

## Opportunity Youth Academy Charter School

Ready to learn.

Ready to work.

Ready to Live!



Opportunity Youth Academy Charter School  
Student, Family and Staff Handbook

**Student & Family Handbook**

## Appendix P: OYA Student, Staff Handbook



Student Services Branch

### Opportunity Youth Academy

### Student & Family Handbook 2020-21

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OYA The Hub – 591 N. King Rd, Room 17 – San Jose, 95133  
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OYA Washington – 921 S. First St., Suite B – San Jose, CA 95110  
OYA Snell – 3550 Snell Ave. – San Jose, CA 95136

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Mary Ann Dewan, Ph.D.

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## OYA Mission & Vision

### Our Vision...

Opportunity Youth Academy (OYA) provides young adults who are disengaged from school the opportunity to complete their high school education. OYA is designed to serve “opportunity youth” who are justice engaged, pregnant or parenting, in the foster system, homeless or otherwise disengaged from traditional public schooling.

### Our Mission...

OYA’s organizational mission is to provide a premier high school diploma program to engage “opportunity youth” through relationship-focused, high-tech, and rigorous learning experiences resulting in students and graduates being “Ready to Learn, Ready to Work and Ready to Live.”

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### Opportunity Youth Academy Staff Contact Information

Superintendent: Mary Ann Dewan, Ph.D. ....	(408) 453-6511
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Director/Principal of Opportunity Youth Academy: Phil Morales	(408) 573-3261
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College/Career Liaison: Linda Ahmed.....	(408) 573-3267
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Navigator: Christina Ramos .....	(408) 847-8843
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Bobby Welch - OYA Snell	(408) 573-3263
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# Opportunity Youth Academy

### Introduction

Opportunity Youth Academy offers students a blended learning program of teacher-directed instruction and online credit accrual and recovery options. The individualized support of teachers, counselors, education navigators, community liaisons and access to the services of SCCOE partners from community-based organizations is the hallmark of this unique program. The focus is ensuring that students leave the program with a high school diploma, and a path to post-graduation college or career. The classes students complete satisfy admission requirements for California public universities and military service.

### Registration Process

Enrollment in OYA is voluntary. Students wishing to enroll should enroll online <https://aeries.sccoe.org/enrollment/> or call 1-844-OYA-4UUU (1-844-692-4888) to request a registration packet. Students cannot be admitted without a complete registration packet. Because OYA is a year-round program, students can enroll at any time during the year.

OYA will be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of ethnicity, national origin, gender, gender identity, gender expression, or disability. Admission to OYA shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within the State of California. Assessments shall not be administered prior to acceptance or enrollment.

OYA shall admit all students who wish to attend the School, subject to space limitations. If the number of eligible students who wish to attend exceeds the school's capacity, attendance will be determined by a lottery. The following category of eligible students shall be exempt from the lottery and may be admitted without participation in the lottery: preferences, including, but not limited to, siblings of students admitted or attending OYA and children of OYA teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all the following:

- Each type of preference shall be approved by the chartering authority at a public hearing.
- Preference shall be consistent with federal law, the California Constitution, and Section 200.
- Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

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It is the desire of OYA to admit any eligible student who desires to enroll, however if it is determined that a lottery is necessary due to space limitations, a lottery will be held within two weeks of the determination. Once the lottery is completed, all students not admitted shall be placed on a waiting list, which remains active for the balance of the academic year. In the event a vacancy occurs during the academic year, students on the waiting list will be offered admission in the order in which their names were drawn in the lottery. The order of admission of students at any time during a school year shall be based solely on the order of applicants on the admission priority list. Admission shall be based solely on a first-come first-served basis if OYA determines that space still exists after the admission priority list has been exhausted.

If a student is expelled or leaves OYA without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including report cards or a transcript of grades, and health information. If the pupil is subsequently expelled or leaves the school district without graduating or completing the school year for any reason, the school district shall provide this information to the charter school within 30 days if the charter school demonstrates that the pupil had been enrolled in the charter school.

In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment. Furthermore, OYA shall encourage parental involvement but shall notify the parents and guardians of applicants and currently enrolled OYA students that parental involvement is not a requirement for acceptance to, or continued enrollment at OYA.

The following steps must be completed prior to registration at any of the Opportunity Youth Academy site:

### Students must meet all registration requirements:

Registration Requirements for Minors	Registration Requirements for Adults
<ul style="list-style-type: none"> <li>Must be resident of Santa Clara County or a contiguous county (Alameda, San Joaquin, Stanislaus, Merced, San Benito, Monterey, Santa Cruz, San Mateo) and provide proof of residency</li> </ul>	<ul style="list-style-type: none"> <li>Must be resident of Santa Clara County or a contiguous county (Alameda, San Joaquin, Stanislaus, Merced, San Benito, Monterey, Santa Cruz, San Mateo) and provide proof of residency</li> </ul>
<ul style="list-style-type: none"> <li>Must be between the age 16 -18</li> </ul>	<ul style="list-style-type: none"> <li>Must be between the age 18 - 24</li> </ul>
<ul style="list-style-type: none"> <li>Must be officially dis-enrolled from their local school(Withdrawal Letter may be requested)</li> </ul>	<ul style="list-style-type: none"> <li>Officially dis-enrolled from school (Withdrawal Letter may be requested)</li> </ul>
<ul style="list-style-type: none"> <li>Must provide up-to-date immunization records</li> </ul>	<ul style="list-style-type: none"> <li>Must provide up-to-date immunization records</li> </ul>
<ul style="list-style-type: none"> <li>Provide last current IEP or 504 plan <i>if applicable</i></li> <li>Provide last current high school transcript</li> </ul>	<ul style="list-style-type: none"> <li>Provide last current IEP or 504 plan <i>if applicable</i></li> <li>Provide last current high school transcript</li> </ul>
<ul style="list-style-type: none"> <li>Parent or guardian must be present during registration <i>and</i> orientation</li> </ul>	

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**Note:** Minors released from Osborne (Juvenile Hall), Blue Ridge, on expulsion or currently attending a county community school do not qualify for OYA and must return to their home district or the Alternative Education Department in the Santa Clara County Office of Education.

Students will meet with Community Liaison to complete forms contained in registration packet. During the meeting, the Community Liaison will gather required documents and determine the student's eligibility. If after the meeting it is determined that OYA is not the best placement, the student will be referred to their home district academic counselor, or the Alternative Education Department in the Santa Clara County Office of Education for other options.

### Orientation Process

Upon completion of the Registration Process, the school registrar will schedule an orientation appointment with the student and parent (if the student is a minor). At this time the following items will be reviewed and completed:

OYA School Rules

Student Needs Assessment

Naviance Career Cluster

OYA Attendance Expectations

Community Resources

### Teacher Meeting

Once the student has completed both registration and orientation processes, the student will meet with the assigned OYA teacher. The teacher will review student's transcripts and determine the student's class schedule, credits needed to graduate and the projected graduation date. In addition, the teacher will also review the Master Agreement for Independent Study with the student and parent (if the student is a minor).



## Registration and Enrollment FAQ

	FAQ	Answer
1	What are the benefits of OYA?	Students can earn a high school diploma and receive workforce training, employment services, transportation assistance, support with childcare and housing. You will be assigned an OYA Navigator to connect you with services as needed.
2	I'm a minor (16 or 17 years old) currently attending another high school. Can I transfer to OYA?	No. Although OYA is a charter, the charter petition has been written to address the needs of disengaged youth who have dropped out of school.
3	I'm a minor (16 or 17 years old) currently enrolled in another school but not attending. Can I transfer to OYA?	Yes, if you have proof of non-attendance for more than three months when school is in session.
4	My teacher, counselor, or principal referred me to OYA. Do I qualify?	A referral from your school staff does not guarantee eligibility; students must meet all eligibility criteria.
5	My Probation Officer, Social Worker, Case Manager referred me to OYA. Do I qualify?	A referral from a Probation Officer, Social Worker, or Case Manager does not guarantee eligibility; students must meet all eligibility criteria.
6	I'm 15 years old, can enroll in OYA?	No. Only students aged 16-24 are eligible.
7	I'm 15 years old but will turn 16 pretty soon. Can I register today?	No. Only students aged 16-24 are eligible.
8	If OYA is a charter school, why can't I transfer from my current school?	OYA is a dependent charter operated by the Santa Clara County of Ed and a re-engagement program for students who have been dis-engaged from school for more than three months. The charter has been written to address the needs of disengaged youth who have dropped out of school.
9	If I am currently attending a high school, do I dis-enroll or withdraw from school and wait 3 months to qualify for OYA?	No. We advise students to remain in school and talk to their school counselor or district for other viable options such as the Alternative Education Department (AED) community schools operated by the Santa Clara County Office of Ed.
10	I'm 18 years old. Do I need to be dis-enrolled for more than three months?	Yes, if you are currently a senior in a public or charter high school. No, if you did not graduate high school with your senior class.
11	I just turned 18 and was recently released from Juvenile Hall. Do I qualify?	No, if you are currently a senior in high school, you must return to your previous school. Yes, if you did not graduate high school with your expected senior class or were enrolled in OYA previous to Juvenile Hall.
12	I'm 24 and need lots of credits. Can I enroll?	Yes.
13	Can I continue OYA if I don't graduate by the time I turn 25?	Yes, as long as you are enrolled before your 25 <sup>th</sup> birthday.

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14	How long does registration and enrollment take?	Approximately 1-2 weeks
15	How do I get the registration forms and enroll?	You can obtain a registration packet at any OYA site or by emailing <a href="mailto:OYA@sccoe.org">OYA@sccoe.org</a> . You can also call 1-844-OYA-4UUU (1-844-692-4888) leave a clear, detailed message with name and phone number and our recruiter will get back to you to schedule a registration appointment.
16	What do I need to bring to my registration appointment?	Minors need to bring their immunization records and a parent or legal guardian. All students need to bring a copy of their official transcripts. Students with special education services need to bring a copy of their most current IEP.
17	What happens after registration?	Your Navigator will call you to schedule your orientation meeting and a meeting with your assigned teacher to review your transcript and create your class schedule.
18	What are the school hours?	8:30 AM – 4:00 PM. Some sites are open until 7:30 PM.
19	How long do I attend each week?	Students attend between one and twenty hours a week, depending on the student's academic needs and current life circumstances. Individual student schedules are developed with the teacher.
20	How long will it take me to graduate?	Because this program allows you to work at you own pace, it depends on how many credits you need and how many hours you dedicate to your studies each week.

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### School Office Procedures School Hours

Opportunity Youth Academy sites are open Monday through Thursday from 8:30AM to 4PM

**Fridays** are minimum days. All sites are open from 8:30 a.m. to 12:00 p.m.

#### **Change of Address/Other Info**

Student, parents/guardians should immediately notify the school teachers or School Office Coordinator of any changes in address, home telephone, parent/guardian work telephone, or other contact information. This is important so that the school can communicate effectively with parents and guardians, particularly in the case of an emergency.

#### **Absences**

All absences, illnesses or otherwise, must be verified in writing or by phone within 24 hours. For this reason, it is critical that the school is given updated contact information whenever changes occur.

#### **Illnesses and Injuries**

Students should not come to school when ill. If a student becomes ill or injured while at school, he/she needs to inform the teacher.

- Adult Students may leave the school grounds to go home because of illness or injury but first must inform the teacher or staff onsite.
- Minor Students will not be allowed to leave campus due to illness or injury without contacting and parent permission.
- Students who choose to leave without school or parent permission will receive an unexcused absence and discipline referral.

#### **Medical Appointments**

Minor Students are to bring a signed note from home stating the time, date and doctor's name. This note should be taken to the school teacher. No student may leave campus without authorization from teacher. Parents will be called to verify medical appointment. **Every effort should be made to have medical appointments after school hours.**

#### **Dispensing Aspirin and Other Medications**

California law prohibits school employees from dispensing aspirin or any other medications not authorized by parents or doctors in writing; this includes 18 year old students. Parents whose children are required to take medication on a regular basis may request in writing that medication be dispensed through the School Office Coordinator. A form must be requested through the child's doctor and kept on file in the school office.

#### **Classroom Phone**

Use of the classroom phone is allowed only with the permission of the assigned teacher.

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### Lost and Found

If a student has lost an item, he/she should inquire the teacher on site. Students must be aware that all items that are brought to school are bought at their own risk, and that the school is not responsible for the loss of personal items.

### Attendance

This program relies heavily on self-discipline and self-instruction. OYA is not for everyone. Students must attend one or more blocks a week. Students earn credit based on work completed, not seat time. Students must arrive prepared with completed work in hand to scheduled appointments. While attending appointments, students must be in compliance with of all school rules.

The need for consistent school attendance is stressed at each of the schools in Opportunity Youth Academy. The student agreement with the school requires that students will attend regularly. For the purpose of receiving class credit, no distinction is made between excused and unexcused absences; however, teachers may wish to use their discretion in assigning grades to students who have missed too many days under extraordinary circumstances. In some cases, students may be allowed to make up class time following serious injuries, accidents or other unavoidable situations. Students should understand that they are not allowed to miss school for frivolous reasons and that their continued participation in the Opportunity Youth Academy can be severely jeopardized by unexcused absences. Supplemental contracts may be drawn up to address truanancies, habitual absences.

### Reporting Absences

State law requires that absence verification be made by the student or parent/guardian (if minor). This verification must be done by calling the assigned teacher within 24 hours of the absence. See page 2 for phone numbers for individual schools. A student or parent/guardian must leave a message with the assigned teacher or school staff or voicemail. Students who are 18 years of age or older may excuse their own absences. **However, adult students who abuse the attendance policy may be transferred to Adult Education.**

**California State law does not recognize any absence as excused.** Opportunity Youth Academy recognizes that the following activities may unavoidably impact the student's schedule.

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- Doctor Appointments
- Dental/Orthodontist appointments
- Illness
- Funerals
- At an employment conference
- Court appearances (must be verified by court documents)
- Observation of a holiday or ceremony of his/her religion, or attendance at religious retreats
- When the pupil is the custodial parent of a child who is ill or has a medical appointment during school hours (EC 48205)

Students who are ill should stay at home and recover. Students who come to school sick or who become sick at school will be sent home. Missing the bus, oversleeping, visiting with a relative, staying home to babysit a sibling, etc., are not excusable absence. Please remind students of appointments in the morning before they leave for school. This will help reduce classroom interruptions. Unexcused absences may affect a student's grades

Our attendance procedures are designed:

- To help students be aware that information and instruction given in class is an important part of their educational experience.
- To help students understand that participation in class is important for both the student's own educational experience and the educational experience of his/her classmates.
- To instill in students the awareness of socially appropriate behavior that is considerate of others.
- To better prepare and educate students of the behavior expectations common in the workplace.



## OYA Student Attendance Agreement

OYA is committed in giving you the opportunity to earn your diploma by providing a safe learning environment, individualized instruction from teachers and guidance from support staff to address your needs.

We expect that you also be as committed as we are in supporting you in earning your diploma by meeting the following expectations:

- Attending class when scheduled
- Inform teachers and staff in a timely manner when you are unable to attend class
- When in the class, working on assigned courses and not being distracted (i.e. cell phone, social media)
- Be in regular communication and reachable. It will be your responsibility to update any changes in your contact information
- Meeting minimal expectations and assignment deadlines per arrangement with your teacher
- Respecting the OYA code of conduct

In the event that any of these expectations are not met, the following notices will be conducted:

1st Notice	Upon being informed by the teacher that the student is not meeting attendance expectations. OYA will attempt to reach student using the contacts on file; several calls, text or e-mails may be carried out by teacher or navigator during the period of a week (case-managers, social-workers and probations officers will also be contacted).
2 <sup>nd</sup> Notice	During the second week of not meeting expectations or failing to reply, OYA will continue attempts to contact student which may also include a navigator conducting a home visit to the address on file.
3 <sup>rd</sup> Notice	At the end of the two week period a letter will be mailed to notify student that they have been un-enrolled from OYA.

**Should you not meet attendance program expectations or reply to our contacts OYA will be forced to put you on “un-enrolled” status. If you choose to return, you will have to re-enroll and your re-admission will be based on space availability.**

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Student Signature \_\_\_\_\_ Date \_\_\_\_\_

# Independent Study Contract

### **Independent Study Contract:**

All students will be given an Independent Study Contract. These are set up with input from the teacher, counselor and at least one staff member.

The student is to complete the subjects/courses assigned listed in the Independent Study Master Agreement Contract. Subject/course objectives are consistent with charter school standards and Board Policies adopted by the Santa Clara County Office of Education (SCCOE) Board of Education. The specific objectives, methods of study, methods of evaluation, and resources for each assignment covered by this agreement will be provided by the teacher via the adopted school curriculum.

### **Assignments:**

According to the SCCOE Board Policy for independent study (BP/AB 6158), the maximum length of time allowed between the assignment and the date the assignment is due is 3 weeks unless a prior exception is made in the accordance with Board Policy. After three missed assignments for this agreement, an evaluation will be made to determine whether independent study is an appropriate strategy for this student.

### **Reporting:**

Students are required to report to their teacher(s) as scheduled in the Independent Study Contract.

### **Voluntary Statement:**

Independent study is an optional education alternative that students voluntarily select, including expelled students (Education Code Section 48915) and/or students whose expulsion has been suspended (Ed Code Sec 48917). All students who choose independent study must have the continuing option of returning to District of Residence and/or Adult School Program.

### **Equitable Provision of Resources and Services:**

The independent study option is to be substantially equivalent in quality and quantity to classroom instruction, and students who choose to engage in independent study are to have equality of rights and privileges with students in the regular school program.

## **Student Use of Technology**

The Santa Clara County Board of Education intends that technological resources provided by the Santa Clara County Office of Education (SCCOE) be used in a safe, responsible, and proper manner in support of the instructional program and for the advancement of student learning. The Superintendent or designee shall notify students and parents/guardians about authorized uses of SCCOE computers, user obligations and responsibilities, and consequences for unauthorized use and/or unlawful activities in accordance with SCCOE regulations and the SCCOE's Acceptable Use Agreement.

Before a student is authorized to use the SCCOE's technological resources, the student and his/her parent/guardian shall sign and return the Acceptable Use Agreement specifying user obligations and responsibilities, which is provided during the student's intake. In that agreement, the student and his/her parent/guardian shall agree not to hold the SCCOE or any SCCOE staff responsible for the failure of any technology protection measures, violations of copyright restrictions, or user mistakes or negligence.

They shall also agree to indemnify and hold harmless SCCOE personnel for any damages or costs incurred. The Superintendent or designee, with input from students and appropriate staff, shall regularly review and update this policy, the accompanying administrative regulation, and other relevant procedures to enhance the safety and security of students using the SCCOE's technological resources and to help ensure that the SCCOE adapts to changing technologies and circumstances.

The Superintendent or designee shall ensure that all SCCOE computers with Internet access have a technology protection measure that blocks or filters Internet access to visual depictions that are obscene, pornographic, or harmful to minors and that the operation of such measures is enforced. To reinforce these measures, the Superintendent or designee shall implement rules and procedures designed to restrict students' access to harmful or inappropriate matter on the Internet and to ensure that students do not engage in unauthorized or unlawful online activities. Staff shall supervise students while they are using online services and may have teacher aides, student aides, and volunteers assist in this supervision.

The Superintendent or designee also shall establish regulations to address the safety and security of students and student information when using email, chat rooms, and other forms of direct electronic communication.

The Superintendent or designee shall provide age-appropriate instruction regarding safe and appropriate behavior on social networking sites, chat rooms, and other Internet services. Such instruction shall include, but not be limited to, the dangers of posting personal information online, misrepresentation by online predators, how to report inappropriate or offensive content or threats, behaviors that constitute cyberbullying, and how to respond when subjected to cyberbullying.



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

## Graduation Requirements

Track One: 220 Units UC/CSU Requirements		Track Two: 200 Units California State Requirements	
Subject	Credits Required	Subject	Credits Required
English	40	English	40
Mathematics	30	Mathematics	10
World History	10	Algebra I	10
US History	10	World History	10
Government/Economics	10	US History	10
Life Science	10	Government/Economics	10
Physical Science	10	Life Science	10
Physical Education	20	Physical Science	10
Foreign Language	20	Physical Education	20
Visual/Performing Fine Arts	10	Visual/Performing Fine Arts	10
Life Skills/Health	10	Electives	60
Computer Applications	10		
Service Learning	10		
Senior Project	10		
Electives	10		
<b>TOTAL</b>	<b>220</b>	<b>TOTAL</b>	<b>200</b>

### Earning School Credit toward Graduation

OYA calculates credits based on student work production. Approximately one semester credit is earned for each twelve hours of student work productivity.

Reference: California Administrative Code, Title 5, Chapter 7 § 1600a(2)

**Students do not automatically earn credit simply by being enrolled.** Students must complete work assigned and earn a passing grade in a class in order to earn the credits determined by this formula. A passing grade is determined based on a combination of the quality of student’s work and the amount of effort put into the work by the student.

## **Student and Family Support Services**

*Qualifications may apply*

### **Academic Counseling**

All students will have the opportunity to work with an Academic Counselor to set academic goals, create educational program schedules, and transition to college or career after graduation.

### **Mental Health Support**

Students and families have the opportunity to work with a trained therapist for intervention, counseling and support services.

### **Special Education**

Special education programs and services are available to all eligible students. Parents who have reason to believe that a student needs special education services may contact the school counselor or site administrator.

### **Bus Tokens**

Daily tokens are available to students who require transportation to and from school.

### **Work Permits**

Work permit applications are available from the School Office Coordinator. Students applying for a work permit must show proof of age (such as a Birth Certificate, Driver's License, or a DMV Identification card). The permit is valid for one specific job, one school, and one school year. It must be renewed each time any of the above information changes. Work permits can be revoked if the student does not maintain acceptable attendance or satisfactorily complete his/her schoolwork.

### **Identification Cards**

All students, upon enrolling in the school will have their picture taken. These pictures will be used to create identification (ID) cards, which will be provided to students at no charge. Students are encouraged to have these cards in their possession at all times.

### **Confidentiality**

Confidentiality is an important component of the Community Schools program. Students are encouraged to seek solutions to their problems, to avoid harmful behaviors, and to develop their strengths. Occasionally, *Student Success Team* meetings are held in which staff members keep one another informed of the progress of students in the program and share ideas concerning students. Students should expect that information concerning them will be treated with respect for their privacy. However, all staff members are mandated reporters and are required to report information concerning students who intend to hurt themselves or others, or who are suspected victims or child abuse, to appropriate persons or agencies.

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### **Parent Involvement**

The Santa Clara County Board of Education recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with staff and parents/guardians to develop meaningful opportunities at all grade levels for parents/guardians to be involved in SCCOE and school activities; advisory, decision-making, and advocacy roles; and activities to support learning at home. Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the SCCOE's parent involvement efforts, including, but not limited to, input from parents/guardians and school staff on the adequacy of parent involvement opportunities and barriers that may inhibit parent/guardian participation.

Each year the Superintendent or designee shall identify specific objectives of the SCCOE's parent involvement program for schools that receive Title I funding. S/he shall ensure that parents/guardians are consulted and participate in the planning, design, implementation, and evaluation of the parent involvement program.

The Superintendent or designee shall ensure that the SCCOE's parent involvement strategies are jointly developed with and agreed upon by parents/guardians of students participating in Title I programs.

Those strategies shall establish expectations for parent involvement and describe how the COE will carry out each activity listed in Federal Law.

The Superintendent or designee shall consult with parents/guardians of participating students in the planning and implementation of parent involvement programs, activities, and regulations. S/he also shall involve parents/guardians of participating students in decisions regarding how the COE's Title I funds will be allotted for parent involvement activities.

The Superintendent or designee shall ensure that each school receiving Title I funds develop a school-level parent involvement policy in accordance with Federal Law.

### **Student Dress Code**

Students are expected to comply with the OYA dress code:

1. No gang affiliated clothing or other gang affiliated items.
2. No exposed undergarments.

Any clothing or jewelry judged by school personnel to be inappropriate for school and/or a school function will result in the student needing to change into loaner garments (if available) at the site or the student must go home to change. Gang related clothing may be reported to the appropriate authorities.

## **Appendix P: OYA Student, Staff Handbook**

Please note that some sites (e.g., OYA Washington) have additional dress code rules that must be followed.

### **Smoking and Use of Tobacco Products**

Smoking and the use of tobacco products are prohibited at all sites operated by the County Office of Education. Additionally, students may not smoke, use tobacco products, e-cigarettes, or vapor pens while attending school sponsored activities or while under supervision of school staff.

### **Loitering**

Students need to proceed directly into the school campus in the mornings upon arrival. Students may not loiter (hang out) in front of the schools, on the corner, or in the neighborhood.

### **Graffiti/Tagging**

Any students engaging in graffiti or tagging that leaves damage on a surface or object resulting in a need to be replaced, sandblasted, painted, chemically treated, or otherwise removed in order to restore the surface to its previous condition, regardless of the cost or the damage, will be subject to the following disciplinary consequences: Disciplinary actions include, but are not limited to: warnings, principal intervention, parent/guardian contact, and/or student behavior contracts.

### **Language/Profanity/Slurs**

Students will not use language that is abusive or offensive to others through words, writings, or actions. Disciplinary actions include, but are not limited to: warnings, principal intervention, parent/guardian contact, and/or student behavior contracts.

### **Public Displays of Affection**

Socializing with others is an important component of school life. However, excessive displays of affection are inappropriate in a school community and are not permitted at any time during the school day or at any school related events. This includes but is not limited to kissing, caressing, etc.

### **Visitors**

All visitors must sign in. Parents and legal guardians are welcome on all OYA School campuses. The staff asks that appointments be made to see a teacher or to visit classes so that personnel will be available and so that the educational process will not be disrupted. Requests for social visits by non-students will be denied. Trespassers may be cited.

### **Searches on School/Center Premises**

**BP 5321** References: Education Code 44807 (Re Donaldson, 269 Cal. App. 2d509, 512); AR 5321  
Approved: 05/06/81

## Appendix P: OYA Student, Staff Handbook

It is the policy of the Board that searches on school and center premises shall be conducted only in order to protect the safety and security of persons and to preserve discipline and good order. The right to inspect a student's locker or person and to seize property is inherent in the authority granted the Board and those who administer its programs. That right, however, must be balanced by the rights of privacy of person as well as freedom from unreasonable search and seizure of property, as guaranteed by the Fourth Amendment to the U.S. Constitution.

**SCCOE maintains the right to search personal property of a student**, including clothing, when there is reasonable suspicion that school rules are being violated and/or a threat to the health and safety of students and staff exists. Students involved shall be informed, if possible, prior to the search and, when applicable, be present when the search takes place. **Information leading school officials to conduct a search and/or to seize property may be independent of law enforcement officials.**

However, searches involving law enforcement officials on school grounds shall require notification of a school official who may be present during the search. In instances where firearms and any controlled substances (drugs) are confiscated, the confiscated property shall be turned over to law enforcement officials. School personnel will be guided by policy and education code provisions in pursuing searches and legal action against students in possession of items such as weapons, explosives, drugs, and drug paraphernalia.

### Discipline

Every attempt is made to create and maintain a positive atmosphere in all OYA sites. Since traditional disciplinary measures have been generally unsuccessful with students in this program, a different approach is used. Students and parents are required to sign a student agreement before they are enrolled in the program. With this document, students agree:

1. To sign in when arriving to class and to sign out when leaving class
2. Not to use or possess tobacco, alcohol, illicit drugs, or any other harmful substance on school property or while participating in school-related activities and not come to school while under the influence of these substances
3. Not to participate in violence or threats of violence or to use or possess any type of weapon on school property or while participating in school-related activities
4. To attend school regularly and be in class on time
5. To participate in classroom activities as the teachers ask
6. To respect classmates, school employees and school property
7. To step outside the classroom to use cellphones

Through this system, students understand that they may remain in OYA as long as they are willing to obey these rules. Please note, supplemental contracts may be created to address individual situations.

## California State Testing (English)

DATE

Dear Parent or Guardian,

All 11<sup>th</sup> grade students at Opportunity Youth Academy will participate in California State summative assessments in English, Math and Science between in March and April of 2018.

California state assessments for math, English and science are administered online, and are important measures of students' progress on the Common Core State Standards. Students are assessed on their reading, writing and critical thinking skills, which are essential characteristics of a student who is prepared for high school graduation and career or college. Many supports are available for students, such as the ability to have the test questions read to them or translated into Spanish.

These tests are only used to measure student progress but are required by the state for all students. These are not tests that students have to pass to advance to the next year or to graduate. The results of these tests will be available to parents, teachers and school administrators at the end of the school year.

To get a sense of what the California state tests will be like, you and your student can view the practice test online at the California Department of Education (CDE) webpage:  
<http://www.cde.ca.gov/ta/tg/sa/practicetest.asp>.

California Educational Code requires that parents and guardians are notified of their right to provide a hand-signed letter to their school each year that opts their student(s) out from California Assessment of Student Performance and Progress (CAASPP) testing.

If you have any questions about our new California State Standards or the assessments, please feel free to speak to your student's teachers or to contact your student's principal.

Warm regards,

Phil Morales  
Principal, Opportunity Youth Academy

## California State Testing (Spanish)

DATE

Estimado padre o tutor,

Todos los estudiante del onceavo (11th) grado participaran en las evaluaciones acumulativas en inglés, matemáticas y ciencias del Estado de California durante **abril y mayo de 2018**.

Las evaluaciones del estado de California para matemáticas, inglés y ciencias se administran en línea, y son medidas importantes del progreso de los estudiantes en las Normas Fundamentales Comunes del Estado. Los estudiantes son evaluados en su lectura, escritura y habilidades de pensamiento crítico, que son características esenciales de un estudiante que se prepara para graduarse de preparatoria y de una carrera o universidad. Muchas opciones están disponibles a los estudiantes, tales como la habilidad que les lean las preguntas del examen o que sean traducidas al español.

Estos exámenes solo se utilizan para medir el progreso del estudiante, pero son requeridos por el estado para todos los estudiantes. Estos no son los exámenes que los estudiantes tienen que pasar para avanzar al próximo año o para graduarse. Los resultados de estos exámenes estarán disponibles para los padres, maestros y administradores escolares al final del año escolar.

Para darse una idea de cómo serán los exámenes estatales, usted y su estudiante pueden ver la práctica del examen en línea en la página web del Departamento de Educación de California (CDE, por sus siglas en inglés): <http://www.cde.ca.gov/ta/tg/sa/practicetest.asp>.

El Código de Educación de California requiere que los padres y tutores sean notificados de su derecho a presentar una carta firmada a mano cada año a su escuela que ellos optan por sus estudiantes a que no tomen el examen de Evaluación del Rendimiento de los Estudiantes y el Examen de Progreso de California (CAASPP, por sus siglas en ingles).

Si usted tiene alguna pregunta sobre nuestras nuevas Normas Estatales de California o las evaluaciones, no dude en hablar con el maestro de su hijo o ponerse en contacto con su director.

Un cordial saludo,

Phil Morales  
Directora, Opportunity Youth Academy



## **Emergency Information**

The County’s Emergency Preparedness Handbook is available online at <http://www.sccoe.org/depts/comserv/preparednessplan/>, as well as at all school sites and at the County Office at 1290 Ridder Park Drive, San Jose, CA 95131.

During an emergency, parents/guardians are expected to support the staff by directing students to stay at school until they are released. School officials will determine when it is safe to release students to return home.

### **Emergency Phone Numbers**

Fire Department	911 or 277-4444
California Highway Patrol	911
Paramedics and Ambulance	911
San Jose Police Department	911 or 311
Santa Clara County Sheriff	911 or 299-3233
Office of Emergency Services	(408) 277-4595
City of San Jose	911 or 277-4595
Santa Clara County	911 or 299-3751
Santa Clara County Communications	911 or 299-2711
CalTrans (Highway Conditions)	(800) 427-7623
Pacific Gas and Electric Company	(800) 743-5000
San Jose Water Company	279-7900
AT&T (Telephone Service)	(800) 750-2355
Honeywell Security (Alarm Service)	283-4140
Acufacts Security	286-5880

### **Radio Stations**

KCBS	740 AM
KGO	810 AM
KSJO	92.3 FM
KLIV	1590 AM

## Community Resources

### Crisis Resource Numbers

1. Eastfield Ming Quong (EMQ) 24 hour Emergency Crisis Line (408) 379 9085
2. Child Abuse Hotline
  - CAN Center Child Abuse Reporting (408) 299-2071
  - Nationwide (800) 422-4453
3. PARENTAL STRESS HOTLINE (408) 279-8228
4. MENTAL HEALTH YOUTH SERVICES, Spanish, English, & Vietnamese 1-800-704-0900
5. 24 HOUR DOMESTIC VIOLENCE CRISIS LINE
  - Next Door (408) 279-2962 a 24-hr. hotline (Spanish & English)
  - Asian Americans for Community Involvement (AACI) (408) 975-2739
  - Community Solutions (South County) (408) 683-4118
  - Support Network for Battered Women, Spanish & English 1-800-572-2782
6. SUBSTANCE ABUSE CRISIS LINE:
  - Gateway 1-800-488-9919
  - 800-662-HELP
7. SUICIDE AND CRISIS LINE
  - 408-279 3312, North County
  - 408-494 8420, South County
  - 1-800-784-3422 (nationwide)
8. CA Youth Crisis Line (800) 843-5200
9. AIDS National Hotline (800) 342-AIDS
10. Homeless and Runaway Youth (408) 243-0222
11. Rape Crisis Hotline
  - (408) 287-3000
  - (650) 493-RAPE
12. STD National Hotline (800) 342-2437

### Basic Need Resources

1. **Child Health and Disability Prevention (CHDP) Program** 408-494-7800 Provides free well child screenings to low income children (ages 0-20)
2. Healthy Kids – Healthy Families – Medical (888) 244-5222
3. Provides free or low cost health, vision & dental to children (0-18) from low or middle-income families.
4. Immunizations 408-792-5200
5. Provides free or low cost immunizations to prevent diseases; e.g. measles, whooping cough, chicken pox & meningitis (ages 0-21)
6. **Oral Health** (408) 283-6200 Provides comprehensive dental care to low income children (ages 0-18)
7. **Supplemental Security Income (SSI)** 800-772-1213 Provides cash assistance and Medical to low income disabled individuals (all ages).
8. **WIC** Women’s, Infants & Children’s Supplemental Food Program 888-942-9675

## Appendix P: OYA Student, Staff Handbook

9. Provides nutrition education and coupons for free food to low-income women (pregnant or nursing), infants, and children with special health care needs (ages 0-5)\
10. **Valley Connection** 1-888-334-1000, Health information/ resources especially MediCal families.

### Self Help Resources

These groups offer persons with similar concerns an opportunity to share experiences and problems with each other and to support each other. These groups are usually nonprofit, nonaffiliated, confidential, and charge no fees for their services.

1. **NARCOTICS ANONYMOUS** 1-650- 802-5950 [www.sfng.org](http://www.sfng.org)
  - a. Narcotics Anonymous 24-hour help line offers referral services for persons with any kind of drug problem.
2. **ALCOHOLICS ANONYMOUS** 408- 374-8511
  - a. Alcoholics Anonymous offers peer discussion and support groups.
3. **ALANON and ALATEEN** 1-888-425-2666 [www.al-anon-anon-alateen.org](http://www.al-anon-anon-alateen.org)
  - a. Alanon and Alateen offer discussion and support groups for family members of alcoholics. Alanon is for entire families and Alateen is specially designed for 13 to 19-year-olds.
4. Family & Children Services of Santa Clara Valley 55 E. Empire St., San Jose 408- 288-6200
5. Social Advocates for Youth 1-650- 961-2622
6. Family and Children Services Crisis Line 408- 379-9085
7. **Safe Ride** 1- 877- 753-7433
8. **Quetzal House (Bill Wilson Center)** 408-243-0222 509 View St. Mountain View, 94041



**School: Opportunity Youth Academy**

## **School – Parent Compact**

The school and the parents of the students agree that this compact outlines how the parents, entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership that will help children achieve the State of California’s high academic standards.

This School-Parent Compact is in effect during the 2017-2018 school year.

### **School Responsibilities**

The school will support student’s learning in the following ways:

1. Provide high quality curriculum and instruction at the student’s educational level in a supportive and effective learning environment that enable the participating students to meet the state of California’s student academic achievement standards.
2. Provide parents information regarding student progress while in the program.

### **Parent Responsibilities**

We, as parents, will support our students’ learning.

### **Student Responsibilities**

We, as students, will support academic achievement through the following activities:

1. Do classwork as assigned or when applicable.
2. Ask for help when I need it.
3. Take ownership of academic success.



## **2020-21 Parent Annual Notification**

School districts in California are required to annually notify students, parents, and guardians of their rights and responsibilities. This is the annual notice to parents/guardians of students enrolled in programs operated by the Santa Clara County Office of Education (hereinafter referred to as SCCOE). This notice, which is required by Educational Code 48980, provides important information about federal laws and state education codes, as well as information relating to rights and responsibilities of parents or guardians of children. The abbreviation of "EC" that is found after the title of most sections refers to the California Education Code (EC).

Please review this information carefully as it applies directly to you and your child's participation in our educational programs. If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact your school administrator. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Best wishes for a productive and successful 2020-21 school year.

Mary Ann Dewan, Ph.D.  
Interim County Superintendent of Schools

### **FOR ALL SCHOOLS AND DISTRICTS**

#### **Acceptable Use of Technology**

One of the goals of the Santa Clara County Office of Education (SCCOE) is to assist in advancing the use of technology to enhance student learning. Access to technology is a privilege, not a right, and students enrolled in SCCOE programs or activities must follow SCCOE guidelines and procedures regarding acceptable use of technology. All SCCOE students and their parents/guardians shall sign the Acceptable Use of Technology Agreement prior to using technological resources. SCCOE shall make a diligent effort to filter the inappropriate or harmful matter accessible through the Internet, and students shall also take responsibility not to initiate access to inappropriate or harmful matter while using SCCOE technology. Violation of this policy may result in disciplinary action and the loss of the privilege to use the technology and/or civil or criminal liability.

#### **Asbestos Management Plan – Title 40 Code of Federal Regulations 763.93**

The Santa Clara County Office of Education maintains and annually updates its management plan for asbestos-containing material in school buildings. For a copy of the asbestos management plan, please contact Craig Wilde, SCCOE General Services Director, at (408) 453-4310.

## **Appendix P: OYA Student, Staff Handbook**

### **Attendance Options/Permits – EC 48980(h)**

The following information is a summary of the attendance alternatives available to parents/guardians and their student and is intended to provide an overview of the laws applying to each alternative. Please note that the following attendance alternatives do not pertain to the pupils or the pupil's parent/guardian served by the SCCOE. The attendance alternatives outlined in the remainder of this section pertain to local school districts, and not SCCOE.

### **Residency – EC 48200 and 48204**

A minor between the ages of 6 and 18 years is subject to compulsory education and, unless exempted, must enroll in school in the school district in which the residence of either the parent or legal guardian is located.

A pupil may alternatively comply with the residency requirements for school attendance in a school district, if he or she is any of the following: placed in a foster home or licensed children's institution within the boundaries of the school district pursuant to a commitment of placement under the Welfare and Institutions Code; an emancipated pupil who resides within the boundaries of the school district; a pupil who lives in the home of a caregiving adult that is located within the boundaries of the school district; or a pupil residing in a state hospital located within the boundaries of the school district.

A school district may also deem a pupil as having complied with the residency requirements for school attendance in the school district if one or both the parents or legal guardians of the pupil are employed within the boundaries of the school district.

### **Open Enrollment – EC 35160.5(b)**

Residents of the School District may apply to other schools within the District for their child to attend on a space available basis. Information on each school within the District is provided on the District website. Parents of high school athletes should check on CIF sports eligibility rules before pursuing open enrollment. Transportation to any other school is the responsibility of the parent.

### **Interdistrict Attendance – EC 46600 *et seq.***

School districts may enter into agreements for the inter-district transfer of one or more pupils for a period of up to five years. The agreement must specify the terms and conditions for granting or denying transfers. The parent or legal guardian of a pupil may seek release from the home district to attend a school in any other school district under this agreement.

### **District of Choice – EC 48300 *et seq.***

Some school districts may choose to become a district of choice, that is, a district that accepts transfer students from outside the district under the terms of a resolution. A school board that decides to become a district of choice must determine the number of transfers it is willing to accept and make sure that students are selected through a "random and unbiased" process, which generally means a lottery process. Students must request transfer into a district of choice by January 1 of the prior school year. A modified application process is available for relocated military personnel.

## **Appendix P: OYA Student, Staff Handbook**

### **Availability of Prospectus – EC 49063 and 49091.14**

Each school must annually compile a prospectus of the curriculum to include titles, descriptions and instructional goals for every course offered by the school. Each school site shall make its prospectus available for review upon request.

### **Child Abuse and Neglect Reporting – Penal Code 11164 *et seq.***

Santa Clara County Office of Education staff members are required by law to report cases of child abuse and neglect whenever staff have a reasonable suspicion. Staff may not investigate to confirm the suspicion. Both the staff name and the report itself are confidential and cannot be disclosed except to authorized agencies.

### **Child Find System – EC 56301**

Each school district, special education local plan area (SELPA), or county office shall establish written policy and procedures for continuous child find system including children with disabilities who are migrant or homeless or wards of the state and children with disabilities attending private schools. Policy and procedures shall include written notification to all parents of their rights regarding identification, referral, assessment, instructional planning, implementation, review, and procedures for initiating referral for assessment.

### **Children with Diabetes**

Through a cooperative agreement with the American Diabetes Association (ADA), the California Department of Education ensures that all California students who are classified as disabled because of diabetes will have access to legally required care during the school day. Under the agreement, each local education agency will manage the delivery of this care in the best possible way for those students who are Individualized Education Programs or 504 Plans require administration of insulin and related services during the school day. A Legal Advisory spells out who may administer insulin at a school, and it requires that the local education agency must provide training in diabetes management to a volunteer, non-licensed staff member in cases when a school nurse or other licensed professional is not available.

### **Confidential Medical Services – EC 46010.1**

School authorities may excuse any pupil in grades 7-12 from the school for the purpose of obtaining confidential medical services without the consent of the pupil's parent or guardian. Notification of this code section is required; however, governing board implementation is permissive. Per Santa Clara County Board Policy 5141, students being released for health care and emergency reasons must be checked out of the school through the school office by the parent/guardian or their designee. In addition, Santa Clara County Board of Education Policy 5141 states that un-emancipated minor students shall not be released from school for the purposes of obtaining confidential medical services without the consent of the student's parent or guardian.

### **Dangerous Objects**

Laser Pointer – Penal Code 417.27

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It is a crime for any student to possess a laser pointer on any elementary or secondary school premise, unless the possession is for a valid instructional or other school-related purpose.

### **Imitation Firearm – Penal Codes 12550 and 12556**

A BB device can be considered an imitation firearm. The Penal Code makes it a criminal offense to openly display or expose any imitation firearm in a public place, including a public school.

### **Directory Information – EC 49073**

“Directory Information” includes one or more of the following items: student’s name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent public or private school attended by the student. School districts determine in advance which individuals, officials, or organizations may receive directory information. No information may be released to a private profit making entity other than employers, prospective employers and representatives of the news media, including, but not limited to, newspapers, magazines, and radio and television stations. Directory information may be disclosed without prior consent from the parent or legal guardian unless the parent or legal guardian submits a written notice to the school to deny access to his/her pupil’s directory information.

### **Disaster Preparedness Educational Materials – EC 32282.5**

Each school has a disaster preparedness plan and conducts regular fire, earthquake and disaster drills. For a copy of your school’s plan, contact your principal.

The California Department of Education (CDE) is now required to electronically distribute disaster preparedness educational materials to school districts and county offices of education in, at least, the three most dominant primary languages spoken by English learners in California. Documents are posted on the CDE website at:  
<http://www.cde.ca.gov/ls/ss/cp/pupilsafetyeducmat.asp>.

### **Disruption in a Public School or Public School Meeting – EC 32210**

Any person who willfully disturbs any public school or any public school meeting is guilty of a misdemeanor, and shall be punished by a fine of not more than five hundred dollars (\$500).

### **Dress Code – EC 35183**

Schools may adopt and enforce a reasonable dress code policy that requires pupils to wear a schoolwide uniform or prohibits the wearing of “gang-related clothing” if it is determined that it is necessary for the health and safety of the school environment.

### **Excused Absences – EC 46014 and 48205**

Pupils, with the written consent of their parents or guardians, may be excused from school in order to participate in religious exercises or to receive moral or religious instruction.



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No pupil shall have his or her grade reduced or lose academic credit for any excused absence or absences, if missed assignments and tests that can reasonably be provided are satisfactorily completed within a reasonable period of time.

- (a) Notwithstanding Section 48200, 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, optometrist, 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 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, attendance at an employment conference, or attendance at an educational conference on the legislative or judicial process offered by a nonprofit organization when the pupil's absence is requested in writing by the parent or guardian and approved by the principal or a designated representative pursuant to uniform standards established by the governing board.
  - (8) For the purpose of serving as a member of a precinct board for an election pursuant to Section 12302 of the Elections Code.
- (b) A pupil absent from school under this section shall be allowed to complete all assignments and tests missed during the absence that can be reasonably provided and, upon satisfactory completion within a reasonable period of time, shall be given full credit therefore. The teacher of the class from which a pupil is absent shall determine which tests and assignments shall be reasonably equivalent to, but not necessarily identical to, the tests and assignments that the pupil missed during the absence.
- (c) For purposes of this section, attendance at religious retreats shall not exceed four hours per semester.
- (d) Absences pursuant to this section are deemed to be absences in computing average daily attendance and shall not generate state apportionment payments.
- (e) "Immediate family," as used in this section, has the same meaning as that set forth in Section 45194, except that references therein to "employee" shall be deemed to be references to "pupil."

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### Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their student's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee or copies.

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887. The name and address of the Office that administers FERPA is:

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

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### **Free and Reduced-price Meals – EC 49510 *et seq.***

Free or reduced-price lunches are available at school for pupils whose parents or legal guardians qualify, based on annual household income, and complete the required application form. Applications forms may be obtained at the school office.

### **Foster Youth Educational Placement – EC 48850 *et seq.***

All pupils in foster care are entitled to a meaningful opportunity to meet the challenging state pupil academic achievement standards to which all pupils are held. They shall be placed in the least restrictive educational programs and have access to the same academic resources, services, and extracurricular and enrichment activities that are available to all pupils. Each local educational agency is required to designate a foster care educational liaison. The liaison serves as an advocate for all foster youth that reside within his/her district, and ensures that every foster youth has a proper school placement, transfer of records, and immediate enrollment in school. School enrollment is not contingent upon receipt of a student's academic or medical records. Because school stability is extremely important to a child living in foster care, a foster child is allowed to remain in his or her school of origin, even if the child's home placement changes, for the duration of the school year. Students who do change schools during the school year are able to receive practical credit for coursework that is satisfactorily completed. If any dispute arises as to the school placement of a foster child, the student has the right to remain in his or her school of origin pending the resolution of the dispute. Each local educational agency is required to have a dispute resolution process in place that relates to the enrollment of foster youth within their school jurisdiction. The local liaison can assist parents or students in the dispute resolution process.

### **Harm or Destruction of Animals – EC 32255 *et seq.***

Any pupil with a moral objection to dissecting or otherwise harming or destroying an animal, or any part thereof, must inform his or her teacher of the objection. Objections must be substantiated by a note from the pupil's parent or guardian.

A pupil who chooses to refrain from participation in an education project involving the harmful or destructive use of an animal may receive an alternative education project, if the teacher believes that an adequate alternative education project is possible. The teacher may work with the pupil to develop and agree upon an alternative education project so that the pupil may obtain the knowledge, information, or experience required by the course of study in question.

### **Homeless Youth Education – 42 United States Code 11432**

Requires school district homeless liaisons to ensure parents of homeless pupils are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in education of their children.

The federal McKinney-Vento Homeless Assistance Act ensures educational rights and protections for children and youth experiencing homelessness. This includes children and youth who are living with a friend, relative or someone else because the family has lost their housing;

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children and youth staying in a motel or hotel due to lack of adequate alternative accommodations; children and youth living in an emergency or transitional shelter or a domestic violence shelter; and children and youth who are living in cars, parks, public spaces abandoned buildings, etc. It is the policy of Congress that students in homeless situations shall have access to the education and other services they need to ensure they have an opportunity to meet the same challenging State student academic achievement standards to which all students are held.

Services provided to students identified as homeless include:

- Every local education agency designates a staff person to act as the educational liaison for students in homeless situations.
- Students have the option of remaining in their school of origin to the extent feasible or transferring to the local school in the current attendance area when moving to a different address or community. The parent/guardian determines which school is in the child's best interest.
- Students are immediately enrolled in school even if they do not have the documents required. The Liaison can request the necessary documents from previous schools or help to schedule required immunizations.
- Students will be provided transportation to and from school at the parent's request.
- Students will be provided free/reduced lunch.
- Students will be provided Title 1 services.
- School districts will establish a dispute resolution process to resolve disagreements between parents and the district. Families living in homeless situations may contact the Liaison to help them put the disagreement into writing.

### **Grounds for Suspension and Expulsion – EC 48900**

Opportunity Youth Academy (OYA) will develop and maintain a comprehensive set of student discipline policies aligned with the Santa Clara County Office of Education (SCCOE) Board Policy 5114. These policies clearly describe OYA's expectations regarding, among other things, attendance, mutual respect, substance abuse, violence, safety, and work habits.

Each parent/guardian of a high school-aged OYA student, will be required annually to verify that they have reviewed the policies with their student/s and that they understand the policies. Each adult student will also be required annually to verify that they have reviewed and understand the policies.

The procedures by which a student can be suspended or expelled from OYA for disciplinary reasons or otherwise involuntarily removed from OYA for any reason, shall include an explanation of how OYA will comply with federal and state constitutional procedural and substantive due process requirements that is consistent with all the following:

- For suspensions of fewer than 10 days, provide oral or written notice of the charges against the student and, if the student denies the charges, an explanation of the evidence that supports the charges and an opportunity for the student to present his or her side of the story.

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- For suspensions of 10 days or more and all other expulsions for disciplinary reasons, both of the following:
  - Provide timely, written notice of the charges against the student and explanation of the student’s basic rights.
  - Provide a hearing adjudicated by a neutral officer within a reasonable number of days at which the student has a fair opportunity to present testimony, evidence, and witnesses and confront and cross-examine adverse witnesses, and at which the student has the right to bring legal counsel or an advocate.
- Contain a clear statement that no student shall be involuntarily removed by OYA for any reason unless the parent or guardian of the student has been provided written notice of intent to remove the student no less than five schooldays before the effective date of the action. The written notice shall be in the native language of the student or the student’s parent or guardian or, if the student is a foster child or youth or a homeless child or youth, the student’s educational rights holder, and shall inform him or her of the right to initiate the procedures specified in above before the effective date of the action. If the student’s parent, guardian, or educational rights holder initiates the procedures specified above, the student shall remain enrolled and shall not be removed until OYA issues a final decision. For the purposes of, “involuntarily removed” includes disenrolled, dismissed, transferred, or terminated, but does not include suspensions.

Furthermore, in accordance with California Education Code 48900.10, an OYA student shall not be suspended for any of the acts specified in subdivision (a) – having disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrator, school officials, or other personnel engaged in the performance of their duties - and those acts shall not constitute grounds for a pupil enrolled in any of grades 6 to 12, inclusive, to be recommended for expulsion.

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent of the school district or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

- (a)(1) Caused, attempted to cause, or threatened to cause physical injury to another person.
- (a)(2) Willfully used force or violence upon the person of another, except in self-defense.
- (b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

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- (d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
- (e) Committed or attempted to commit robbery or extortion.
- (f) Caused or attempted to cause damage to school property or private property.
- (g) Stole or attempted to steal school property or private property.
- (h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
- (k)(1) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
- (2) Except as provided in Section 48910, a pupil enrolled in kindergarten or any of grades 1 to 3, inclusive, shall not be suspended for any of the acts enumerated in this subdivision, and this subdivision shall not constitute grounds for a pupil enrolled in kindergarten or any of grades 1 to 12, inclusive, to be recommended for expulsion. This paragraph shall become inoperative on July 1, 2018, unless a later enacted statute that becomes operative before July 1, 2018, deletes or extends that date.
- (l) Knowingly received stolen school property or private property.
- (m) Possessed an imitation firearm. As used in this section, “imitation firearm” means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.
- (n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.
- (o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for purposes of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.
- (p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.
- (q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, “hazing” means a method of initiation or preinitiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or

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prospective pupil. For purposes of this subdivision, “hazing” does not include athletic events or school-sanctioned events.

- (r) Engaged in an act of bullying. For purposes of this subdivision, the following terms have the following meanings:
  - (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
    - (A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupils’ person or property.
    - (B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
    - (C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
    - (D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.
  - (2)(A) “Electronic act” means the creation and transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
    - (i) A message, text, sound, or image.
    - (ii) A post on a social network Internet Web site, including, but not limited to:
      - (I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
      - (II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
      - (III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
- (B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.
- (3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.



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- (s) A pupil shall not be suspended or expelled for any of the acts enumerated in this section unless the act is related to a school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to a school activity or school attendance that occur at any time, including, but not limited to, any of the following:
  - (1) While on school grounds.
  - (2) While going to or coming from school.
  - (3) During the lunch period whether on or off the campus.
  - (4) During, or while going to or coming from, a school-sponsored activity.
- (t) A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).
- (u) As used in this section, “school property” includes, but is not limited to, electronic files and databases.
- (v) For a pupil subject to discipline under this section, a superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion that are age appropriate and designed to address and correct the pupil’s specific misbehavior as specified in Section 48900.5.
- (w) It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

### **Immunizations – EC 49403 and 48216, Health & Safety Codes 120335, 120365 and 120370**

Unless a pupil’s parent or legal guardian provides the school with an acceptable signed waiver, a pupil must be immunized against certain communicable diseases. Students are prohibited from attending school until the immunization requirements are met. SCCOE shall cooperate with local health officials in measures necessary for the prevention and control of communicable diseases in school age children. The district may use any funds, property, or personnel and may permit any person licensed as a physician or registered nurse to administer an immunizing agent to any student whose parents have consented in writing.

### **Instruction for Pupils with Temporary Disabilities – EC 48206.3, 48207 and 48208**

A pupil with a temporary disability which makes attendance in the regular day classes or the OYA program in which the pupil is enrolled impossible or inadvisable may receive individualized instruction provided in the pupil’s home for one hour a day.

A pupil with a temporary disability, who is in a hospital or other residential health facility, excluding a state hospital, may be deemed to have complied with the residency requirements for school attendance in the school district in which the hospital is located.



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It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

It is the responsibility of the parent or guardian to notify the school district in which the hospital or other residential health facility is located of the presence of a pupil with a temporary disability. Upon receipt of the notification, the district will within five working days determine whether the pupil will be able to receive individualized instruction pursuant to EC 48206.3 and, if so, provide the instruction within five working days or less.

### **Medical or Hospital Service – EC 49472**

#### **Services Not Provided**

The Santa Clara County Office of Education does not provide or make available medical and hospital services for pupils who are injured in accidents related to school activity or attendance.

#### **Services Provided**

The Santa Clara County Office of Education may provide or make available medical or hospital service through nonprofit membership corporations, defraying the cost of medical or hospital service, or through group, blanket or individual policies of accident insurance or through policies of liability insurance for injuries to pupils arising out of accidents related to school activity or attendance. No pupil is required to accept such service without the consent of his/her parent or legal guardian.

### **Medication Regimen – EC 49480**

The parent or legal guardian of any pupil taking medication on a regular basis must inform the school nurse or [other contact person] of the medication being taken, the current dosage, and the name of the supervising physician. With the consent of the parent or legal guardian, the school nurse may communicate with the physician and may counsel with the school personnel regarding the possible effects of the medication on the pupil.

### **Administration of Prescribed Medication for Pupils – EC 49423 and 49423.1**

Any pupil who is required to take, during the regular school day, medication prescribed by a physician or surgeon, may be assisted by the school nurse or other designated school personnel or may carry and self-administer auto-injectable epinephrine or inhaled asthma medication if the school district receives a written statement of instructions from the physician detailing the method, amount and time schedules by which such medication is to be taken.

### **Megan's Law – Penal Code 290 *et seq.***

Information about registered sex offenders in California can be found on the California Department of Justice's website, <http://meganslaw.ca.gov/>. The website also provides

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information on how to protect yourself and your family, facts about sex offenders, frequently asked questions, and sex offender registration requirements in California.

### **Minimum and Pupil-free Staff Development Days – EC 48980(c)**

Parents and guardians of all pupils are to be informed of the schedule of minimum days and pupil-free staff development days. If minimum or pupil-free staff development days are scheduled after the start of the school year, the school will notify parents and guardians of affected pupils as early as possible, but not later than one month prior to the scheduled day.

### **Missing Children – EC 49370**

It is required that specified persons, including school teachers, administrators, aides, playground workers and bus drivers, report missing children to a law enforcement agency in a timely manner.

### **Nondiscrimination Statement – EC 200 *et seq.***

The Santa Clara County Office of Education is committed to equal opportunity for all individuals in education. SCCOE programs and activities shall be free from discrimination based on gender, sex, race, color, religion, national origin, ethnic group identification, physical or mental disability, sexual orientation, or the perception of one or more of such characteristics. SCCOE assures that lack of English language skills will not be a barrier to admission or participation in SCCOE programs. Complaints of unlawful discrimination are investigated through the Uniform Complaint Process. Such complaints must be filed no later than six months after knowledge of the alleged discrimination was first obtained. For a complaint form or additional information, contact:

SCCOE Chief Schools Officer  
Student Services Branch  
1290 Ridder Park Drive'  
San Jose, CA 95131 408-453-6560

### **Notice of Alternative Programs – EC 58501**

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

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

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- (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 programs, the county superintendent of schools, the administrative office of this district, and the principal's office in each attendance unit have copies of the law available for your information. This law particularly authorizes interested persons to request the governing board of the district to establish alternative school programs in each district.

### **Pesticide Products – EC 17612**

To obtain a copy of all pesticide products and expected use at SCCOE school facilities during the year, please contact Risk Management at (408) 453-6862. The notice will identify the active ingredient(s) in each pesticide product and an internet address on pesticide use and reduction.

### **Physical Examination – EC 49451**

A parent or guardian may file annually with the school principal a written statement, signed by the parent or legal guardian, withholding consent to a physical examination of the pupil. However, whenever there is good reason to believe that the pupil is suffering from a recognized contagious or infectious disease, the pupil shall be sent home and shall not be permitted to return until school authorities are satisfied that the contagious or infectious disease no longer exists.

### **Property Damage – EC 48904**

Parents or guardians may be held financially liable if their child willfully damages school property or fails to return school property loaned to the child. The school may further withhold the grades, diploma, and transcript of the pupil until restitution is paid.

### **Pupil Records – EC 49063 and 49069, Title 34 Code of Federal Regulations 99.7, 20 United States Code 1232g**

A cumulative record, whether recorded by handwriting, print, tapes, film, microfilm or other means, must be maintained on the history of a pupil's development and educational progress. SCCOE will protect the privacy of such records. Parents/guardians have the right to 1) inspect and review the student's educational record maintained by the school, 2) request that a school correct records which they believe to be inaccurate or misleading, and 3) have some control over the disclosure of information from educational records. School officials with legitimate educational interests may access student records without parental consent as long as the official needs to review the records in order to fulfill his/her professional responsibility. Upon request from officials of another school district in which a student seeks or intends to enroll, SCCOE shall disclose educational records without parental consent.

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Parents' request to access their student's educational records must be submitted in a written form to the school principal and the school will have five (5) business days from the day of receipt of the request to provide access to the records. Copies of student records are available to parents for a fee of no more than 10 cents per page.

Any challenge to school records must be submitted in writing to the school principal. A parent challenging school records must show that the records are 1) inaccurate, 2) an unsubstantiated personal conclusion or inference, 3) a conclusion or inference outside the observer's area of competence, 4) not based on the personal observation of a named person with the time and place of the observation noted, 5) misleading, or 6) in violation of the privacy or other rights of the student.

Parents have the right to file a complaint with the United States Department of Education concerning an alleged failure by the District to comply with the provisions of the United States Family Educational Rights and Privacy Act (FERPA) by writing to: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Ave., SW, Washington, D.C. 20202- 5920.

### **School Rules – EC 35291**

The SCCOE may notify the parent or guardian of all pupils registered in SCCOE schools of the availability of rules pertaining to student discipline.

### **School Safety Plan – EC 32280 *et seq.***

Each Santa Clara County Office of Education school site has a School Safety Plan, which includes a comprehensive disaster preparedness plan. Copies are available to read at each school office.

### **School Visiting Procedures – EC 51101(a)(12) and Penal Code 627.6**

Parents and guardians of students enrolled in public schools have the right and should have the opportunity, as mutually supportive and respectful partners in the education of their children, to be informed in advance about school rules, including procedures for visiting the school.

PC 627.6: Requires schools to post at every entrance a notice setting forth the visitor registration requirements, hours during which registration is required, the registration location, the route to take to that location, and the penalties for violation of registration requirements. Administration has the authority to direct non-students to leave campus. No outsider shall enter or remain on school grounds during school hours without having registered with the principal or designee, except to proceed expeditiously to the school office for the purpose of registering.

### **Sex and HIV/AIDS Education – EC 51938**

The purpose of the California Comprehensive Sexual Health and HIV/AIDS Prevention Education Act (Education Codes 51930 through 51939) is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy and sexually transmitted diseases.

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The Santa Clara County Office of Education will provide instruction in comprehensive sexual health education, HIV/AIDS prevention education, and/or will conduct assessments on pupil health behaviors and risks in the coming school year.

Parents or guardians may:

1. Inspect the written and audiovisual educational materials used in the comprehensive sexual health and HIV/AIDS prevention education
2. Request in writing that their child not receive comprehensive sexual health or HIV/AIDS prevention education
3. Request a copy of Education Codes 51930 through 51939
4. Be informed whether the comprehensive sexual health or HIV/AIDS prevention education will be taught by district personnel or outside consultants
5. When the district chooses to use outside consultants or to hold an assembly with guest speakers to teach comprehensive sexual health or HIV/AIDS prevention education, to be informed of:
  - a. The date of the instruction
  - b. The name of the organization or affiliation of each guest speaker

The Santa Clara County Office of Education may administer to students in grades 7 through 12 anonymous, voluntary, and confidential research and evaluation instruments, including tests and surveys, containing age-appropriate questions about their attitudes or practices relating to sex. Prior to administering such a research and evaluation instrument, parents/guardians shall be provided written notice of the administration. Parents/guardians shall be given an opportunity to review the research instrument and to request in writing that their child not participate.

### **Sexual Harassment – EC 48980(g)**

It is the policy of the Santa Clara County Superintendent and the Board of Education to maintain learning and working environment which is free from sexual harassment. Sexual harassment is a form of sex discrimination under Title IX of the Education Amendments of the Civil Rights Act of 1972 and is prohibited by both Federal and State law. Therefore, the Santa Clara County Board of Education prohibits sexual harassment in all schools and facilities within the organization. SCCOE regards sexual harassment as improper, immoral, illegal, and such actions will not be tolerated. This policy is implemented to inform students, staff and parents about what sexual harassment is and the procedures which will be followed by SCCOE upon receipt of sexual harassment allegations.

The SCCOE sexual harassment policy is intended as a preventive measure to protect against sexual harassment before it occurs. The term “sexual harassment” is intended to mean sexual harassment in the broadest meaning of that term in current popular as well as legal usage. Sexual harassment is deliberate and/or repeated sexual or sex-based behavior that is not welcome and is not requested.

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The California Education Code specifies that a pupil may be suspended from school or recommended for expulsion if the superintendent or principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment. The SCCOE's educational programs may suspend and/or refer pupils back to their local school district. This policy shall not apply to pupils enrolled in kindergarten and grades one to three.

- A. For purposes of this policy, the conduct must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive as to create an intimidating, hostile, or offensive educational environment or to have a negative impact upon the individual's academic performance.
- B. Teachers and other school personnel shall discuss this policy with students in age-appropriate ways and will assure students that they need not endure any form of sexual harassment.
- C. Any student who feels that he/she has been the victim of sexual harassment by an employee, student or volunteer of SCCOE as defined in this policy and administrative regulations shall immediately report the matter to any school official of the school of attendance. The person receiving the complaint shall immediately report the matter to a school administrator, and an investigation into the complaint will begin.
- D. Any staff member who has knowledge of conduct of SCCOE employees, volunteers, students, or other individuals of the school community which may constitute sexual harassment, is expected to report immediately such conduct to an administrator of the school at which the student is in attendance.
- E. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned. All complaints will be taken seriously and confidentiality will be maintained as appropriate. There shall be no retaliation in any form against any complainant or participant in the complaint process.
- F. All employees and pupils shall be notified of this Board Policy on a regular basis.
- G. To promote an environment free of sexual harassment, the school administrator or designee shall provide staff training and ensure student notification.

An appeal of a SCCOE decision may be made in court through civil law remedies. Complainants should consult an attorney for more information. Contact the school principal if you have any questions or would like additional information.

### **Student Conduct – EC 51100**

#### **Duties of Pupils – 5 CCR 300**

Pupils shall conform to school regulations, obey all directions, be diligent in study and respectful to teachers and others in authority, and refrain from the use of profane and vulgar language.

#### **Jurisdiction – EC 44807**

Teaching staff shall hold pupils to strict account for their conduct on the way to and from school, on the playgrounds, or during recess.

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### **Mandatory Expulsion Violations – EC 48915**

Schools shall immediately suspend and recommend expulsion for students that commit any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm.
2. Brandishing a knife at another person.
3. Unlawfully selling a controlled substance.
4. Committing or attempting to commit a sexual assault.
5. Possession of an explosive.

The school board shall order the student expelled upon finding that the student committed the act.

### **Sunscreen and Sun-protective Clothing – EC 35183.5**

Each school site shall allow for outdoor use during the school day, articles of sun-protective clothing, including but not limited to hats. Pupils may use sunscreen during the school day without a physician's note or prescription.

### **Surveys – EC 51513**

Anonymous, voluntary and confidential research and evaluation tools to measure student's health behaviors and risks, including tests, questionnaires, and surveys containing age-appropriate questions about the student's attitudes and practices relating to sex, family life, morality, and religion may be administered to students if the parent is notified in writing that 1) this test, questionnaire, or survey is to be administered, 2) the student's parent is given the opportunity to review the test, questionnaire, or survey, and 3) the parent consents in writing.

### **Tobacco-free Campus – Health and Safety Code Sections 104420 and 104495**

In accordance with state and federal law, smoking is prohibited in all SCCOE facilities and vehicles.

All school districts and county offices of education that receive Tobacco Use Prevention (TUPE) funds are required to adopt and enforce a tobacco-free campus policy, to communicate this policy to school staff, parents, pupils and community, and to post signs stating "Tobacco Use Prohibited" at all entrances to the school.

Under Health and Safety Code Section 104495, smoking or use of any tobacco-related products and disposal of any tobacco-related waste within 25 feet of a school playground is prohibited, except on a public sidewalk located within 25 feet of the playground.

### **Uniform Complaint Policy and Procedure – 5 CCR 4600 *et seq.***

Requires annual written notification to pupils, employees, parents, district advisory committee, school advisory committees, and other interested parties of the school district's uniform complaint process. Notice to include the identity of the person(s) responsible for processing the complaints, the civil law remedies that may be available, and the appeal or review procedures contained in the following sections: 5 CCR 4650, Basis of Direct State Interventions, 5 CCR 4652, Appealing Local Agency Decisions, and 5 CCR



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4671, Federal Review Rights. Notice to be in English, and when applicable under EC 48985, the primary language or mode of communication of the recipient.

The UCP shall also apply to the filing, investigation and resolution of complaints for noncompliance regarding: discrimination, harassment, intimidation or bullying (EC 234.1); pupil fees (EC 49013); Local Control and Accountability Plans (EC 52075); Every Student Succeeds Act/No Child Left Behind; school safety plans (EC 32289); lactation accommodations (EC 222); education rights of foster, homeless, and former juvenile court school students (EC 48853, 48853.5, 49069.5, 51225.1, and 51225.2); course periods without educational content (EC 51228.3); and physical education instructional minutes (EC 51210 and 51223).

The Uniform Complaint Procedures apply to the filing, investigation and resolution of complaints regarding alleged: 1) failure to comply with federal or state law or regulations governing adult education, consolidated categorical aid programs, migrant education, vocational education, child care and developmental programs, child nutrition programs and special education programs; 2) unlawful discrimination against any protected group as identified under Education Code (EC) sections 200 and 220 and Government Code section 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance; 3) failure to comply with school safety planning requirements as specified in Section 7114 of Title 20 of the United States Code; 4) unlawful discrimination, harassment, intimidation, and bullying based on actual or perceived characteristics set forth in Section 422.55 of the Penal Code and EC 220, and disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics; 5) unlawful imposition of pupil fees for participation in educational activities in public schools; 6) failure to comply with the requirements established through the Local Control Funding Formula related to the Local Control and Accountability Plan as described in EC sections 52060 through 52076 or sections 47606.5 and 47607.3; 7) noncompliance with physical education instructional minutes at specified grade levels; 8) inappropriate assignment of a pupil to courses without educational content or previously completed and received a grade sufficient for satisfying the requirements for high school graduation and admission into post-secondary education; 9) noncompliance with education provisions for pupils in foster care, who are homeless, or who are former juvenile court school students; and 10) failure to reasonably accommodate lactating pupils.

A complaint must be filed no later than six months from the date the complainant first obtains knowledge of the concern. These uniform procedures require the complainant to submit a written complaint to the Chief Schools Officer who will coordinate an investigation and response within 60 calendar days of receipt of the written complaint, unless the complainant agrees in writing to extend the time line. If the District finds merit in a complaint, the District shall provide a remedy to all affected pupils, parents/guardians.

A complainant may appeal the District's decision to the California Department of Education (CDE) by filing a written appeal within 15 calendar days after receiving the District's decision. The CDE may directly intervene in the complaint without waiting for



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action by the district when one of the conditions listed in Section 4650 of Title 5 of the California Code of Regulations exists, including cases in which the district has not taken action within 60 calendar days of the date the complaint was filed with the district. If a district is found to have violated a state or federal law and/or regulation, and the District does not take corrective action to comply, then various civil remedies may be available. Contact the Assistant Superintendent of Student Services & Support, at 408-453-6560 for additional information or assistance.

### **Victim of a Violent Crime – 20 United States Code 7912a**

A student who becomes a victim of a violent criminal offense while in or on the grounds of a school that the student attends, has the right to transfer to another school within the district. The District has 14 calendar days to offer students the option to transfer. For more information, please contact the Chief Schools Officer at (408) 453-6560.

### **Walking or Riding a Bike to School – Vehicle Code 21212**

No person under 18 years of age may operate a bicycle, non-motorized scooter, skateboard or wear in-line or roller skates, nor ride as a passenger upon a bicycle, non-motorized scooter, or skateboard upon a street, bikeway, or any other public bicycle path or trail unless that person is wearing a properly fitted and fastened bicycle helmet that meets specified standards.

### **Williams Complaint Policy and Procedure – EC 35186**

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or missed assignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained at the school office and/or online in the SCCOE Student Services area of the [www.SCCOE.org](http://www.SCCOE.org) webpage. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns.

## **ADDITIONAL NOTIFICATIONS FOR ELEMENTARY & MIDDLE SCHOOLS ONLY**

### **Career Counseling and Course Selection – EC 221.5(d)**

Commencing in grade 7, school personnel shall assist pupils with course selection or career counseling, exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

### **Entrance Health Screening – Health & Safety Codes 124085, 124100, 124105 and 120475**

State law requires that the parent or legal guardian of each pupil provide the school documentary proof that the pupil has received a health screening examination by a doctor within 90 days after entrance to first grade. Pupils may be excluded up to 5 days from school

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for failing to comply or not providing a waiver. Free health screening is available through the local health department.

### **Oral Health Assessment – EC 49452.8**

Record of a dental assessment done by a dental professional is required for all kindergarteners and first graders attending public school for the first time. Dental assessments must be completed in the 12 months prior to entry or by May 31<sup>st</sup> of the pupil's first school year.

### **School Bus Safety – EC 39831.5**

All pupils in pre-kindergarten, kindergarten and grades 1 to 6, shall receive written information on school bus safety (*i.e.*, a list of school bus stops near each pupil's home, general rules of conduct at school bus loading zones, red light crossing instructions, school bus danger zone, and walking to and from school bus stops). Prior to departure on a school activity trip, all pupils riding on a school bus or school activity bus shall receive safety instruction that includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction also may include responsibilities of passengers seated next to an emergency exit.

## **ADDITIONAL NOTIFICATIONS FOR HIGH SCHOOLS ONLY**

### **Access by Military Recruiters – 20 United States Code 7908**

Federal law requires school districts to provide military recruiters the same access to secondary school pupils as is provided to post-secondary educational institutions or to prospective employers. Parents may request that SCCOE not release their pupil's name, address and telephone number without prior written consent. Written notice must be submitted to the school if the parent or legal guardian wishes to deny access to this information.

### **Advanced Placement and International Baccalaureate Exam Fees – EC 52244**

Eligible high school students may receive financial assistance to cover the costs of the advanced placement examination fees or the International Baccalaureate examination fees, or both.

### **Algebra I Graduation Requirement**

Prior to receiving a diploma of graduation from high school, pupils shall successfully complete at least one course or a combination of two courses which shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605.

### **California High School Proficiency Exam – Title 5, California Code of Regulations 11523**

The California High School Proficiency Exam (CHSPE) is a voluntary test that assesses proficiency in basic reading, writing, and mathematics skills taught in public schools. Eligible pupils who pass the CHSPE are awarded a Certificate of Proficiency by the State Board of Education. A pupil who receives a Certificate of Proficiency may, with verified approval from the parent or legal guardian, leave high school early. The Certificate of Proficiency, however, is not equivalent to completing all course work required for regular graduation from high school. For more

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information, including administration dates and registration deadlines, visit the following website: <http://www.chspe.net/>.

### **Career Counseling and Course Selection – EC 221.5(d)**

Commencing grade 7, school personnel shall assist pupils with course selection or career counseling, affirmatively exploring the possibility of careers, or courses leading to careers based on the interest and ability of the pupil and not on the pupil's gender. Parents or legal guardians are notified so that they may participate in such counseling sessions and decisions.

### **College and Career Technical Education – EC 51229**

Parents or guardians of students in grades 9 through 12 needs to be aware of the following information on College Admission Requirements and Higher Education:

The State of California offers community colleges, California State Universities (CSU), and Universities of California (UC) for students who wish to continue their education after high school.

In order to attend a community college you need only be a high school graduate or 18 years of age. In order to attend a CSU you have to take specific high school courses, have the appropriate grades and test scores, and have graduated from high school. Test scores are not required if your GPA is 3.0 or above. In order to attend a UC you must meet requirements for coursework, GPA, and test scores, or rank in the top four percent at a participating high school, or qualify by examination alone. You may also transfer to a CSU or UC after attending a community college. For more information on college

### **Admission requirements please refer to the following webpages:**

[www.ccco.edu](http://www.ccco.edu) – This is the official website of the California Community College system. It offers links to all of the California Community Colleges.

[www.assist.org](http://www.assist.org) – This interactive site provides course transfer information for students planning to transfer from a California Community College to a CSU or UC.

[www.csumentor.edu](http://www.csumentor.edu) – This extensive online site offers assistance to students and their families on the CSU system, including the ability to apply online, and links to all CSU campuses.

[www.universityofcalifornia.edu](http://www.universityofcalifornia.edu) – This massive website offers information regarding admissions, online application, and links to all UC campuses.

Students may also explore career options through career technical education. These are programs and classes offered by a school that are specifically focused on career preparation and/or preparation for work. The programs and classes are integrated with academic courses and support academic achievement. Students can learn more about career technical education by referring to the following webpage: [www.cde.ca.gov/ds/si/rp](http://www.cde.ca.gov/ds/si/rp).

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Students may meet with their school principal and/or school counselor to choose courses at their school that will meet college admission requirements, or enroll in career technical education courses, or both.



## 2020-21 Acknowledgements of Receipt and Review

Dear Parent/Guardian:

The Santa Clara County Office of Education is required to annually notify parents and guardians of rights and responsibilities in accordance with Education Code 48980.

If you have any questions, or if you would like to review specific documents mentioned in the notice, please contact the principal at your student’s school. He or she will be able to give you more detailed information and assist you in obtaining copies of any materials you wish to review.

Please complete the “Acknowledgement of Receipt and Review” form below, and return it to your student’s school.

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### Acknowledgement of Receipt and Review

Pursuant to Education Code 48982, the parent/guardian shall sign this notice and return it to the school. Signature on the notice is an acknowledgment by the parent or guardian that he or she has been informed of his or her rights but does not necessarily indicate that consent to participate in any particular program or activity has been given or withheld.

Student Name: \_\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

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

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

Home Telephone Number: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent/Guardian (if student is under 18)

\_\_\_\_\_  
Signature of Student (if student is 18 or older)



**OPPORTUNITY  
YOUTH  
ACADEMY**

Santa Clara County  Office of Education

**“Ready to Learn, Ready to Work and Ready to Live”**

County Board of Education

Joseph Di Salvo

Peter Ortiz

Rosemary Kamei

Kathleen M. King

Grace H. Mah

Claudia Rossi

Victoria Chon

County Superintendent of Schools

Mary Ann Dewan, Ph.D.

Santa Clara County  Office of Education

1290 Ridder Park Drive San Jose, CA 95131-2304

[www.sccoe.org](http://www.sccoe.org)

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