

# PARENT/STUDENT HANDBOOK AND CONDUCT CODE-- Bridges



*Delta Charter  
Schools*

31400 South Koster Road  
Tracy, CA 95304  
School Office: 209.830.6363

[www.deltacharter.net](http://www.deltacharter.net)  
[www.facebook.com/deltacharterschool](http://www.facebook.com/deltacharterschool)

## **MISSION STATEMENT:**

Delta Charter Schools, recognizing the intrinsic value of each student, is committed to providing a quality, diverse education in a personalized, safe, and supportive learning environment which inspires students to learn and grow to their potential.

### **BOARD OF TRUSTEES**

William Koster, President  
Stephen Bogetti, Clerk  
Michael Petz, Trustee

*The New Jerusalem Elementary School District Board of Trustees is the primary policy making body for the Charter Schools. Board meetings are held on the second Tuesday of each month in the school library. Board meetings are open to the public and everyone is invited to attend.*

**Welcome to Delta Charter School.....1**  
**Rights and Responsibilities.....2**

## Welcome to Delta Charter School

Dear Delta Charter School Families and Students,

This handbook is designed to help our students and their families acquaint themselves with Delta Charter School's information and expectations. Delta Charter School is a K-12 school, which was first established in 2001. This handbook is specifically for Delta Bridges Charter School located at 703 East Swain in Stockton California. A current copy of this handbook will always be posted and available on our school's website. You may request an electronic copy by emailing the office at any time. You can also

Delta Charter Kindergarten through eighth grade focuses on Dynamic Visual Learning (DVL). DVL is modeled after the renowned Integrated Visual Learning program developed by the Bay Academy School in Michigan. Our teachers work extensively with Optometrist, Dr. Eldon Rosenow, OD on teaching techniques to improve the students' visual perception function in the brain, improving visual thinking skills and applying their visual abilities to academics as well as other areas of their lives. Our students have shown tremendous growth using this model of teaching. In grades 6-8 we employ a rotational model in preparation for high school and beyond.

Delta Charter High School focuses on college/career preparation. At DCHS we not only focus on the academic skills that are essential to success but incorporate the ideas of respect, responsibility, and integrity into our learning. DCHS offers rigorous courses that meet the UC/CSU a-g requirements in addition to various elective and career education courses. These programs include ag. science, art, early college, forensics, leadership, music, and video production. Additionally, DCHS offers athletics, clubs, and FFA/4-H. Delta Charter has adopted our four "Senses," which include the sense of Knowledge, Self, Community, and Direction. Students at DCHS will participate in Graduation by Exhibition where they will demonstrate their learning in order to graduate.

## RIGHTS AND RESPONSIBILITIES

We at Delta Charter Schools are committed to a partnership for all learners whose goal is to help make this the most rewarding of any educational experience. All members of our school community have a responsibility to ensure a positive learning environment. Trust, acceptance, and concern for each individual must be fostered and demonstrated in order to achieve and maintain a positive school climate. These basic rights are the joint responsibility for guidance and discipline on the part of parents, school staff, and students. We know that attending Delta Charter School is a choice and we will do all within our power to ensure that this choice is one that will fully empower learners.

1. School Staff - The staff has the primary responsibility for providing a teaching/learning environment which contributes to an atmosphere of trust and respect. The school staff is responsible for modeling and teaching their students the behavioral standards that exist in the classroom and throughout the school as a whole. The staff enforces the rules in the school and supports the Administration in carrying out District policy.
2. Parents/Guardians - Parents/Guardians are responsible for enforcing their student's behaviors consistent with the Parent/Student Handbook/Conduct Code and District policy. Parents/Guardians are in partnership with the school staff regarding decisions affecting their student and the well-being of the school as a whole.
3. Students - Students are responsible for following school rules and procedures established in the Delta Charter School Conduct Code, and elsewhere. Respecting the rights of others and demonstrating self-discipline are primary requirements for a positive school climate.

### ADMISSION REQUIREMENTS

Students must be 5 years of age on or before October 1, 2014 to attend kindergarten. Birth certificate and health records are required to register a child in school.

First Grade Physical Examination: State law requires that all children must have a physical check-up within 18 months prior to, or 90 days after their first grade entry. The health checkup may be performed by your family physician, the Public Health Clinic, or by other CHDP Program providers. Forms and information are available in the school office.

#### Immunizations required by state law for school entry:

##### Vaccine

Polio

##### Minimum Doses Required

Only 3 doses meet requirements if 3<sup>rd</sup> dose was on or after 4<sup>th</sup> birthday for ages 4-6, or on or after 2<sup>nd</sup> birthday for ages 7-17 years.

DTP	Only 4 doses meet requirements if 4 <sup>th</sup> dose was on or after 4 <sup>th</sup> birthday for ages 4-6, or on or after 2 <sup>nd</sup> birthday for ages 7-17.
Tdap Booster	7 <sup>th</sup> graders need one dose on or after 7 <sup>th</sup> birthday
Measles, Mumps, Rubella (MMR)	Two doses on or after 1 <sup>st</sup> birthday.
Hepatitis B	Series of 3 doses.
Varicella	One dose for Kindergarten (or physician-documented proof of disease).

Oral Health Assessment: California law now requires that children have an oral health assessment (dental check-up) by May 31 in either kindergarten or first grade, whichever is his or her first year in public school. The law specifies that the assessment must be done by a licensed dentist or other licensed or registered dental health professional. Forms are available in the school office.

### ANIMALS AT SCHOOL

Pets on the playground and in the classroom can create problems at school. It is impossible to predict what a normally docile animal may do on a playground with many children. Your cooperation in keeping pets at home will aid in maintaining a safe school environment. If a student wishes to bring a small animal to school for study or observation, the pupil must obtain prior approval from his/her teacher and must be supervised by an adult. Pets are to be taken home after sharing; they cannot remain at school.

### ATTENDANCE/ABSENCES

Regular attendance is extremely valuable to every child. In addition to the pupil's loss, the school loses vital state funds for absences.

If your child must leave for a medical or dental appointment after arriving at school, please send him/her with a note stating the time and reason for leaving. You are encouraged to make appointments during non-school hours whenever possible.

Excused and unexcused absences are listed below:

#### Excused Absences

Illness

Quarantine

Medical Appointment

Attend a Funeral of Family Member

To Obtain Immunizations (not more than 3 days)

#### Unexcused Absences

Vacation

Personal Days

Truancy

Suspension

Disenrollment

California Education Code states that any student with three unexcused absences or tardies (if for more than 30 minutes) shall be classified as truant. Parents will be notified when a student is classified as truant. Excessive unexcused absences from a class is sufficient reason for a teacher to assign a failing grade. If attendance problems persist, parents and the student may be referred to the School Attendance Review Board (SARB).

#### HOSPITAL INSTRUCTION:

Home-hospital instruction may also be arranged through the school when a child is unable to attend class due to a serious medical condition.

#### TARDINESS:

Children are encouraged to establish a habit of promptness. Students are at a disadvantage when they enter late, as they frequently miss directions given by the teacher, or major concepts covered that hour or day. Late arrivals are also a disruption to the other students in the class. Students arriving tardy are to report to the office to obtain a tardy slip to give to his/her teacher. Generally a parent note or phone call is needed to “excuse” a tardy.

#### SCHOOL ATTENDANCE REVIEW BOARD (SARB):

SARB is a countywide board that addresses students who are classified as truants, have excessive absences or tardies, or serious behavior problems. In situations where attempts have failed to improve a student’s attendance or disruptive behavior patterns, the matter will be turned over to SARB. Parents and the student will be involved in this process and will be required to appear before SARB. Parents will be sent letters as appropriate when their child is unexcused from school. After an appropriate number of unexcused letters are sent home and parent conferences are held, the record will be sent to the District SARB Committee. If attendance does not improve, the parents can be taken to Municipal Court in Tracy. Fines (\$250-500) and/or probation can be levied by the judge. The judge can also require that the parents personally transport their child to school and also attend classes.

#### BELIEFS

We believe:

- Relationships are our core.
- Critical thinking is paramount to life-long learning.
- Higher expectations empower greater achievements.
- All students try harder when they believe they are cared for.
- Students are diverse learners and deserve individual attention.

- Courageous and confident students will see mistakes as a process for success.
- Students can think globally yet act locally by helping others for the benefit of the community.
- Intrinsic and extrinsic motivation is nurtured through the parent/student/teacher partnership.

### CLOSED CAMPUS

Delta Charter Schools has a closed campus policy. If you wish to have your child released from school you must personally pick him/her up at the office. If someone other than the parent is to pick up a student the person must be named on the emergency card or prior approval must have been given by a signed note.

Students on Independent Study are excluded from the aforementioned since they are on an appointment-based system.

### ELECTRONIC SURVEILLANCE

In an on-going effort to improve the supervision of students and to provide a safe and secure campus, DCS uses video cameras to monitor specific open and public areas of the school campus and therefore students and others have no reasonable expectation of privacy in those areas. Signs posted on campus serve as reminders that electronic surveillance is used to augment campus supervision.

### EMERGENCY INFORMATION

An enrollment card asking for vital emergency information is sent home with each child for parents to complete. It requests the names and numbers of persons to contact if the parent cannot be reached. Also, the card requests any other information you think we should be aware of. **You, as the parent or legal guardian, are responsible for providing this emergency information to the school, as well as keeping this information updated.** In the event of a real emergency, the school will normally try to contact you first, and then those contacts you have listed. However, if none of the contacts is successful, it may be necessary to call 911 (emergency hotline). The family will be responsible for any costs incurred. Please complete the card and return it promptly to notify us of any changes throughout the year. Your cooperation is necessary to make sure the school is able to provide the best possible protection for the health and welfare of your child.

### EMERGENCY POLICIES AND PROCEDURES

#### Power Outage:

If the school has no electrical power before school begins in the morning, and if there is little or no reason to expect restoration of power, the buses will not run and school will

not open that day. If the same happens during the school day, students will be bused/sent home.

#### Earthquake, Fire, Explosion, Lockdown, and Chemical Accident:

Children will take the best available cover within the school building and remain under cover until Civil Defense authorities advise other action. Every precaution will be taken to minimize the possibility of injury from flying objects. Drills on this procedure are held each year. If specific instructions are received from Civil Defense officials, children may be sent home without prior notice to parents.

#### Floods/Winds:

Children will be taken to a safe area or sent home depending on the circumstances, upon orders from Civil Defense officials.

If an emergency or disaster should occur that affects our school, please do not attempt to come to the school and pick up your child unless you are instructed to do so by a responsible school or Civil Defense official. This plan has been designed for one primary purpose, to provide the greatest possible safety for students during an emergency. Parents rushing to the school during an emergency will defeat this objective and impose serious obstacles to the entire Civil Defense Plan.

#### Bus:

The District provides a bus for the convenience of families to transport the children to school. If the buses are not running due to inclement weather or breakdown, tune to 103.3 KAT Country or 93.1 FM on the radio for updates.

### **FACILITY USE**

By law the School Board must approve any and all uses of district facilities. Any group that uses the facilities for an activity must obtain a certificate of insurance naming the New Jerusalem School District, its agents and officers, harmless in the event of any injury or accident of any kind and naming the New Jerusalem School District as additional insured. Coverage amounts are determined by the nature of the event. All participants in such events must sign waivers releasing the New Jerusalem School District of any kind of legal or financial responsibility whatsoever. Organizations must comply with the posted occupancy restrictions.

### **FIELD TRIPS**

Students attending field trips must have a parent/guardian-signed permission slip on file with the teacher, designated faculty advisor, or chaperone. Though siblings are allowed to attend in certain situations, for insurance reasons they are not allowed to ride the bus. Also, parents who bring siblings, or other younger children, will not be allowed to be chaperones, as they will be distracted by the additional children. Please note that students are not allowed to attend field

trips with classes or groups that they are not a part of. Field trips may be cancelled without notice if there are not sufficient chaperones to maintain student safety. Chaperones must be a minimum of 21 years old. Students who attend the field trip must ride to and from the trip on the bus. Students will not be allowed to be “signed out” to a parent.

## **GRADING POLICY**

### **KINDERGARTEN AND GRADES K – 5:**

Report cards in grades K through 5th are standards-based, directly connecting student learning to State Standards requirements. These report cards are similar to the ones used in kindergarten, using a rubric that indicates your child’s proficiency in given standards such as:

- 1 is “Below the Grade Level Standard”
- 2 is “Approaching the Grade Level Standard”
- 3 is “For the 1<sup>st</sup> and 2<sup>nd</sup> trimester—on target for meeting the grade level standards; For the end of the year—at Grade Level Standard”
- 4 is “Above Grade Level Standard”

All of these standards will be reported based on assessments your child’s teacher will be using in the classroom. Children will still receive traditional grade reports using E for “Excellent”, S for “Satisfactory” and N for “Needs Improvement”; these grades will reflect progress your child is making in regards to work habits, classroom behavior and general effort within the class.

### **GRADES 6 – 8:**

Students in grades 6-8 receive letter grades, A through F, in each subject. Grades are based upon percentages, attendance, assignments, projects, participation and effort.

Parent/teacher conferences for Grades K-8 are held after the first grading period.

## **HOMEWORK POLICY K-8**

We strongly believe that all students require independent practice that is guided by one of our credentialed teachers. We encourage and teachers may require daily reading outside of school time; however, there is no “required” daily homework. Depending on grade level and school site, teachers may also employ a “flipped classroom” model. This model may require students to watch videos, online instruction, or conduct research at home, which will lead to in-class discussion, projects, and guided learning.

## **INDEPENDENT STUDY STUDENTS**

A small percentage of students at Delta Charter School will utilize Independent Study as the learning methodology.

Parent/teacher conferences will be conducted according to the annual schedule of Personalized Learning Plan schedules. Student and parent/guardian (if student is under 18) must conference with his/her assigned Teacher Advisor to review the student's progress. It is the responsibility of the student and/or parent to ensure a conference is scheduled and attended with the Teacher Advisor. Parents/guardians will receive progress reports indicating their student's educational progress. Parents/guardians will be notified of deficiencies in their student's educational program. Teachers are expected to maintain comprehensive documentation of teacher engagement with students/parents.

### **LOST AND FOUND**

Lost or unclaimed clothing and other articles are placed in the "Lost and Found" container in the office. "Lost and Found" is generally emptied of unclaimed items during December and June, shortly after school is out. Children should have their belongings labeled and accept responsibility for their care.

The school is not responsible for a student's personal property left or lost at school. Articles of personal value or which are expensive should not be brought to school. Items found should be turned in to the school office to be placed in the Lost and Found. Students should inform their teachers and the school office of personal items lost, misplaced, or stolen. Please mark all articles (clothes, lunch pails, binders, etc.) with your child's name. The school will not take responsibility for recovering lost personal items. Students must realize that valuable items are brought to school at the child's own risk.

### **BREAKFAST/LUNCH – ELEMENTARY STUDENTS**

**LUNCH:** To qualify for free or reduced price lunches, parents must complete the state-approved NSLP application and submit it to the Main Office. Students who would like to order lunch will be asked each morning in their classroom. Refrigeration and/or microwave accessibility is not provided to students.

### **MAKE-UP WORK**

When a student has been absent on the day prior to a test, and misses a review period, he/she may be given an additional day to study for the test. If the student has been absent only on the day of the test, he/she shall be expected to take the test immediately upon returning to class at the discretion of the teacher.

### **MEDICATION FROM HOME**

If your child has been prescribed medication by a physician either on a continuing or episodic basis, or needs to take "over the counter" medications while in school, he/she may be assisted

by school personnel if a medication administration form is filled out and signed both by the physician and the parent, and brought to the school office, with the medication, at the beginning of the school day.

No student may have any form of medication on his/her person or in his/her personal belongings at any time during the school day without specific permission from the office. Any such medication found in a student's possession will be confiscated and the situation will be dealt with by the school administration. Medication administration forms are available in the school office.

Please note that parents may not send bottles of aspirin, Tylenol, decongestants, etc. to the office with a note for the student to use them on an "as needed" basis - medication may only be administered in accordance with the appropriately completed and signed form discussed above.

The medication shall be in a properly labeled pharmacy bottle containing the name and telephone number of the pharmacy, the student's identification, name of the physician, and dosage of the medication to be given. The designated employee shall be responsible for the medication at school and shall administer it in accordance with the physician's indicated dosage schedule. Student self-administration of medication is only allowed if the child has specific written permission from the office. Medication for DCS K-8 students will be administered by Rosie Wilson in the K-8 office.

### **MESSAGES FOR STUDENTS**

To minimize classroom interruptions, please discuss after school care and plans with your children before they leave for school. Excessive messages are sometimes difficult and often time-consuming for the office staff to process, as well as very disruptive to the classrooms. We realize there are unavoidable circumstances that may necessitate a student receiving a message during the school day; however, we do appreciate your cooperation in keeping these instances to an absolute minimum.

### **OFFICE TELEPHONE**

The office telephone is a business telephone and is available for students' use **only** in case of an emergency or to notify you if they are to remain after school by teacher request. We have found it necessary to restrict calls regarding forgotten books, homework, after school sports, permission to visit a friend's home after school, etc. Students and parents are asked to remember and to plan ahead.

### **RELEASE OF STUDENTS DURING THE SCHOOL DAY**

Students who must leave school during the day should provide a note from their parent giving the reason and time the student should be excused. We urge all parents to pick up students at

recess or lunch to minimize disruptions to the class. Parents picking up a student are to do so at the office. All students must be signed out in the office before they can be released. For your child's protection, it is our policy not to release a student to anyone other than the parents or guardians, or someone named on the emergency card, without your written permission.

### **RESTITUTION FOR DEFACED, DESTROYED, DAMAGED, OR LOST SCHOOL PROPERTY**

Any student who defaces, destroys, damages, or loses equipment or instructional materials entrusted to him/her is responsible for those items. This includes, but is not limited to, books, science equipment, physical education equipment, computers and computer software. Legal procedures may be taken for restitution.

### **STUDENT COUNSELING SERVICES**

Delta Charter Schools partners with several agencies and behavioral health counselors to offer behavioral health screening and counseling services. Screening services used to identify student needs are available upon student, parent or teacher request. Students may self-refer, or teachers or parents may recommend them for referral.

### **COUNSELING RESOURCES**

#### **COUNSELING**

Mental Health Services of SJC Crisis Service (24 hrs.) .....	468-8686
Mental Health Services of SJC Tracy Children's Clinic .....	835-8583
Valley Community Counseling Services .....	835-8583

#### **FAMILY HEALTH**

Adolescent Family Life Program/Cal Learn .....	953-3647
Black Infant Health Program.....	468-3004
Children's Medical Services .....	953-3600
Health Care Program for Children in Foster Care.....	468-1408
Women, Infants and Children .....	468-3280

#### **DISEASE CONTROL AND PREVENTION**

AIDS Hotline .....	1-800-367-AIDS
Community Services: HIV/AIDS .....	468-3820
Public Health Clinic.....	468-3820

#### **PHYSICAL/SEXUAL ABUSE**

Student Abuse Prevention.....	464-4524
Sexual Assault/Rape .....	465-4997

Domestic Violence..... 465-4878

**RAPE**

Rape Crisis Line ..... 465-4997

**RUNAWAYS**

National Runaway Hotline ..... 1-800-621-4000

California Runaway Hotline ..... 1-800-843-5200

Dawn House..... 465-4878

**SUBSTANCE ABUSE**

Alcohol/Drug Abuse 24 hour Hotline ..... 1-800-444-9999

Alcohol Treatment Center 24 hour Help Line..... 1-800-861-6864

Transcultural Clinic for Mental Health (Stockton)..... 953-8860

Alcoholics Anonymous..... 464-1594

Alcoholics & Narcotics Helpline 24 hours ..... 1-888-206-7272

**SUICIDE PREVENTION**

Mental Health Services of SJC Crisis Service (24 hrs.) ..... 468-8686

**STUDENT GOVERNMENT**

The student government and leadership program provides students the opportunity to learn and practice principles of self-advocacy, participatory democracy, community building, and effective leadership. Students who join ASB either as officers or members cooperate in planning, preparing, and producing the events and activities which are central to student life at Delta Charter Schools. These activities not only help to create a sense of family, but also promote school spirit and community awareness. Students who are enrolled in Associated Student Body/Leadership are enrolled in an onsite ASB/Leadership course, and receive academic credit.

**STUDENT IDENTIFICATION CARDS**

Delta Charter Schools will issue Student Body Identification Cards (ID card) and lanyards. Students in grades 6-12 must wear their ID card at all times and are required to show it to any staff member when requested to do so. Students must present their issued ID card prior to taking a proctored test or using the Resource Center. Students losing their ID cards may obtain a replacement from the Main Office for a replacement charge of \$10.00.

**TOBACCO-FREE CAMPUS**

Delta Charter Schools are tobacco-free campuses. Use of tobacco products of any kind is not allowed on campuses at any time, nor by supervisors on field trips or at/during any other student activity.

## **TRANSFERS TO ANOTHER SCHOOL**

Please advise the school office as early as possible when moving or transferring to another school. When we know in advance of a transfer, we can prepare information that will help the next school in class placement. Cumulative records are sent by mail as soon as the appropriate request is received from the receiving school.

## **TRANSPORTATION BY PRIVATE CAR FOR SPORTING EVENTS**

When transporting students to and from Delta Charter Schools by private car on any authorized trip, the following rules and regulations must always be obeyed:

1. The driver must observe all traffic regulations of the California Vehicle Code.
2. The number of occupants in any vehicle must conform to the number of seat belts.
3. Board policy requires proof of insurance and a driver's license for any private automobile/driver, which will be part of a field trip. If you are going to drive students on a trip, the office must have on file: 1) a signed form acknowledging private transportation regulations, 2) a copy of your driver's license, and 3) an insurance policy for an individual or group of \$500,000.00 general liability insurance coverage. The insurance policy must name the insurance carrier, the covered party or insured individual, and all policies must be dated.
4. Transportation of youngsters in dune buggies, motorcycles, go-carts, tractors, lawn mowers or riding in the back of pick-ups is not permitted.
5. Any vehicle employed for student transportation must be in good working condition. Special attention shall be given to the safety of the students.
6. The Superintendent and Principal must authorize any and all trips.

### **Permission Form:**

Parents must give written permission for their children to be transported to any school sponsored event off the school grounds.

## **VISITORS**

### **PARENT VISITORS:**

Parents are welcome to visit classrooms throughout the year. We request that you make an appointment with the teacher before visiting a classroom. District policy and state law require that all visitors check in at the school office prior to each visit.

Come with an open-minded, cooperative attitude, seeking to understand how you and the teacher can work together to help your child. Enter and leave the classroom quietly. Do not interrupt the teacher to answer questions. Please make arrangements for the care of younger children so they will not distract the class. If you would like to talk with the teacher, make an appointment for a later time when you can both speak more freely, and when the teacher's attention is not distracted from his/her classroom responsibilities.

In order to eliminate unnecessary interruptions, we request that parents and other visitors leave messages, forgotten lunches, books, etc. in the office for their child. In this way, the teacher is given the article or message at his/her break time, rather than interrupting students' precious learning time. Your cooperation in this matter will be appreciated.

#### STUDENT VISITORS:

Student visitors are discouraged. If the classroom teacher and the Principal give approval, a visitor may come for generally no more than half a day. Requests for visitors should be submitted at least one day in advance.

#### VOLUNTEERS

The successful operation of the school requires the time and effort of not only the paid staff, but also of many parent volunteers. Volunteers must have fingerprint and TB clearance. All volunteers must check in at the office before beforehand. Volunteers are needed to assist in one or more of the following ways.

1. Room Parents – To provide parties and other special activities for the children in each class.
2. Classroom Help - To assist teachers with various tasks in the classroom under their direction.
3. Instructional Support - To assist teachers with duplication, making/preparing materials, etc.
4. Field Trip Chaperone - To accompany children and teachers on field trips.

#### WELLNESS POLICY

The New Jerusalem Elementary School District School Board has adopted a Comprehensive School Wellness Policy to promote healthy schools, by supporting wellness, good nutrition, and regular physical activity as part of the total learning environment. A complete copy of the Wellness Policy is available at the school office. As part of this policy, only foods and beverages that meet the set nutrition guidelines can be served during classroom celebrations or sold on campus during school hours.

#### WORK EXPERIENCE

Delta Charter Schools offers work experience for any student under the age of 18 who has a work permit issued by Delta Charter Schools. All elements of the work experience guidelines as outlined in the work experience program definitions must be adhered to. Any student not maintaining the required academic requirements will not be able to participate in work experience and will have his/her work permit revoked.

## WORK PERMITS

Delta Charter Schools will grant work permits to students who have a job and are earning at least a 2.0 grade point average. A work permit form must be filled out completely by the student, parent or legal guardian and employer and turned into the Administrative Assistant. If approved, it will take 48 hours to return the signed work permit. Students who have been granted a work permit must continue to make adequate progress toward completion of their assigned courses.

## **STUDENT CONDUCT CODE**

**Delta Bridges Charter School (DBCS) is committed to using positive behavior supports and effective tools, strategies, and incentives, such as paycheck and merit awards for good behavior, to ensure a safe and orderly school environment and a caring school culture. Within the first days of the school year, DBCS' school leaders and teachers provide information about behavior expectations and discipline consequences and answer any student questions about compliance with the Code of Conduct. You may address specific questions regarding Code of Conduct and behavior expectations with your child's teacher at any time.**

## BASIC SCHOOL RULES

Delta Charter Schools has a responsibility to parents and their children from the time that the child leave(s) his/her home until the time he/she returns home again in the afternoon. Therefore, these rules are enforced during the whole day, from the time the child leave(s) home to the time he/she returns there. Any staff member may issue citations to students who violate school rules. These rules apply to all school activities whether they occur before, during or after school hours.

Students are to be picked up as soon as they are dismissed after school. Parents, please be on time. Do not instruct them to wait for their brothers or sisters after sporting events. The staff cannot accept responsibility for supervising them.

**Fighting will not be tolerated at school. In the event of a dispute, any child who strikes another person will be suspended. It makes no difference who "started" the dispute or who was "simply fighting back." The rule is simply stated: If a student hits another person he/she will be suspended. (California State Education Code 48900)**

## MULTIPURPOSE RULES

1. No one is allowed in the multipurpose unless a supervisor is present or permission is given.
2. Balls are not to be bounced, except during sports activities.
3. Avoid handling musical instruments, piano or other equipment or props.

4. During basketball games, only participating team members are to remain after school unless accompanied by a parent.
5. Soft-soled shoes must be worn while playing sports.

### **CONDUCT DURING ASSEMBLIES**

1. Applaud, but do not boo, yell, or whistle.
2. Enter and leave as quietly as possible with your teacher.
3. Always be courteous to the speaker, performer, or guest.
4. Students in a class are to sit together supervised by their teacher.

### **DRESS CODE: School Uniforms**

#### **Pants/Shorts/Skorts**

**COLOR:** Khaki

**NOTE:** \*NO SAGGING, UNDERWEAR IS NOT TO BE WORN ABOVE THE BELT LINE

\*Belts must be through the belt loops.

\*No holes in clothing or patches with odd material.

\*No article of clothing or insignia may be worn that contains foul language or promotes, advertises or refers to alcohol, tobacco, narcotics, sex, gangs, racism, sexism, negative moral or ethical values or anything in poor taste.

\*Shorts should not be higher than mid-thigh (slits must not exceed 1 1/2 inches)

\*Skirts should not be higher than 6 inches above the knee, or higher than mid-thigh.

#### **Shirts:**

**COLOR:** Dark/Hunter Green

**FIT:** Must be modest, in good taste and worn buttoned up. Shoulders, back and midriff must be covered, including when seated. Underwear should not show.

**NOTE:** \*Shirts, including T-shirts, if not tucked in must not be excessively long.

\*All tops must have sleeves or normal armholes, in which case the opening for the arm must conform very closely to the arm.

#### **Shoes:**

Any style is acceptable with the exception of backless, high-heeled, steel-toed footwear or shoes with wheels. Flip-flops are not allowed.

**Caps/Hats:** Hats may be worn by students in grades K-5 before school, during recess, and after school. This is a privilege that can be revoked if abused. Hats are not allowed at any time by students in grades 6-8. Students who have a doctor's note may wear an appropriate hat for sun protection.

**Coats/Jackets:** May be of your choice, and may be worn inside the classroom if the student is uncomfortable.

**Hair:** Hair must be worn neat and well groomed. Extremely unconventional hairstyles are not permitted.

**Piercings/Tattoos:** Any student with a body piercing or tattoo that is considered a health or safety risk or disruption to school/classroom activities may be asked to remove or cover said piercing or tattoo. The classroom teacher or principal will be responsible for making that determination.

**Dress Code Violation:**

If a student violates the dress code s/he will be given a warning by school staff. School staff will notify a site administrator (Dean or Principal) with the student's name. The site administrator will notify parent/legal guardian of the warning. The student must correct the clothing violation at that time, prior to returning to his/her class schedule or use of school facilities. Refusal to change clothes will constitute insubordination. If the student is sent home, student cannot return until a parent conference is held.

**The school has discretion to determine whether a student's dress is appropriate.**

**FIELD TRIP BUS RIDER RULES AND REGULATIONS**

All students riding the bus on a Field Trip are expected to follow all bus rules and regulations.

1. Students must obey the bus driver.
2. All passengers shall sit facing forward with their feet and legs kept out of the aisle; feet are to be kept off the seats.
3. All passengers shall remain seated until the bus comes to a complete stop. To avoid possible injury, heads, arms and legs shall be kept inside the bus at all times.
4. Loud talking, yelling or screaming, eating or drinking, gum chewing, glass containers, aerosol sprays, animals, and large bulky items are not permitted on the school bus. In no event shall the aisle, doors, steps, or emergency exits be blocked.
5. Silence must be observed at all railroad crossings.
6. When riding the bus students are to remain in one seat; no changing of seats without the permission of the driver.
7. Do not touch any controls or open/close any windows or doors without permission.
8. Never crawl or chase anything under a school bus.
9. Do not deface the bus. Parents will be charged for damages.
10. Be on time. Never run to or from the bus.
11. Students who have missed the bus or have any questions regarding which bus to ride should immediately report to the school office.
12. At a RED LIGHT CROSSING wait for the driver's signal before crossing. ALWAYS cross at least 10 feet in front of the bus. Students who must be escorted across the road shall follow the directions of the driver.
13. Any improper bus stop procedures (not lining up, rock throwing, playing in streets, property damage at bus stops, etc.) will result in a loss of bus privileges.

## **STUDENT CONDUCT CONSEQUENCES**

Students, whether through their own actions or those of their parents/guardians, may be suspended or disenrolled from Delta Charter School for noncompliance with the terms of the parent/student handbook; for causing Delta Charter School to be in jeopardy of or actual violation of any provision of the law; any material violation of any of the conditions, standards or procedures set forth in the Charter, by-laws or future rules and regulations; or for committing any act or acts that would apply to suspension or expulsion of a pupil(s) from a public school as identified in the California Education Code. A committee may be formed to review disenrollments; however, the Superintendent shall have final authority in all matters relating to suspensions, disenrollments, and consideration of reinstatement of suspended or disenrolled students. All discipline matters will be conducted in compliance with constitutional due process.

# PARENT NOTICE OF RIGHTS AND RESPONSIBILITIES

State law requires that parents 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.(Ed. Code, ~ 46014)

2.

3. **Comprehensive Sexual Health Education and HIV/AIDS Prevention Education:** Parents may request in writing that their child not receive comprehensive sexual health education or HIV/AIDS prevention education. Parents 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 Education Code section 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. Parents have a right to request that the District provide them with a copy of Education Code sections 51933 and 51934.

4. **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)

5. **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. Forms for administering medication may be obtained from the school secretary. (Ed. Code, ~ 49423, 4423.1, 49423.5, 49480)

6. **Students on Medication:** Parents are to notify the principal if their child is on a continuing medication regime. 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)

7. **Immunizations:** The District shall exclude from school any pupil who has not been immunized properly. Pursuant to Health & Safety Code section 120325, 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, 48853.5(d)(7)(B), 48980(a), 49403, Health & Safety Code, ~120325, 120335, 120341)

8. **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)

9. **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)

10. **Medical Coverage for Injuries:** Medical and hospital services for pupils injured at school or school-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. The District provides and pays for secondary insurance coverage only. (Ed. Code, ~ 49472)

11. **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)

12. **Services for Students with Exceptional Needs or a Disability:** State and federal law requires 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 that interferes with their equal access to educational opportunities. (Section 504 of the Rehabilitation Act of 1973, 34 C.F.R. ~104.32) The District official listed below is responsible for handling requests for services under Section 504 and may be reached at the following address and telephone:

Steve Payne, Assistant Superintendent, Student Services  
New Jerusalem School District, 31400 S. Koster Rd., Tracy, CA 95304  
(209) 830-6363

**13. 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 his or her illness.
- (2) Due to quarantine under the direction of a county or city health officer.
- (3) For the purpose of having medical, dental, optometric, or chiropractic services rendered.
- (4) For the purpose of attending the funeral services of a member of his or her immediate family, so long as the absence is not more than one day if the service is conducted in California and not more than three days if the service is conducted outside California.
- (5) For the purpose of jury duty in the manner provided for by law.
- (6) Due to the illness or medical appointment during the 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 his or her religion, attendance at religious retreats, or attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization, when the pupil's absence has been requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
- (8) For the purpose of serving as a member of a precinct board or an election consultant 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 497-1, 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.

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 therefor. 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. "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)

**14. Equal Opportunity:** Equal opportunities for both sexes in all educational programs and activities run by the District is a commitment made by the District to all students. (Title IX of the Education Amendments of 1972.) Inquiries on all matters, including complaints, regarding the implementation of Title IX in the District may be referred to the District official listed below at the following address and telephone:

David Thoming, Superintendent  
New Jerusalem School District, 31400 S. Koster Rd., Tracy, CA 95304  
(209) 830-6363

**15 Complaints (Special Education):** Parents may file a complaint concerning violations of federal or state law or regulations governing special education related services. To file a complaint, write 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 and file with the District official listed below at the following address and telephone:

Steve Payne, Deputy Superintendent, Student Services  
New Jerusalem School District, 31400 S. Koster Rd., Tracy, CA 95304  
(209) 830-6363

- a. **Release of Student Information:** The District does not release information or records concerning a child to non-educational 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 made available 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, e-mail 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.
- b. **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)

**16** 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.

- 17 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.
- 18 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 eighteen (18) years of age.

The 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:

- i Inaccurate.
- ii An unsubstantiated personal conclusion or inference.
- iii A conclusion or inference outside of the observer's area of competence.
- iv Not based on the personal observation of a named person with the time and place of the observation.
- v Misleading.
- vi In violation of the privacy or other rights of the pupil.

Within thirty (30) days, the Superintendent 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 thirty (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 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.

- 19 A Student Records Log is maintained for each student. The Student Records Log lists persons, agencies or organizations requesting and/or receiving information from the records to the

extent required by law. Student Record Logs are located at each school and are open to inspection by parents or guardians. (Ed. Code, ~ 49064)

- 20 School officials and employees having a legitimate educational interest, as well as persons identified in Education Code section 49076 and in the Family Educational Rights and Privacy Act, may access student records without first obtaining parental consent. "School officials and employees" are persons employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and District-employed law enforcement personnel), a Board member, a person or company with whom the District has contracted to perform a special service (such as an attorney, auditor, medical consultant, or therapist), or a parent or student whose access to student records is legally authorized. A "legitimate educational interest" is one held by a school official or employee whose duties and responsibilities create a reasonable need for access.  
(Ed. Code, ~ 49063(d), 49076, 20 U.S.C.~1232g)
- 21 Parents and guardians have the right to authorize the release of student records to themselves. Only parents and guardians with legal custody can authorize the release of student records to others.
- 22 Parents and guardians will be charged 10¢ per page for the reproduction of student records.
- 23 Parents have a right to file a complaint with the U.S. Department of Education for alleged violations of parent rights related to student records. (20 U.S.C. ~ 1232g(g))
- 24 Parents may obtain a copy of the District's complete student records policy by contacting the Superintendent.
  - a. **Family Educational Rights and Privacy Act:** In addition, parents have certain rights regarding student information and records, which are guaranteed under federal law. This information is included in the Parent Handbook.
  - b. **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 communication device may be disciplined for engaging in unlawful harassment or making threats against students, staff, or district property even if such misconduct occurred off-campus and outside of school hours.
  - c. **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)

- d. **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))
- e. **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 emancipated and lives within the District, (5) the student lives in the home of an adult who has submitted a caregiver affidavit, or (6) the student resides in a state hospital within the District. (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).
- f. **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 are 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. (Ed. Code, ~48350 et seq.)

Parents interested in interdistrict transfers should contact:

Steve Payne, Deputy Superintendent, Student Services

New Jerusalem School District, 31400 S. Koster Rd., Tracy, CA 95304 (209)  
830-6363

The general requirements and limitations of each process are described as follows:

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

i. Districts of Choice (Ed. Code, ~48300 - 48315): 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 a “random, unbiased process”, which prohibits student enrollment and district communications about enrollment from being based upon actual or perceived academic or athletic performance, or any other personal characteristic. If the number of transfer applications exceeds the number of students the school board is willing to accept, transfer approval must be determined by a random public drawing held at a regular board meeting. If the district chooses not to become a “district of choice”, a parent may not request a transfer under these provisions. Other provisions of the “district of choice” option include:

Either the district to or from which a student would transfer 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.

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.

Siblings of students already attending school in the “district of choice” must be given transfer priority.

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.

ii. Other Interdistrict Transfers (Ed. Code, 46601.5 - 46611): 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 interdistrict transfers also provides for the following:

Once a pupil is enrolled in a school pursuant to an interdistrict 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 interdistrict 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 of interdistrict attendance under any existing interdistrict attendance agreement or additional consideration for the creation of an interdistrict 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.

iii. “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 must provide in writing to the parent the specific reasons for denying the transfer.

b. 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 in accordance with the Open Enrollment Act. 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)

**23. 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 is attached. (Ed. Code, ~ 231.5, 48980(g))

**24. 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, coverage, 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)

**25. 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. (Ed. Code, ~ 49510 et seq.)

**26. 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;
- b. mental and psychological problems potentially embarrassing to the student or his family;
- c. sex behavior and attitudes;
- d. illegal, anti-social, self-incriminating and 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)

**27. Uniform Complaint Procedures: Complaints Alleging Discrimination, Harassment, Intimidation, and Bullying:** State and federal law prohibit discrimination in education programs and activities. Under State law, all pupils have the right to attend classes no school campuses that are safe, secure, and peaceful. (Ed.Code, ~32261) Additionally, all acts related to school activity or attendance must be free of discrimination, harassment, intimidation, and bullying based on 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), 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., 66260-66269, 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) In addition to being the subject of a complaint, 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 has a written complaint procedure, which 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))
- b. Complaints must usually be filed with the district superintendent. In the following cases, however, complaints may be filed directly with the State Superintendent of Public Instruction: (Cal. Code Regs., tit. 5, ~ 4630(a), 4650)
  - (1) Complaints alleging that the District failed to comply with the complaint procedures described herein.
  - (2) Complaints alleging facts, which indicate that complainant will suffer an immediate loss of some benefit such as employment or education.
  - (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 the 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) The District refuses to respond to the State Superintendent's request for information regarding a complaint originally filed with the District.
- c. Discrimination complaints must be filed within six (6) months of the date the alleged discrimination occurred, or within six (6) months of the date the complainant first obtained knowledge of the facts of the alleged discrimination. Within that six (6) month period, complainant may file a written request with the State Superintendent of Public Instruction for an extension of up to ninety (90) days. Extensions will not be automatically granted, but may be granted for good cause. (Cal. Code Regs., tit. 5, ~ 4630(b))

**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 in the following areas:

- (1) Adult Basic Education
- (2) Consolidated Categorical Aid Programs
- (3) Migrant Education
- (4) Vocational Education
- (5) Child Care and Development
- (6) Child Nutrition
- (7) Special Education

(Cal. Code Regs., tit. 5, ~ 4610(b), 4630)

- b. Complaints must usually be filed with the district superintendent. However, 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.
  - (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 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.

(7) 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)

c. 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;
- (3) Teacher vacancy or misassignment; or
- (4) The provision of intensive instruction and services for pupils who have not passed the high school exit exam by the end of grade 12.

A complainant not satisfied with the resolution of a Williams Complaint has further rights under Education Code Section 35186.

**Responsible Official:** The District official responsible for processing complaints is listed below at the following address:

David Thoming, Superintendent

New Jerusalem School District Office, 31400 S. Koster Rd., Tracy, CA 95304

**Appeals:**

a. Except for Williams Complaints, if a complaint is denied, in full or in part, by the District, the complainant may appeal 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.

Complainant may, within that fifteen (15) day period, file a written request for an extension. Extensions will not be automatically granted, but may be granted for good cause.

- (2) Appeals must be in writing.
- (3) Appeals must specify the reason(s) for appealing the District decision.
- (4) Appeals must include a copy of the original complaint and a copy of the District decision.

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 or Public Instruction. (5 C.C.R.~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. 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)

**28. Pupil-Free Staff Development Day and Minimum Day Schedule:** A copy of the District's pupil-free staff development days and minimum day schedules is attached for reference. 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))

**29. 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)

**30. 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 school principal. 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))

**31. 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)

**32. 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)

**33. No Child Left Behind Act of 2001:** Under the NCLB Act, parents have the following rights:

(1) **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 s/he teaches, whether the teacher is teaching under an emergency permit or other provisional status because of special circumstances, the teacher's college major, whether s/he has any advanced degrees

and the subject(s) of those degrees, and whether any instructional aides or paraprofessionals provide services to the parents' child and, if so, their qualifications. The District shall also notify parents if their child has been assigned to or has been taught for four or more consecutive weeks by a teacher who is not highly qualified. (20 U.S.C. ~6311(h)(6))

(2) **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(h)(6))

(3) **Limited English Proficient Students:** The Act requires notice be given to parents of limited English proficient students regarding limited English proficiency programs, including: 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. (20 U.S.C. ~6312(g)(1)(A))

(4) **Program Improvement Schools:** Parent shall be notified when their child's school is identified a "program improvement" school. Parents must be notified as to what the identification means, how the school compares to other District schools, the reasons for the identification, how the low achievement is being addressed by the school, District, or State, and how the parents can be involved. The parents must also be notified about the opportunities for school choice and supplemental instruction. (20 U.S.C. ~6316(b)(6))

The information provided above is available upon request from each child's school or the district office. Additional notices that may be required under the No Child Left Behind Act shall be sent separately. (20 U.S.C. ~ 6301 et seq.)

**36. Children in Homeless Situations:** Each local district shall appoint a liaison for homeless children who shall ensure the dissemination of public notice of the educational rights of students in homeless situations. (42 U.S.C. ~ 11432(g)(l)(J)(ii), (g)(6))

**37. 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))

**38. Pesticide Products:** All schools are required to provide parents or guardians with annual written notice of expected pesticide use at schools. The attached list 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 to be applied, he or she must complete the attached form and return it to his or her child's school. (Ed. Code, ~ 48980.c, 17612)

## **Notification of Rights Under FERPA for Elementary and Secondary Institutions**

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 District 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.

Upon request, the School discloses education records, without prior consent, to officials of another school district in which a student seeks or intends to enroll.

(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

### **Notification of Rights under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents certain rights regarding our conduct on surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

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

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

New Jerusalem Elementary School District will adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of the personal information for marketing, sales, or

other distribution purposes. NJES will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. NJES will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. NJES will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Following is a list of the specific activities and surveys covered under this requirement:

1. Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
2. Administration of any unprotected information survey not funded in whole or in part by the Department of Education.
3. Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible student who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office, U.S. Dept. of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

## MEGAN'S LAW

The District wishes to inform you that, under the laws of California, certain sex offenders are required to register with the city or county law enforcement agency in which they reside. When law enforcement officials receive information about registered sex offenders, they may advise school districts about such individuals residing within district boundaries.

Any such information that New Jerusalem School District receives from law enforcement agencies will be maintained at the District Office and will be available and open to public review at any time. The District invites members of the community to review such records at the District Office or at the local law enforcement agency.

As always, we recommend that parents and guardians remind their children of the dangers of talking to strangers, going alone instead of in a group, and accepting rides.

For further information regarding any registered sex offenders and ways of protecting children, parents and guardians should contact the San Joaquin County Sheriff's Department at 468-4400.

## HEALTHY SCHOOLS ACT OF 2000

Notice to all students, parents/guardians and employees of the Delta Charter Schools (New Jerusalem School District):

Assembly Bill 2260 went into effect on January 1, 2001. 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. 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 of the following:

The New Jerusalem School District expects to use pesticides containing the following active ingredients at its campuses during the upcoming year:

- Tetramethrin [(1-cyclohexene-1, 2-dicarboximido)  
Methyl 2, 2-dimethyl-3-(2-methylpropenyl) cyclopropanecarboxylate] 0.25%
- 3-Phenoxybenzyl – (1RS, 3RS; 1RS, 3SR) - 2, 2-dimethyl-3-(2-methylprop-1-enyl)  
Cyclopropanecarboxylate 0.143%
- Petroleum distillate 9.250%
- D-trans Allethrin
- Piperonyl butoxide, Technical 0.60%
- +N-octyl bicycloheptene dicarboximide 1.00%
- 2-(1-Methylethoxy) phenyl methlcarbamate 0.49%
- Permethrin

Cyfluthrin  
Deltamethrin 4.75%  
Bifenthrin 0.2%  
Fipronil 9.1%  
Cyfluthrin  
Pyridine  
Hydroprene

Parents/guardians of the New Jerusalem School District can register with the District's designee, Lisa McHugh, to receive notification of individual pesticide applications by calling (209) 835-2597. 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 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).

Students

**SEXUAL HARASSMENT**

The Governing Board is committed to maintaining a school environment that is free from harassment. The Board prohibits sexual harassment of any student by another student, an employee or other person, at school or at a school sponsored or school-related activity. The Board also prohibits retaliatory behavior or action against any person who complains, testifies, assists or otherwise participates in the complaint process established in accordance with this policy.

Any student who engages in sexual harassment of anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action. For students in grades 4 through 12, disciplinary action may include suspension and/or Disenrollment, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account. Such circumstances shall include but are not limited to:

1. Age and maturity of the victim and the perpetrator
  2. Pervasiveness of the alleged harassing conduct (i.e., how many times the act(s) occurred, how many individuals were involved, etc.)
  3. Prior complaints against the perpetrator
- (cf. 5144.1 - Suspension and Disenrollment/Due Process)

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

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

(cf. 5131.5 - Vandalism, Theft and Graffiti)  
(cf. 5137 - Positive School Climate)  
(cf. 5141.41 - Child Abuse Prevention)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 6142.1 - Family Life/Sex Education)

Any student who feels that he/she is being or has been subjected to sexual harassment shall immediately contact a school employee. A school employee to whom a complaint is made shall, within 24 hours of his/her getting the complaint, report it to the principal or designee. Any school employee who observes any incident of sexual harassment on any student shall similarly report his/her observation to the principal or designee, whether or not the victim makes a complaint. If the alleged harasser is the principal or designee, the employee may report the complaint or his/her observation of the incident to the Superintendent or designee who shall investigate the complaint.

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)  
(cf. 5141.4 - Child Abuse Reporting Procedures)

**Adopted November 21, 2000**

Students

**SEXUAL HARASSMENT**

**BP 5145.7 (b)**

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment) (cf. 5141.4 - Child Abuse Reporting Procedures)

The principal or designee to whom a complaint of sexual harassment is reported shall immediately investigate the complaint. Where the principal or designee finds that sexual harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim of any other remedies that may be available. The principal or designee shall file a report with the Superintendent or designee and refer the matter to law enforcement authorities, where necessary. In addition, the student may file a formal complaint with the Superintendent or designee in accordance with the district's uniform complaint procedures. (cf. 1312.1 - Complaints Concerning District Employees) (cf. 1312.3 - Uniform Complaint Procedures)

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

Information gathered in the course of investigating a sexual harassment complaint shall be kept confidential to the extent possible.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) Legal

Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

48900.2 Additional grounds for suspension or Disenrollment; sexual harassment

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

#### CIVIL CODE

51.9 Liability for sexual harassment; business, service and professional relationships

1714.1 Liability of parents/guardians for willful misconduct of minor

#### UNITED STATES CODE, TITLE 20

1681 - 1688 Title IX, Discrimination

#### UNITED STATES CODE, TITLE 42

2000d - 2000d-7 Title VI, Civil Rights Act of 1964

2000e - 2000e-17 Title VII, Civil Rights Act of 1964 as amended

#### CODE OF FEDERAL REGULATIONS, TITLE 34

106.1 - 106.71 Nondiscrimination on the basis of sex in education programs

#### COURT DECISIONS

Davis v. Monroe County Board of Education (1999) No. 97-843, 1999 U.S. Lexis 3452, -- U.S.--

Gebser v. Lago Vista Independent School District (1998) 118 S.Ct. 1989

Nabozny v. Podlesny (1996, 7th Cir.) 92 F.3d 446

Doe v. Petaluma City School District (1995, 9th Cir.) 54 F.3d 1447

Oona R.-S. etc. v. Santa Rosa City Schools et al (1995) 890 F.Supp. 1452

Rosa H. v. San Elizario Ind. School District, (W.D. Tex. 1995) 887 F. Supp. 140, 143

Clyde K. v. Puyallup School District #3 (1994) 35 F.3d 1396

Patricia H. v. Berkeley Unified School District (1993) 830 F.Supp. 1288

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

v. City of Springfield, Oregon (1985, 9th Cir.) 767 F.2d 651

Management Resources:

#### OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime: A Guide for Schools, January 1999

#### OFFICE OF CIVIL RIGHTS

Sexual Harassment Guidance, 62 FR 49, 1997

#### WEB SITES

OCR: <http://www.ed.gov/offices/OCR>

# ACKNOWLEDGEMENT

The policies, rules, regulations, directives, guidelines, and expectations of Delta Charter Schools are contained in, but not limited to, this Handbook; this Handbook is intended to serve as a general reference for parents and students to assist them in participating in the school community. Delta Charter Schools reserves the right to make revisions to this Handbook; observance of any such change is expected by all as soon as the change is made known to the school community via appropriate means of communication. The registration of a student at Delta Charter Schools is deemed to be an agreement on his/her part, and on the part of his/her parents or guardians, to comply fully with all policies, rules, regulations, directives, guidelines and expectations of the school. Violations of the spirit, intent or letter of the philosophy and rules will be considered just cause for administrative action. The use of the term "parents" throughout this document is meant to include a single parent and/or legal guardian(s). All students are expected to participate in the educational experiences and activities of the school as directed by the administration and staff. Failure to participate in an appropriate fashion or to conform to the directions of the proper school authority is a breach of the condition of enrollment. Students are required to respect the principles explicitly and implicitly conveyed by the duly appointed authorities of the school. Under no circumstances may a parent excuse a student from observance of the policies, rules, regulations, directives, guidelines, and expectations of Delta Charter Schools if the parent expects the student to remain in good standing with the school. The policies, rules, regulations, directives, guidelines, and expectations in this Handbook apply when going to or coming from school, while on school grounds, during the lunch period, whether on or off the campus, during, or while going to or coming from a school-sponsored activity, or while at other schools. It is the responsibility of all students to observe any other applicable policies, rules, regulations, directives, guidelines, and expectations communicated to them by the school staff and administration that are not explicitly referred to in this Handbook yet are required for participation in school activities and functions extending beyond those matters addressed in this document.

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**Student Signature**

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**Parent Signature**

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**Date**

**I acknowledge that I am responsible for knowing and understanding the contents of the DCS (Bridges) document and agree to abide by the policies, rules, regulations, directives, guidelines, and expectations of Delta Charter Schools.**