to request amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

   Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

   If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise the parent or eligible student of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

   One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

   A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW Washington, DC 20202-5920

Know Your Educational Rights

Your Child has the Right to a Free Public Education
• All children have a right to equal access to free public education, regardless of their or their parents'/guardians' immigration status.
• All children in California:
  • Have the right to a free public education.
  • Must be enrolled in school if they are between 6 and 18 years old.
  • Have the right to attend safe, secure, and peaceful schools.
  • Have a right to be in a public school learning environment free from discrimination, harassment, bullying, violence, and intimidation.
  • Have equal opportunity to participate in any program or activity offered by the school without discrimination.

Information Required for School Enrollment
• Schools must accept a variety of documents from the student’s parent or guardian to demonstrate proof of child’s age or residency.
• Information about citizenship/immigration status is never needed for school enrollment. A Social Security number is never needed for school enrollment.

Confidentiality of Personal Information
• Federal and state laws protect student education records and personal information. These laws generally require that schools get written consent from parents or guardians before releasing student information, unless the release of information is for educational purposes, is already public, or is in response to a court order or subpoena.
• Some schools collect and provide publicly basic student “directory information.” If so, the school district must provide parents/guardians with written notice of the directory information policy, and provide the option to refuse release of your child’s information.

Family Safety Plans if You Are Detained or Deported
• You can update your child’s emergency contact information, including secondary contacts, to identify a trusted adult guardian who can care for your child if you are detained or deported.
• You can complete a Caregiver’s Authorization Affidavit or a Petition for Appointment of Temporary Guardian of the Person to give a trusted adult the authority to make educational and medical decisions for your child.

Right to File a Complaint
• Your child has the right to report a hate crime or file a complaint to the school district if he or she is discriminated against, harassed, intimidated or bullied because of his or her actual or perceived nationality, ethnicity, or immigration status.
**Parent Notice of Rights and Responsibilities**

**HEALTHY SCHOOLS ACT OF 2000**

Notice to all students, parents/guardians and employees of Modesto City Schools: Assembly Bill 2260 went into effect on January 1, 2001. Amendments to AB2260 were passed in 2006, 2007 and 2015. This legislation enacted Education Code sections 17608 et seq. which require, among other things, that school districts notify parents and staff about the use of pesticides at school. See Board Policy 3514.1 – Use of Pesticides. The purpose of this legislation is to reduce exposure to toxic pesticides through information and application of an integrated pest management system at schools. Towards this end, and pursuant to the requirements of this legislation, please be advised that Modesto City Schools may use some or all of the pesticides listed on the next page at its campuses during the upcoming year.

Parents/guardians of students in Modesto City Schools can register with the District’s Maintenance & Operations Department to receive notification of individual pesticide applications by calling (209) 574-1618. Persons who register for this notification shall be notified at least seventy-two (72) hours prior to the application, except in emergencies, and will be provided the name and active ingredient(s) of the pesticide as well as the intended date of application.

If you wish to access information on pesticides and pesticide use reduction developed by the Department of Pesticide Regulation pursuant to California Food and Agricultural Code section 13184, you can do so by accessing the Department’s web-site at [www.cdpr.ca.gov](http://www.cdpr.ca.gov).

---

<table>
<thead>
<tr>
<th>Name of Pesticide</th>
<th>Active Ingredient(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amdro Gopher Gasser</td>
<td>Potassium Nitrate, Sulfur, Carbon</td>
</tr>
<tr>
<td>Fumitoxin</td>
<td>Aluminum Phospide</td>
</tr>
<tr>
<td>Gopher Getter Type 1</td>
<td>Strychnine</td>
</tr>
<tr>
<td>GLY-4 Herbicide</td>
<td>Glyphosate, Isopropylamine salt</td>
</tr>
<tr>
<td>Kaput-D</td>
<td>Dipachinone</td>
</tr>
<tr>
<td>Roundup ProMax</td>
<td>Glyphosate, N-(phosphonomethyl) glycine</td>
</tr>
<tr>
<td>Spraypak Flying &amp; Crawling Insect Killer –4334106</td>
<td>Natural pyrethins and synthetic pyrethroid, Permethrin</td>
</tr>
<tr>
<td>Spraypak Wasp, Bee &amp; Hornet Killer –4334108</td>
<td>Synthetic pyrethroid, Tetramethrin</td>
</tr>
<tr>
<td>Stomp Wasp &amp; Hornet Spray</td>
<td>Tetramethrom, Sumithrin</td>
</tr>
<tr>
<td>Sure Stop Mole &amp; Gopher Killer Bait</td>
<td>Zinc Phosphide</td>
</tr>
<tr>
<td>The Giant Destroyer</td>
<td>Sodium Nitrate, Sulfur, Charcoal</td>
</tr>
<tr>
<td>Wilco Type I</td>
<td>Strychnine</td>
</tr>
<tr>
<td>Wilco Type II</td>
<td>Dipachinone</td>
</tr>
<tr>
<td>ZP Ag Oats</td>
<td>Zinc Phosphide</td>
</tr>
</tbody>
</table>

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**Paramount Pest Control Service**

<table>
<thead>
<tr>
<th>Name of Pesticide</th>
<th>Active Ingredient(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspend SC</td>
<td>Deltamethrin 4.75%</td>
</tr>
<tr>
<td>Termidor SC</td>
<td>Bifenthrin 9.1%</td>
</tr>
<tr>
<td>Tengard SFR</td>
<td>Permthrin 36.8%</td>
</tr>
<tr>
<td>Widsom TC</td>
<td>Bifenthrin 7.9%</td>
</tr>
<tr>
<td>250 Propoxour</td>
<td>Propoxour 1%</td>
</tr>
<tr>
<td>Cardinal Fog</td>
<td>Pyrethrins .5%</td>
</tr>
<tr>
<td>PT 565 XLO</td>
<td>Pyrethrins .25%</td>
</tr>
<tr>
<td>May Force Roach Bait</td>
<td>Fipronil .01%</td>
</tr>
<tr>
<td>Advance Ant Bait</td>
<td>Abamectin .01%</td>
</tr>
<tr>
<td>Terro Ant Bait</td>
<td>Sodium Tetraborate 5.4%</td>
</tr>
<tr>
<td>Wasp Freeze</td>
<td>d-trans Allethrin .129%</td>
</tr>
<tr>
<td>Contrac Blox</td>
<td>Bromadiolone .005%</td>
</tr>
<tr>
<td>Avitrol Whole Corn</td>
<td>4 Aminopyridine .5%</td>
</tr>
</tbody>
</table>
Open Enrollment

State law requires that California school districts offer Open Enrollment opportunities to parents within certain guidelines. The District first offered Open Enrollment during the 1995/96 school year. Open Enrollment will be offered to parents every year.

The information below reflects the guidelines within the law allowing parents to enroll their children in District schools with available space, so long as certain requirements are met.

What is Open Enrollment? State law provides the parents (guardians) of each school-age child who is a resident of the school district the opportunity to select the school the child will attend.

Which schools are identified as Open Enrollment Schools? Open Enrollment Schools are determined according to individual school capacities. Schools which have space available for additional students are identified. Space availability depends upon:

- District growth patterns;
- the physical capacity of the school (based on the number of classrooms and seats at standard capacity);
- the school's current racial/ethnic make-up;
- staffing allocations at the school (the law does not require that school districts add teachers to accommodate Open Enrollment transfers).

Under what conditions are students accepted into Open Enrollment Schools? Acceptance is based on:

- The school must have space without displacing students currently living within the school’s attendance area;
- The District must be able to maintain a reasonable racial/ethnic balance among schools.

Who can participate in Open Enrollment? Any student who lives within District boundaries.

How do parents apply to take part in Open Enrollment? Interested parents can complete an application form and return it to the Office of Child Welfare & Attendance according to the established timeline.

How are students selected for Open Enrollment? A lottery drawing is held from the applicant pool — a random, unbiased process that prohibits an evaluation of whether a student should be enrolled based upon academic or athletic performance.

Will Open Enrollment affect students already on approved intra/inter-district permits? No. Students attending school on intra/inter-district permits will not be displaced through Open Enrollment.

What about siblings? The lottery drawing selects for an entire family, not just one student in the family. Placement of siblings, who will be enrolling in the future in the Open Enrollment School will be given first priority. However, their placement will depend upon available space.

When do parents register their children for Open Enrollment? For the 2019/2020 school year, parents are asked to submit Open Enrollment applications by November 21, 2018. If selected, students must register in the Open Enrollment School by February 22, 2019.

Do students selected for Open Enrollment need to apply to stay at their Open Enrollment School every year? No. Once accepted, students are considered residents of their Open Enrollment School. They need only apply for Open Enrollment at the next level (junior high school/middle school and high school).

Will transportation be provided for Open Enrollment students? No. A parent who transfers a child to an Open Enrollment School is responsible for transportation.

Can students return to their original school after transferring to an Open Enrollment School? Yes, if there is space available and the student returns at the semester.

What about special education students? When special education students are attending special classes and/or receiving specialized services, it is recommended that their families consult with the student’s IEP team or program manager before applying for Open Enrollment.

School Program Descriptions for Open Enrollment: State law asks school districts to provide information about special programs offered at each school within the District. Open Enrollment schools and the special programs offered at each site are listed on the next page.

Please note: Open Enrollment at elementary sites is for grades 4-6 only.
Open Enrollment

ELIHU BEARD ELEMENTARY SCHOOL
• Student of the Month
• Before School/After School Tutoring
• PTA
• Band, Chorus, Library, Computer Lab
• Character Education/Caught Being Good
• Special Education Services
• Perfect Attendance Incentives/Recognition
• Your Voice Counts Parent Meetings
• Multicultural Events
• Mentoring Program

EL VISTA ELEMENTARY SCHOOL
• School-Wide Title I
• Character Education
• Chorus, Music, Library, Computer Lab
• Special Education Services
• Student Council
• Student of the Month Recognition
• Positive Behavior Plan
• Perfect Attendance Incentives
• 2nd Cup of Coffee
• Parent Club

ROBERTSON ROAD ELEMENTARY SCHOOL
• Character Education
• Chorus
• Attendance Incentives
• 2nd Cup of Coffee
• Family Learning Center
• Healthy Start
• Robertson Road Children’s Center
• Golden Valley Clinic
• Traffic Patrol (4th-6th)
• Student Council (4th-6th)

EVELYN HANSHAW MIDDLE SCHOOL
• AVID
• GATE Program
• Character Education
• Gateway/Trio Tutoring
• Golden Valley Clinic
• Healthy Start Family Resources
• Computer Programming
• Dual Language Academy

FRED C. BEYER HIGH SCHOOL
• Before and After School Academic Tutoring
• Engineering & Robotics Pathway
• Afterschool Championship-level Robotics Teams
• Championship-level Marching Band and Color Guard
• Extensive Advance Placement offerings
• Agricultural Small Engines Team
• Award Winning Speech, Mock Trial, and Academic Decathlon Programs
• Renaissance Incentive Program
• German I-IV
• Plant and Animal Science
• Champion-level Boys’ Basketball Program
• Link Crew
• Booster Clubs: Renaissance, Band, Robotics, Athletics

GRACE M. DAVIS HIGH SCHOOL
• Year Five of Digital Davis - 1:1 Student Devices
• Spartan 101 Middle College Program - earn college credit while in high school
• AVID - Supporting the Path to College
• Extensive Advanced Placement (AP) Offerings
• Health Careers and Public Safety Academies
• Child Development and Preschool Program
• Language Institute for English Learners
• Award Winning Academic Teams
• Wide Variety of Clubs and Athletic Teams
• Nationally Competitive Agricultural Teams
• Music: Orchestra, Piano and Guitar
• Performing Arts: Drama and Dance Production

PETER JOHANSEN HIGH SCHOOL
• Comprehensive Advanced Placement (AP) Offerings
• Three California Partnership Academies: Education and Human Development Academy (EHDA); Industrial Technology Engineering Academy (ITEA); Agriculture Academy
• Digital Arts and Technology Pathway (DATA)
• Visual and Performing Arts Pathway: Band (Advanced, Marching, Jazz), Orchestra, Color Guard, Drum Line; Drama (Advanced and Beginning); Choir
• Full Offering of Boys and Girls Team Sports
• Before and After School Academic Tutoring
• Viking Singers - Highly Decorated, Award Winning Advanced Acappella Group

Application available on next page.

If you are interested in participating in Open Enrollment, complete the Modesto City Schools Open Enrollment Application on the next page.

Open Enrollment Application Dates for 2019/2020 school year:

November 21, 2018: Open Enrollment application deadline for 2019/2020 school year. Interested parents must submit Open Enrollment applications to the Office of Child Welfare & Attendance.

January 2019: Parents whose applications are selected through the lottery process for Open Enrollment are notified of approval or of placement on a waiting list.

February 22, 2019: Deadline for parents whose applications have been selected for Open Enrollment to register their children at their Open Enrollment School for the 2019/2020 school year.
Open Enrollment Application

Instructions:
1. Complete all sections of this form. Missing information could result in your application being disqualified. Please print in ink or type.
2. Complete ONE application PER SCHOOL REQUESTED ("School of Choice").
3. Return this application (in person or by mail) by November 21, 2018 to: Modesto City Schools, Child Welfare & Attendance, 426 Locust Street, Modesto, CA 95351-2699

NOTE: The only schools accepting applications for Open Enrollment for the 2019/2020 school year are Beard, El Vista, and Robertson Road Elementary Schools for grades 4-6 only, Hanshaw Middle School, and Beyer, Davis and Johansen High Schools.

SCHOOL OF CHOICE:__________________________________________________________________________________

SCHOOL CURRENTLY ATTENDING:________________________________________________________________________

Grade next year: _______ Home School Next Year:____________________________________________________________

Student Name: __________________________________________________________________________________________

Last,     First      Middle Initial
Date of Birth: ___________________________   MCS ID#: ___________________________

Are any other children already attending the School of Choice? Yes ______  No ______

If yes, are any other children currently on an Intra-District Transfer or Open Enrollment at the school of choice? Yes ______  No ______

Student Name: __________________________________________________________________________________________

Last,     First      Middle Initial
Grade next year: _______ Home School Next Year:____________________________________________________________

Student Name: __________________________________________________________________________________________

Last,     First      Middle Initial
Grade next year: _______ Home School Next Year:____________________________________________________________

Parent/Guardian Name: __________________________________________________________________________________

Last,    First      Middle Initial
Address: ___________________________________________________________ Zip Code: ________________________

Home Phone:_______________________________________  Work/Cell Phone:____________________________________

Parent/Guardian Signature: ______________________________________________________________________________

REMINDER: This form must be received by the Child Welfare & Attendance Office (see address above) by November 21, 2018, to be eligible for Open Enrollment.

To be completed by CWA Office:
Approved _____  Disqualified _____  Not selected through lottery _____  Notified __________
Intra/Interdistrict Transfers

MODESTO CITY SCHOOLS
Board Policy

BP 5117

STUDENTS

Intra and Interdistrict Attendance: The Board of Education shall determine attendance boundaries of the schools of the District. Pupils are to attend the school where the parent/legal guardian resides. Although students must attend school where their residency has been established, according to the Education Code and Board Policies 5111.3 (Residency Requirements/Eligibility to Enroll) and 6152.2 (Busing of Students/Class Size Guidelines, K-6), the Governing Board recognizes justifiable reasons for intra/interdistrict transfers.

Intra/interdistrict transfer permits must be approved by the Superintendent/designee.

Intra/Interdistrict Permit Requests: An intra/interdistrict transfer permit shall be requested when a transfer from one school to another within the Modesto City Schools District is desired. An interdistrict transfer permit shall be requested when a transfer from or to another school district is desired.

Requests for intra/interdistrict attendance permits will be given consideration when the request is in keeping with this policy and other District rules and regulations. Transfers will be considered as long as the movement of additional students does not alter the normal school organizational patterns and/or deprive other students of space in their school of residence.

Intra and Interdistrict Attendance: Parents/legal guardians of students attending school on interdistrict permits must reapply for those permits annually and meet the criteria defined by this policy. Parents/legal guardians of students attending school on an intradistrict permit need only reapply at the next school level (junior high, middle school, and high school) and meet the criteria defined by this policy. Parents/legal guardians of students attending school on intra/interdistrict permits for child care or employment reasons must provide evidence of continued need annually and meet the criteria defined by this policy.

Revocation of Intra/Interdistrict Permits: Intra/interdistrict permits may be revoked at any time that a student does not maintain acceptable standards of attendance and/or behavior as defined by the Student Conduct Code and/or maintain acceptable levels of academic achievement.

Criteria for Approval of Intra/Interdistrict Permits

The following criteria are considered when intra/interdistrict permits are requested at the K-8 level:

1. When the day care of the pupil can be provided only within the boundaries of the school of proposed attendance and when such additional considerations as a safe route to school, walking distance, and potential parental transportation would make a transfer appropriate.

2. When parents/legal guardians move into another school attendance area during the current school year.

3. Continuing Student Rule: When a pupil who has attended a school for one or more years and will be in the sixth or eighth grade the following year. Continuing student status is for the sixth or eighth grade only.

4. When a pupil’s welfare is jeopardized (written verification required). Juvenile court cases, special mental or physical health needs, safety needs, and disciplinary cases will be considered.

5. When specific instructional programs are not available at the school of residence as long as the student remains in the requested program.

6. When a pupil has a sibling who is currently enrolled at the requested school.

The following criteria are considered when intra/interdistrict permits are requested at the 9-12 level:

1. When the day care of a handicapped pupil can be provided only within the boundaries of the school of proposed attendance.

2. When parents/legal guardians move into another school area during a semester, to allow the ninth and tenth grade pupil to continue enrollment for the remainder of that semester, and to allow the eleventh and twelfth grade pupil to complete high school graduation requirements when the student’s past performance has been successful and he/she is currently in good standing.

3. When parents/legal guardians anticipate a change of residence during the school term and can provide written verification of the address to which they are moving, to permit enrollment pending the actual move.

4. When a pupil’s welfare is jeopardized (written verification required). Juvenile court cases, special mental or physical health needs, safety needs, and disciplinary cases will be considered.

5. When specific instructional programs are not available at the school of residence as long as the student remains in the requested program. (The athletic program is an exception to this provision. Students will not be granted permits based on athletic program offerings.)

6. When a pupil has a sibling who is currently enrolled at the requested school.

ADDITIONAL ASSIGNMENT: Nothing in this policy will prevent a student from being administratively reassigned to a school outside his/her attendance area for health, safety, or disciplinary reasons.
STUDENT NAME __________________________________________ D.O.B. _______ GRADE (19/20) _______ I.D. # _______________ M or F

REQUESTING TO ATTEND ______________________________________ INSTEAD OF ____________________________________________

SCHOOL CURRENTLY ATTENDING________________________________________

IS YOUR CHILD RECEIVING SPECIAL EDUCATION SERVICES? YES ______________ NO __________________

IS YOUR CHILD CURRENTLY ON AN INTRA/INTER DISTRICT PERMIT AT THE REQUESTED SCHOOL? YES ____________ NO ________________

PARANT/ GUARDIAN (Please Print) _______________________________________________ DATE __________________________

ADDRESS ____________________________________________________________________

REASON FOR INTRA/INTER DISTRICT REQUEST:

[ ] DAY CARE (K-8 ONLY) PROOF OF EMPLOYMENT REQUIRED – SEE BACK OF FORM

[ ] Employment (Inter-district Only)

[ ] Change of Residence (Currently Enrolled at Requested School)

[ ] Student Welfare (Provide Explanation on Back of Form)

[ ] Sibling (Currently Enrolled and Will Continue at Requested School) Sibling I.D. # _______________

[ ] Program Offering – List Program Not Offered at School of Residence: __________________________________________

Program Offering is recommended selection for grades 9-12 when sibling or change of residence does not apply.

Continued enrollment is subject to space availability. Should overcrowding exist, your student may be transferred within the first 20 days of enrollment (B.P. 6151.2). INTER-DISTRICT PERMITS MUST BE APPLIED FOR YEARLY (B.P. 5117).

Revocation of Permit/Transportation: Intra/Inter-district permits may be revoked at any time that a student does not maintain acceptable standards of attendance, academic achievement and/or behavior. I understand that student transportation is the responsibility of the parent. Initial here.

DISPOSITION OF SCHOOL OF RESIDENCE: INTRA DEADLINE FEBRUARY 28, 2019

[ ] APPROVED [ ] DENIED PERMIT (State Reason on Back of Form)

DATE _______________ PRINCIPAL/ASSISTANT PRINCIPAL SIGNATURE SCHOOL OF RESIDENCE _______________

DISPOSITION OF REQUESTED SCHOOL:

[ ] APPROVED [ ] DENIED PERMIT (State Reason on Back of Form)

DATE _______________ PRINCIPAL/ASSISTANT PRINCIPAL SIGNATURE SCHOOL OF ATTENDANCE _______________

DISPOSITION OF DIRECTOR, CWA:

[ ] APPROVED [ ] DENIED PERMIT

Reason

Date

Signature

Ed Miller, Director

CHILD WELFARE AND ATTENDANCE
VERIFICATION PROVIDED BY:
[ ] Written Recommendation/Document (Attach Copy)
[ ] Verbal Substantiation by ______________________ Of ______________________

Child Care Provided By ______________________
Address ______________________ Phone ______________________
Applicant’s Employer ______________________ Phone ______________________

Parent Signature

IF THE REASON FOR REQUEST IS DAY CARE OR EMPLOYMENT PLEASE PROVIDE PROOF OF EMPLOYMENT FOR EACH PARENT LIVING IN THE HOME.
ex: CHECK STUB, LETTER FROM EMPLOYER, BUSINESS LICENSE, CLASS SCHEDULE OR CONTRACT.

ADMINISTRATOR’S INPUT DOCUMENT

PARENT STATEMENT
(Attach Additional Pages if Necessary)
Students in grades 9-12, should select a program of instruction not offered at school of residence.
No statement is necessary for sibling or change of residence.
ALL forms refer to the following student:

Student's Name: _________________________________________________________________________________________
(Please Print) Last, First Middle

Date of Birth ___/___/____ School of Attendance: ____________________________________________________________ Grade _______

Acknowledgment

☐ I received a copy of the Parent Rights & Responsibilities which is included in the Conduct Code and Information Handbook document.

☐ I read the Student Conduct Code which is included in the Conduct Code and Information Handbook document and discussed it with my child.

Parent/Guardian Signature: ____________________________________________________________ Date:_____________

Student Signature: ____________________________________________________________________ Date:_____________

Privacy Form

(This form must be updated annually - for additional information regarding this form, see below.)

If you DO NOT want your student’s directory information released, check the appropriate box.

☐ Do not release directory information to any outside agency (see page 63, number 15).

☐ Do not release directory information to military (see page 70, number 40).

Parent/Guardian Signature: ____________________________________________________________ Date:________
MEDIA OPT-OUT FORM

It is the policy of Modesto City Schools to allow photographs, video footage, comments, and/or names of students to be used in district-produced materials including but not limited to web sites, brochures, posters, other printed materials. Modesto City Schools’ Public Information Office may also release such content to local, regional, or national media organizations including but not limited to newspapers, periodicals, radio, network television, cable television, film, and social media. Students may be identified by name to provide them with recognition opportunities when appropriate.

Parents and guardians may request that photographs, video footage, comments, and/or names of students not be used by completing the information below and returning it to the student’s school office.

Student Name: ____________________________________________ Student ID #: _________________________
School: ___________________________________________________

I hereby request the Modesto City Schools NOT use photographs, video footage, and/or the name of the above-named student in district-produced materials. I further request that the District NOT release footage of the above-named student to media organizations, nor do I grant permission for the above-named student to be released from instruction for media-related purposes.

I understand that this request will remain in effect for the 2018-2019 school year. I also understand that this request will not prohibit usage of photos, videos, and/or the name of the above-named student in student-produced materials such as yearbooks and newspapers.

_______________________________________________     ____________________
Signature of Parent/Guardian        Date

This form will be kept on file at the school of the above-named student for the 2018-2019 school year.
TO: PARENTS/GUARDIANS OF 7TH-12TH GRADE STUDENTS  
FROM: Ed Miller, Director of Child Welfare and Attendance  
DATE: July 2018

It is the policy of MODESTO CITY SCHOOLS to release students in grades 7-12 for medical, dental, and optometrical appointments and grant them excused absences in two ways:

1. Written notes signed ONLY by the parents/guardians;
2. Written verification by the doctor OR the parents/guardians.

If you want your child released and excused on the basis of #2 (a written verification by the doctor OR the parent/guardian), PLEASE SIGN THE AUTHORIZATION FORM AND RETURN IT TO YOUR CHILD’S SCHOOL.

If the school does not receive this authorization form signed by you, school staff will not release your child(ren) or grant an excused absence on any basis other than a note, for each medical, dental, and optometrical appointment, signed by the parent or guardian.

The schools will not accept telephone verification of appointments. If you have any questions about this policy, or the form attached, please call the Modesto City Schools Office of Child Welfare and Attendance at 574-1595.

Thank you for your time and cooperation.

MODESTO CITY SCHOOLS 2018/2019 AUTHORIZATION FORM
STUDENT RELEASED AND EXCUSED ON THE WRITTEN VERIFICATION OF THE DOCTOR

TO: SCHOOL PRINCIPAL

I authorize you to release my child(ren) for medical, dental, and optometrical appointments and to grant excused absences for these appointments on the basis of written verification of the doctor OR me.

This includes confidential medical services dealing with pregnancy, birth control information, abortion, diagnosis or treatment of a communicable or sexually transmitted disease, treatment for sexual assault, and substance abuse.

I understand this means I will not be notified by the school when doctor verification is provided.

NAME(S) OF CHILD(REN):

<table>
<thead>
<tr>
<th>Last Name, First Name, Middle Name</th>
<th>School</th>
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<tbody>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

SIGNATURE OF PARENT/GUARDIAN:

Signature

This form indicates authority for the school to excuse students for medical reasons for the 2018/2019 school year. In accordance with District policy, parents/guardians who authorize that the school release their child(ren) for medical reasons on the basis of written verification by the doctor or parent/guardian, must complete this form EACH SCHOOL YEAR. A photocopy of this form will be mailed to parents/guardians as verification of its receipt by the school and the signature of the parent/guardian.